

Minutes of the meeting of the Health, Care and Wellbeing Scrutiny Committee held in The Conference Room, Herefordshire Council Offices, Plough Lane, Hereford, HR4 0LE on Friday 22 July 2022 at 2.00 pm

Committee members present in person and voting: **Councillors: Carole Gandy, Peter Jinman (Vice-Chairperson), Trish Marsh, Tim Price, David Summers, Elissa Swinglehurst (Chairperson) and Kevin Tillett**

Others in attendance: B Baugh (Democratic Services Officer), M Carr (Interim Statutory Scrutiny Officer), J Coleman (Democratic Services Manager), H Hall (Corporate Director Community Wellbeing), Councillor D Hitchiner (Leader of the Council), Dr F Howie (Public Health Consultant), Councillor F Norman, M Pearce (Director of Public Health) and M Willimont (Head of Public Protection)

1. APOLOGIES FOR ABSENCE

All committee members were present. Apologies for absence were noted from Councillor Pauline Crockett, Cabinet Member Health and Adult Wellbeing, and Christine Price, Chief Officer of Healthwatch Herefordshire.

2. NAMED SUBSTITUTES

There were no named substitutes.

3. DECLARATIONS OF INTEREST

Councillor Peter Jinman declared an 'other interest' in the agenda item 'Task and Finish Group Report: The Impact of the Intensive Poultry Industry on Human Health and Wellbeing' due to interests in farming and farming related matters, as disclosed previously in the Register of Interests.

4. QUESTIONS FROM MEMBERS OF THE PUBLIC

No questions had been received from members of the public.

5. QUESTIONS FROM MEMBERS OF THE COUNCIL

No questions had been received from councillors.

6. ROLE AND OBJECTIVES OF THE HEALTH, CARE AND WELLBEING SCRUTINY COMMITTEE

The Interim Statutory Scrutiny Officer introduced the report on the role and remit of the committee, and on the committee's objectives for 2022-2023.

It was noted that the Scrutiny Management Board had considered a 'Statement of Intent' at its inaugural meeting on 16 June 2022 [[minute 6 of 2022/23](#) refers] and attention was drawn to the twelve draft objectives for the committee, as set out in Appendix 1 to the report.

There was a discussion about the objectives and related provisions in the council's Constitution [[Section 4 – Scrutiny Functions](#) refers], the key points included:

- i. The remit of the Scrutiny Management Board in terms of 'Where a matter falls within the remit of one or more Scrutiny Committees, decide which Committee will consider it and whether a spotlight, task and finish or standing panel review is appropriate' and the implications for the individual scrutiny committees were discussed.
- ii. The remit of the Scrutiny Management Board in terms of 'To undertake the scrutiny role in relation to areas which are cross cutting nature eg. Corporate Strategy and Finance (Budget), People and Performance and Corporate Support' and the need for clarity about how the individual scrutiny committees could contribute towards the scrutiny of the budget. It was noted that the remit of this committee included 'Adults and Communities budget and policy framework' but no other reference to the budget was made in the remits of the other scrutiny committees.

The Interim Statutory Scrutiny Officer advised that the Scrutiny Management Board would consider how the scrutiny of the budget would be conducted at its next meeting. A number of members commented on the need for the broader involvement of councillors in this scrutiny activity.

- iii. It was noted that the scrutiny committee had the power 'to review and scrutinise any matter relating to the planning, provision and operation of the health service in its area... In this regard *health service* includes services designed to secure improvement – (i) in the physical and mental health of the people of England...' and a committee member commented on the potential need to consider issues for residents along the England – Wales border. The Interim Statutory Scrutiny Officer clarified that this provision reflected the fact that the legislation in relation to overview and scrutiny was different in England and in Wales.

RESOLVED:

That the general role and remit of the scrutiny committee be noted, and the Health, Care and Wellbeing Scrutiny Committee objectives for 2022-2023 be agreed.

7. HEALTH, CARE AND WELLBEING SCRUTINY COMMITTEE ANNUAL WORK PLAN 2022-2023

The Interim Statutory Scrutiny Officer introduced the report on the committee's annual work plan for 2022-2023, noting that the plan had been drafted in consultation with members of the committee and with input from officers from the Community Wellbeing Directorate.

[Note: there was an adjournment for fifteen minutes to address a technical issue with the live streaming of the meeting]

The principal points raised during the discussion included:

- i. Access to Council Wellbeing Services – Signposting

Referring to consideration of 'Access to health and care for Herefordshire residents living on the border with Wales', the Chairperson noted that Herefordshire and Worcestershire Clinical Commissioning Group (now Integrated Care System) had drafted a protocol.

ii. Reserve Items

Comments were made about recent changes to West Midlands Ambulance Service and to NHS 111, and the potential need for a watching brief on developments in relation to urgent and emergency care services.

iii. Obesity and Nutrition

It was noted that the Children and Young People Scrutiny Committee had undertaken a 'Dental Health and Childhood Obesity Spotlight Review' [[minute 36](#) of 2018/19 refers]; the subsequent executive response was agreed by Cabinet [[minute 39](#) of 2018/19 refers].

The Chairperson suggested that this topic should be looked at in the context of all ages commissioning and a 'whole family' approach.

A committee member commented that Talk Community had held a number of practical events on obesity and nutrition.

The Vice-Chairperson noted the need to focus on the role of the council and on opportunities to have an impact locally.

RESOLVED:

That the Health, Care and Wellbeing Scrutiny Committee Annual Work Plan 2022-23 be agreed.

8. TASK AND FINISH GROUP REPORT: THE IMPACT OF THE INTENSIVE POULTRY INDUSTRY ON HUMAN HEALTH AND WELLBEING

The committee received the report of the Task and Finish Group on 'The Impact of the Intensive Poultry Industry on Human Health and Wellbeing'.

On behalf of the committee, the Chairperson expressed thanks to the councillors and officers involved, and to the witnesses and members of the public for their contributions.

Councillor Felicity Norman, Chairperson of the Task and Finish Group, introduced the report, the key points included: the process had been interesting but the limited evidence available had been frustrating; the group had comprised lay people with no professional expertise in this area; attention was drawn to the sentence 'We did not find enough evidence to conclude that Intensive Poultry Units (IPUs) are harmful to health, although there were many indications and much anecdotal evidence that this may be the case, especially the impact on mental health and wellbeing'; and further research was needed on this topic and related issues.

The key points of the discussion included:

1. A concern was expressed about the level of government regulation and action.
2. The absence of information was significant and the limited engagement of the Environment Agency was unfortunate, particularly the refusal of the request to identify 'how many complaints concerning these IPU premises have there been in

2021/22 so far' on the basis that it was 'likely to involve a significant cost and diversion of resources from our other work'.

3. The Chairperson acknowledged the subjective nature of odour nuisance but suggested that a sense check of modelled assessment against actual performance of an installation could provide additional assurance in the planning process for IPU's. A committee member added that an independent consultant could be utilised to review the assessments provided in planning applications.
4. The Chairperson considered that some of the recommendations may go beyond the original scope of the Task and Finish Group and others recommended to the committee should be directed to the executive.
5. The Vice-Chairperson recognised that the report was well intentioned but expressed reservations about aspects of the content and tone, including:
 - a. The need for a systematic review of the scientific literature.
 - b. Caution and balance was important in terms of the absence of evidence.
 - c. Some of the conclusions drawn were considered scientifically unsound.
 - d. There was no breakdown by species and types of poultry production.
 - e. In terms of flocks under 40,000 birds, there was a need to test the statement that 'there are very few of these in the county' given the requirement to register flocks over 50 birds.
 - f. It was understood that there were limited resources but there was a need to be suitably critical if reports were to be used as a basis for policy making.
 - g. There were broader questions about task and finish groups, including the need for methodology, research, and logical processing to inform conclusions and recommendations.
 - h. The recommendation about engagement with relevant bodies was welcomed but this also needed to include producers.
 - i. Statements made about anti-microbials were challenged, with an outline provided of current UK and EU regulations.
 - j. There was a need to be careful about the selective use of certain World Health Organisation reports, as these may not reflect the position in the UK.
 - k. In view of the residents employed through the industry or those with units themselves, care was needed to avoid any unnecessary alarm.
 - l. The finding that there was not 'enough evidence to conclude that Intensive Poultry Units (IPUs) are harmful to health' was welcomed but the comment that 'there were many indications and much anecdotal evidence that this may be the case' was disputed, particularly in view of the small number of respondents and given that the comments and suggested causations were untested.
 - m. The birds themselves, given fragile respiratory systems, were an indicator of any problems and there was extensive monitoring within modern units.

- n. There was a need to work collaboratively, including with the industry.
6. A committee member commented that: the report could be improved but there were finite resources; there was the potential for cumulative impact from ammonia and particulates being discharged into the air; people experienced distress from odour related issues; the Environment Agency could use annual fees levied on operators more effectively; and air pollution was a public health concern.
 7. The Chairperson drew attention to the Health and Safety Executive's [technical and legal guidance on poultry dust](#) and related document '[Controlling exposure to poultry dust: An occupational hygiene standard of good working practice for poultry farmers](#)'. In view of the potential health hazards in the workplace, the Chairperson did not consider it unreasonable to question the potential implications of wider exposure.
 8. A committee member noted the difficulties to prove causation in terms of respiratory diseases and questioned the effectiveness of the Environment Agency.
 9. Councillor Norman made a number of comments, including: an update to the Health Protection Agency (2006) Position Statement: Intensive Farming was overdue; not all IPUs were operated from modern buildings or to the same standard of management; and it was acknowledged that the number of respondents was relatively small but other anecdotal information came from constituents or through comments made on planning applications.
 10. The Vice-Chairperson commented on: the need for focus on the question of human health and wellbeing; acknowledged the concerns about direct contact with poultry but consideration had to be given to the dilution factor beyond such settings; the need for strong evidence and for careful use of language; and the literature referenced needed to be understood in the context of the methodology used and any subsequent criticism.
 11. The Chairperson suggested that the potential for voluntary monitoring of ammonia and particulates could be explored further with producers.
 12. The Head of Public Protection was invited to comment, the key points included: the importance of evidence; the arrangements for and limitations of environmental permits; air quality screening work undertaken at the planning application stage had not found any IPU in breach the particulate matter standards; odour issues were emotive; dilution factors and other sources of particulate matter; the Task and Finish Group's interest in the position with the Rivers Wye and Lugg, and the issues identified in the resident feedback; there was a small number of consultants available to planning authorities; national research was to be undertaken on avian influenza outbreaks; and the frustrations of the group were understood but the findings had to be robust.
 13. In response to a question, the Head of Public Protection outlined the monitoring requirements in relation to smaller units, commented on the concept of best available techniques not entailing excessive costs, and emphasised that the Environment Agency was responsible for policies and guidance notes.
 14. The Vice-Chairperson noted that: the majority of avian influenza outbreaks had not been in broilers; there was a need for all agencies and industry sectors to address water pollution; the First Minister for Wales had held a summit at the Royal Welsh Show on reducing pollution in rivers; and there was a distinction between people identifying concerns and diagnosable mental health conditions.

15. In response to a comment from a committee member about encouraging producers to upgrade older units, the Vice-Chairperson commented on a new broiler directive and on the 'Better Chicken' programme.
16. There was a brief discussion about the perceptions and actualities of animal welfare.
17. A committee member commented that various agricultural activities caused distress to people and there was a need for evidence-based recommendations.
18. The Vice-Chairperson offered to assist the Task and Finish Group on appropriate revisions to the report.

The committee discussed the recommendations in turn, the principal points arising included:

5.1 Promotion of public engagement and awareness

It was considered that the recommendations could be supported. In particular, a myth-busting document was considered important but this should not necessarily be based on Appendix 1 and 2 to the report, and it should avoid potentially alarmist language.

5.2 Joint working with partners and external agencies

The promotion of the use of task and finish group findings within the council and encouraging participation by a wide range of groups and industry bodies reflected good practice. As this should be part of regular scrutiny activity, the recommendations were not considered necessary.

5.3 Planning and permit issuing

It was considered sensible to consult health partners on planning applications where appropriate.

The Public Health Consultant commented that a Supplementary Planning Document in relation to health impact had been developed in Worcestershire and elsewhere.

The Public Health Consultant also commented that: the UK Health Security Agency had recently confirmed that it was working on an update to the Health Protection Agency (2006) Position Statement; work with colleagues in primary care had not found any link between increasing respiratory conditions and the proliferation of IPU's; it was important to recognise people's experiences but also to put this into the statistical context of the county; and the 2006 position statement had concluded that 'intensive farms may cause pollution but provided they comply with modern regulatory requirements any pollutants to air, water and land are unlikely to cause serious or lasting ill health in local communities'.

The Vice-Chairperson suggested that the concept of 'One Health', i.e. human, animal and environment, should be part of any health impact assessment.

In addition to exploring matters relating to issuing and regulating IPU permits, the Chairperson suggested that consideration could be given to a recommendation to request the executive to engage with the industry to develop a voluntary code in relation to monitoring.

The Chairperson considered that the recommendation to 'formulate and encourage the adoption of a countywide waste manure management strategy' was out of scope of the Task and Finish Group but the point could be noted in some other way. It was noted that Cabinet was due to consider the establishment of a Phosphates Commission.

5.4 Inspection, regulation and monitoring

The Chairperson acknowledged the need to work collectively and constructively on the 'best available techniques' but also to encourage innovation.

In view of the recently updated technical and legal guidance, it was not considered necessary to make a recommendation in relation to the Health and Safety Executive.

It was considered that the recommendation to 'request accurate monitoring and recording of national quantities of manure and manure management' was out of scope.

5.5 Independent research

The Chairperson suggested that the recommendations needed to be reframed to take account of the UK Health Security Agency work on updating the position statement. It was commented that the council could work with and assist the UKHSA.

There was a brief discussion about ensuring that the report was robust and credible before sharing it with other bodies.

A committee member commented on the opportunity to work with Herefordshire and Ludlow College.

It was considered that the recommendation 'Continue to take samples from the county's private water supplies and wells to test for any potential link between poultry manure spreading and pollution' was not necessary as there was an existing statutory duty.

5.6 Mental health awareness

It was suggested that the thematic summary of the responses received from the public be shared with primary care services but it was not necessary to highlight specific issues.

5.7 Publicising the report

The Chairperson considered that task and finish group reports should be treated and publicised in a consistent way.

It was noted that a further draft report would be considered by the committee for recommendation to the executive, and the executive responses would be reported back to the committee. Although the committee would wish to maintain an interest in developments following this, it was not considered necessary to identify a specific timescale to revisit this issue in the work programme.

In response to questions, the Head of Public Protection commented on conditions included in planning permissions to minimise offensive odours beyond site boundaries and considered it unlikely that the government would accept the

reintroduction of a minimum distance between IPUs and residential properties given the variables involved. The Chairperson suggested that the executive could be asked to consider the inclusion of such a distance factor in supplementary planning guidance.

RESOLVED:

That consideration of the item be deferred and members of the Task and Finish Group be invited to review the draft report and recommendations, in consultation with members of the committee and the Interim Statutory Scrutiny Officer, taking into account the views and suggested revisions made by the committee, with a further iteration to be presented to the next scheduled meeting of the committee.

9. DATE OF FUTURE MEETINGS

The dates for scheduled meetings for the remainder of the 2022/23 municipal year were noted, with the next scheduled meeting being Friday 23 September 2022 at 2.00 pm.

The meeting ended at 4.53 pm

Chairperson