

**Minutes of the meeting of Environment and Sustainability
Scrutiny Committee held at Herefordshire Council Offices,
Plough Lane, Hereford, HR4 0LE on Thursday 19 January 2023 at
10.30 am**

Present: Councillor Louis Stark (chairperson)
Councillor Trish Marsh (vice-chairperson)

Councillors: Carole Gandy, David Hitchiner (Substitute), Elissa Swinglehurst,
Yolande Watson and William Wilding (Remote)

In attendance: M Averill (Service Director Environment and Highways), B Boswell (Head of Environment Climate Emergency and Waste Services), S Cann (Secretary), J Coleman (Secretary), L Duberley (Service Manager Built and Natural Environment), N Percival (Waste Services Manager), S Peters (Waste Transformation Lead), A Rees-Glinos

Officers:

31. APOLOGIES FOR ABSENCE

Apologies were received from Cllr Ellie Chowns, Cllr Gemma Davies and Cllr Jennie Hewitt.

32. NAMED SUBSTITUTES

Cllr David Hitchiner substituted for Cllr Ellie Chowns.

33. DECLARATIONS OF INTEREST

None.

34. MINUTES

The minutes of the meeting held on 18 November 2022 were agreed as a correct record and signed by the Chair.

35. QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no questions received from members of the public.

36. QUESTIONS FROM MEMBERS OF THE COUNCIL

There were no questions received from Councillors.

37. WASTE AND RECYCLING

The Committee agreed to look at the item in in the context of the waste hierarchy and divided it into three sections for discussion:

Section 1 - Household waste and the front end of the waste hierarchy (reduce and reuse).

The Committee noted that progress was being made and accepted assurances that the Council was on track to meet the targets within the strategy. Some members questioned the inclusion of the words 'significant' and 'ambitious' within recommendation (a) and suggested they came across as self-congratulatory.

The Committee suggested that the content of paragraph 19 of the strategy (particularly points 19A and 19C) needed to be stronger and felt greater emphasis should be placed on the circular economy. As an example of how recycling could be encouraged, the Committee pointed to a household recycling centre (HRC) in the neighbouring authority of Monmouthshire, which contained an off-ramp from the main HRC, leading to a repurposed building, where anything with a useful onward life could be deposited for recycling and purchased by the public. It was pointed out that there was no equivalent service within Herefordshire and that the situation should be rectified, temporary classrooms could potentially be repurposed and located at local HRCs where practical.

The Committee acknowledged the benefits of pop-up recycling shops, but highlighted the inconsistency associated with such stores. The Committee stated that charity shops regularly lacked the capacity to process items and that a dedicated on-site recycling building (including a shop that was accessible to the general public) would be a quick and cost-effective way to boost recycling in the county. The Committee requested that an update be provided on 19A and 19C.

The Committee agreed that in relation to reducing waste, the Council needed to get its own house in order and point to what it was doing to encourage the public and local community to follow its example. A joined up approach within the waste hierarchy was needed with all players engaged and the Committee enquired when a waste analysis of residual waste would be available.

The Committee expressed its concerns about reports from Welsh Water in relation to the damage from overflow from blocked pipes, a significant factor in many of these blockages was the incorrect disposal of non-flushable items such as kitchen towels and wet wipes. Education on correct disposal of these and other such items would be crucial in tackling this problem and the Committee suggested that the Council could consider working together with Welsh Water on this issue.

Members of the Committee pointed out that quite often charity shops would not accept certain items and that encouraging and assisting people/communities to set-up and staff repair shops could be something for the Council to incorporate in its strategy.

The Committee enquired about facilitation and how much was being done to bolster the infrastructure to allow people to reuse, repair and reduce waste once they had been educated.

The Committee suggested that the recycling centre booking system presented an excellent opportunity to challenge what people were taking to the centres and educate them on methods and facilities available for efficient waste disposal, however a nuanced approach should be taken when engaging with the public. It was felt that working closely with the charitable sector to communicate best practice for recycling would also be useful.

The head of environment climate emergency and waste services responded to the Committee's comments and enquiries. It was explained that the team had responded to over 23 recommendations contained within the Task and Finish report and that significant and impressive progress had been made in this area. The team had extended

and varied the waste disposal contract to enable the new waste collection contract, this had been a huge piece of work and the team had done an 'amazing' job to deliver this within the timescales. Targets set for reducing landfill were significantly ahead of schedule and the figure was likely to be under 1% within the year, which was three years ahead of schedule.

The head of service highlighted improvements that had been made in relation to recycling opportunities within the county through food waste collection, increased card and paper segregation and a full value garden waste scheme. A number of pilot schemes had also been launched, one particular success was the nappy scheme, which was launched six months previously and had been completely oversubscribed within 36 hours of launch, with more vouchers having to be released to meet demand. Social media engagement relating to the scheme had been hugely positive and the council had been working closely with anti-natal care to ensure the scheme's continued success.

The waste transformation lead explained that a repair shop grant scheme had started in the autumn - with assistance from volunteers and expertise from surrounding areas, including Ledbury and Malvern, the first store in Herefordshire would be opening in a month and would provide a template for others to follow. Herefordshire Council would be working closely with third parties and charities through the journey of education and engagement and this would be a base to take things forward, with other organisations coming forward to apply for the grant and set up more repair shops within the county.

The head of service pointed out that the current waste disposal contract had been due to terminate in 2024, but had been extended to 2029, which in waste terms was a short time. The Council was currently reviewing options for 2029 and beyond and was engaging with local partnerships and the department of levelling up. The team were also working with the current contractor and looking at national best practice to establish what could be done with reuse facilities presently and in the future.

The head of service also drew the attention of the Committee to a newly contracted bulky waste reuse collection service, which would no longer automatically classify bulky items as waste, but would instead see them classed as a potentially reusable item. The team were working on getting bulky items out of the waste stream and into the reuse stream and were revisiting the "getting it right" campaign to get the right messages, to the right places to the right people.

Section 2 - Household waste at the back end (recycling, recovery and disposal).

The Committee asked whether information and data was available regarding the number of people choosing not to recycle and what was the Council doing to address this situation?

The head of environment climate emergency and waste services assured the Committee they would be provided with a copy of the consultation report, which contained relevant data on the matter in question.

The Committee asked for clarity on terminology used in paragraphs 8C and 17 of the report in relation to the terms 'contract monitoring' and 'best practice review of contact management'. It also asked what the Council was doing in terms of inspections to check that the contracts in place were being adhered to?

The head of service explained that contract monitoring involved ensuring there was better accountability and transparency around the journey of waste after it had been collected, and obtaining assurances about where that waste goes. With Mercia the waste journey was clear, but the Council wanted Mercia to undertake work with sub-

contractors to go further down the supply chain, for even greater transparency. It was noted that the assurance and contractual agreement to go right down the whole supply chain was now in place.

Regarding the review of contract management, this involved working jointly with Worcestershire County Council and an external consultancy to see how improvements could be produced in relation to best practice and continual improvement. In terms of monitoring and inspecting what the contractor was doing the team went through monthly reports and reviews with colleagues at Worcestershire County Council and regular meetings and reports with the contractor were taking place.

The waste services manager explained that in terms of monitoring the journey of waste, every load of waste had a weighbridge note that went with it so that its movement could be tracked. All locations where waste was sent had a data return, which was checked by Defra on a regular basis, plans were being worked on to see if the Council could go further in tracing waste to its end destination.

It was noted that KPIs (to monitor that contractors were doing as agreed) were currently being looked at as part of forthcoming commissioned contract management review.

The waste services manager answered a question from the Committee regarding the collection of soft plastics. National trials were currently taking place in relation to recycling soft plastics and Herefordshire was keen to be involved in these. The impact of a future soft plastics tax remained to be seen, but could see a drop-off of such materials in coming years.

Section 3 - Business waste, in particular food waste from small businesses and fly tipping.

The Committee asked questions in relation to:

- The way small businesses, especially takeaways, disposed of waste food and what checks were in place to monitor this?
- Could a phosphate benefit be derived from food waste?
- Were any kind of in-field waste schemes in place within Herefordshire, whereby farmers would allow foodbanks access to unwanted crops?
- Communications of tyre disposal on the Council website.
- Was the Council taking a consistent line on carbon reduction, especially in relation its fleet of waste trucks? Was there a carbon reduction scoring system in place as part of the decision matrix?

The head of service and waste services manager addressed the points raised by the Committee and explained that:

- The Council offered a waste recycling service through a commercial food waste collection. The waste was disposed of in an environmentally friendly manner in a facility outside of the county. Small businesses were not told where or how to dispose of waste, but there was a wealth of information available to them via regular communications. The community protection team work closely with the waste team to ensure businesses were being supported and were complying with the rules.
- Phosphate benefits derived from food and in-field schemes were currently being discussed with relevant partners and third parties.

- It was pointed out that tyres could no longer be placed in landfill, however many garages and recycling centres would dispose of them for a small fee, where they would be chipped and reused for playground surfacing and other suitable purposes. Instances of the fly tipping of tyres should be reported to the community protection team who can investigate incidents where there is a pattern.
- The Council was keen to promote and encourage business cases to deliver carbon reduction wherever possible. In relation to the fleet of waste trucks, half of the fleet was refurbished in 2013-2014. The fleet was currently owned by the contractor and was ageing, but recycling of the existing fleet had been used to extend the lifespan of other vehicles.

This concluded the questions. The Committee discussed and drew up a number of recommendations, which were proposed and approved unanimously:

It was unanimously resolved that:

- 1) The committee notes the significant progress to date through the Waste Transformation Programme and is assured that the Council is on track for early delivery of the ambitious new targets within the new Integrated Waste Management Strategy, and
- 2) The following recommendations should be considered by the Executive for inclusion:
 - a) *There should be additional information provided (via the self-serve booking system and located within) local recycling centres, identifying additional opportunities to re-use and repair items that would otherwise be sent to waste or re-cycling.*
 - (i) *As part of this, working with charitable sector partners to expand and communicate the diversity of options for re-use.*
 - b) *Strengthened communication is provided on the opportunities available to reduce, repair re-use and recycle locally - targeted at those who do not currently process their waste in this method.*
 - c) *That the Executive set in place a reporting and communications campaign to ensure that the public are made aware of how each of our waste streams are used (recycling, waste for energy recovery and for disposal to landfill), and explains where each waste stream is directed to and how each stream is re-processed."*
 - d) *That Smart KPIs are agreed with our contractors responsible for recycling, waste for energy recovery and disposal to landfill.*
 - e) *Infrastructure is provided at recycling centres to enable and maximise opportunity to allocate their items for re-use.*
 - f) *Measures are taken to ensure that when local food outlets are inspected by environment health information is provided about the opportunities and additional options available to them to recycle their waste.*
 - g) *Development of the business cases within the proposed capital programme*

should ensure consistent criteria relating to environmental and sustainability measures applied to their fullest extent in relation to reaching carbon neutrality, and repair and re-use of redundant equipment and buildings.

h) Alongside this, development of a carbon scoring system to be able to assess how specific projects contribute to carbon reduction targets in relation to other options.

38. REVIEW OF THE CLIMATE AND ECOLOGICAL EMERGENCY REVIEW

The Chair noted that the report had already been discussed during previous General Scrutiny meetings and the report was taken as read. Committee members were invited to make general points about the report.

The Committee members made a number of points during the discussion:

- There was a need for greater visibility of manure management plans on planning websites.
- There was a need for KPIs within the delivery plan for neighbourhood development plans (NDPs).
- The work of the Herefordshire Biological Records Centre (HBRC) was praised. It was also suggested that publicity should be given to the fact that members of the public are able to come forward and upload their own data onto the HBRC system.
- A lack of consistency in relation to language was noted and that jumping between terms such as 'net zero, net neutral and carbon neutral' should be avoided where possible.
- Concerns were raised regarding enforcement of legislation and regulations in relation to significant hedgerow removal.

The head of environment climate emergency and waste services) and the service manager built and natural environment, responded to the Committee:

- It was pointed out that manure management plans were published as a planning condition.
- Regarding neighbourhood delivery plans it was explained that these would vary from area to area, but that the inclusion of KPIs within the deliver plan could be discussed with the planning team.
- The praise for the HBRC was welcomed.
- The head of environment climate emergency and waste services accepted comments in relation to inconsistent language and terminology and gave an assurance this would be addressed.
- The service manager for built and natural environment acknowledged hedgerow legislation enforcement was challenging and resource heavy, but explained that the planning and ecology teams were working closely together to tackle the issue. There was now a graduate in post and an apprentice due to start who would be focusing heavily on hedgerow legislation enforcement going forward. Improved information on the website regarding where and how members of the public could report breaches of hedgerow regulation was also something that could be put in place to make the process more efficient.

The Committee raised a number of further points:

- It was noted that partners had received an update on the Nature Strategy, but the Committee had not had sight of it. This was seen as part of a wider failing in terms of the Committee not being kept 'in the loop' and updated on relevant reports and activity.
- The Committee noted that at Scrutiny Management Board many of the highest scoring business cases for retrofitting had been rejected on affordability grounds. A 'blue sky' approach was required and the Council needed to look at everything available in its 'tool box'. For example, looking into building carbon negative houses upon green areas.
- There was a no evidence of a biodiversity net gain option and there should be a recommendation included on this.
- The Committee asked if there was a mechanism in place for the monitoring of manure management plans. What assurances were there that management plans were being complied with?

The head of environment climate emergency and waste services and service manager built and natural environment addressed these points:

- The head of service was not aware the committee had wanted to see the Nature Strategy, but was happy to share it with them. The acting statutory scrutiny officer suggested that this would be recorded as an action and that officers and democratic services needed to work together to ensure that members and proposers were kept up to date on reports and activity relevant to their Committee.

Action: Clarity of instruction required from report authors and democratic services to ensure members were kept up to date on relevant reports and activity.

- The head of service acknowledged retrofits were an enormous challenge and that there was a need to pull in additional funding where available. Options such as carbon negative housing would be considered as a component of the local plan refresh.
- The service manager explained that in relation to biodiversity net gain, the team were currently awaiting guidance from Defra and that there was only so much that could be done until that detail came through. In the meantime work was carrying on behind the scenes including the updating of the natural environment evidence base, which overlaps with the core strategy. There had been engagement with LUC consultancy on landscape characteristic assessment on open spaces within the county and to provide mapping on bio diversity data sets. This would all feed into the strategy and mapping that would sit behind the biodiversity net gain policy. There had also been involvement in a project initiated by the local wildlife trust on local wildlife sites review and this would hopefully continue on an annual basis.

Action: that a Biodiversity net gain recommendation be included in the review and that progress in this area be fed back to the Committee.

- The service manager stated that monitoring of manure management plans wasn't fully in place at the moment, but stressed that there would be an onus for local authorities to pick up monitoring as part of the Environment Act.

The Committee made closing comments with a view to proposing a number of recommendations for the review.

The Committee suggested that there was a need for a climate and ecological emergency champion drawn from within the council membership. The individual could liaise with members and officers and look at what other parts of the country were doing to resolve problems similar to those faced by Herefordshire.

The Committee noted that the Task & Finish Group had found it difficult, when dealing with planners, to convey the urgency of having a checklist for planning applicants, particularly one that drew their attention to the requirements the Committee wanted them to follow in relation to environment and ecology planning developments.

It was resolved that:

- 3) The Environment and Sustainability Scrutiny Committee note the update provided in Appendix 1 which provides an update on the actions following the executive response to the Climate and Ecological Emergency Task & Finish Group and
- 4) The following recommendations should be considered by the Executive for inclusion:
 - (a) That the ESSC would like to see included on the service delivery dashboard for planning, a performance measure encompassing a timeline for the creation of a local planning list, including environmental and ecology compliance checklists at the prevalidation stage of the planning application.
 - (b) A climate and ecological emergency 'champion' is appointed to look at what practices other local authorities are leading on with a view to informing and influencing the work of Herefordshire Council.

39. PROGRESS REPORT JANUARY 2023

The Committee took reports on the local plan for Herefordshire and local flood risk management strategy action plan as read. A discussion took place in relation to water course consent forms and the flood risk management action plan, an addition to the existing [findings](#) was proposed and approved

It was resolved that:

- 1) The scrutiny report on the Local Plan; a review of the development of a new Local Plan for Herefordshire, at Appendix 1, is approved by the Environment and Sustainability Scrutiny Committee for submission to Cabinet for consideration.
- 2) That the Environment and Sustainability Scrutiny Committee's findings at Appendix 2 in relation to the Local Flood Risk Management Strategy Action Plan be approved and submitted to Cabinet for consideration.

- (a) The following finding be added to Appendix 2 of the Local Flood Risk Management Strategy Action Plan:

"Herefordshire Council reviews the water course consent form and involves the ecology team and looks at the connections and linkages between the flood risk management and the nature strategy and the Habitats Regulation Assessment (HRA)."

40. WORK PROGRAMME

The Committee gave consideration to its Work Programme as set out on pages 83-90 of the agenda.

In respect of a potential item on greenways, assurances given to the Chair by Cllr John Harrington in relation to consultation with small business' on this matter, prompted the Committee to place the item on the reserve list.

The Committee felt that a proposed item on farming was too broad and generic and following discussion on the subject the Committee opted to instead focus on the supplementary planning document (SPD) on agriculture.

The Committee also planned to include the Commission on the River Wye as an item in its next meeting.

It was resolved that: The committee work programme be noted.

41. DATE OF THE NEXT MEETING

The Committee noted its next meeting date as 10 March 2023.

The meeting ended at 13:22

Chairperson