

# Agenda

## Environment and Sustainability Scrutiny Committee

Date: **Monday 27 November 2023**

---

Time: **10.00 am**

---

Place: **Herefordshire Council Offices, Plough Lane, Hereford,  
HR4 0LE**

---

Notes: Please note the time, date and venue of the meeting.

For any further information please contact:

**Simon Cann, Democratic Services Officer**

Tel: 01432 260667

Email: [simon.cann@herefordshire.gov.uk](mailto:simon.cann@herefordshire.gov.uk)

---

If you would like help to understand this document, or would like it in another format, please call Simon Cann, Democratic Services Officer on 01432 260667 or e-mail [simon.cann@herefordshire.gov.uk](mailto:simon.cann@herefordshire.gov.uk) in advance of the meeting.

# **Agenda for the meeting of the Environment and Sustainability Scrutiny Committee**

## **Membership**

**Chairperson**            **Councillor Louis Stark**  
**Vice-chairperson**   **Councillor Helen Heathfield**

**Councillor Dave Davies**  
**Councillor Robert Highfield**  
**Councillor Rob Owens**  
**Councillor Justine Peberdy**  
**Councillor Richard Thomas**

## Agenda

	Pages
<b>1. APOLOGIES FOR ABSENCE</b> To receive apologies for absence.	
<b>2. NAMED SUBSTITUTES</b> To receive details of members nominated to attend the meeting in place of a member of the committee.	
<b>3. DECLARATIONS OF INTEREST</b> To receive declarations of interests in respect of Schedule 1, Schedule 2 or Other Interests from members of the committee in respect of items on the agenda.	
<b>4. MINUTES</b> To receive the minutes of the meeting held on Monday 25 September 2023.	9 - 20
<b>HOW TO SUBMIT QUESTIONS</b>	
The deadline for the submission of questions for this meeting is 9.30 am on Wednesday 22 November 2023.	
Questions must be submitted to <a href="mailto:councillorservices@herefordshire.gov.uk">councillorservices@herefordshire.gov.uk</a> . Questions sent to any other address may not be accepted.	
Accepted questions and the responses will be published as a supplement to the agenda papers prior to the meeting. Further information and guidance is available at <a href="http://www.herefordshire.gov.uk/getinvolved">www.herefordshire.gov.uk/getinvolved</a>	
<b>5. QUESTIONS FROM MEMBERS OF THE PUBLIC</b> To receive any written questions from members of the public.	
<b>6. QUESTIONS FROM MEMBERS OF THE COUNCIL</b> To receive any written questions from members of the council.	
<b>7. CHAIR'S UPDATE</b> To provide updates on developments and activity relevant to the committee's remit.	
<b>8. IMPLEMENTING THE ENVIRONMENT ACT 2021</b> To present information for the committee to consider regarding the targets, duties and powers conferred to the council and its partners by the Environment Act 2021. How Herefordshire Council is implementing the duties of the act and working in partnership working relating to the act.	21 - 32
<b>9. WORK PROGRAMME</b> To consider the work programme for the committee.	33 - 34
<b>10. DATE OF THE NEXT MEETING</b>	

Monday 22 January 2024 10.00 am

|

## The public's rights to information and attendance at meetings

In view of the continued prevalence of Covid, we have introduced changes to our usual procedures for accessing public meetings. These will help to keep our councillors, staff and members of the public safe.

Please take time to read the latest guidance on the council website by following the link at [www.herefordshire.gov.uk/meetings](http://www.herefordshire.gov.uk/meetings) and support us in promoting a safe environment for everyone. If you have any queries please contact the governance support team on 01432 261699 or at [governancesupportteam@herefordshire.gov.uk](mailto:governancesupportteam@herefordshire.gov.uk)

We will review and update this guidance in line with Government advice and restrictions.

Thank you for your help in keeping Herefordshire Council meetings safe.

### You have a right to:

- Attend all council, cabinet, committee and sub-committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting. Agenda and reports (relating to items to be considered in public) are available at [www.herefordshire.gov.uk/meetings](http://www.herefordshire.gov.uk/meetings)
- Inspect minutes of the council and all committees and sub-committees and written statements of decisions taken by the cabinet or individual cabinet members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting (a list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public register stating the names, addresses and wards of all councillors with details of the membership of cabinet and of all committees and sub-committees. Information about councillors is available at [www.herefordshire.gov.uk/councillors](http://www.herefordshire.gov.uk/councillors)
- Have access to a list specifying those powers on which the council have delegated decision making to their officers identifying the officers concerned by title. The council's constitution is available at [www.herefordshire.gov.uk/constitution](http://www.herefordshire.gov.uk/constitution)
- Access to this summary of your rights as members of the public to attend meetings of the council, cabinet, committees and sub-committees and to inspect documents.

## **Recording of meetings**

Please note that filming, photography and recording of this meeting is permitted provided that it does not disrupt the business of the meeting.

Members of the public are advised that if you do not wish to be filmed or photographed you should let the governance services team know before the meeting starts so that anyone who intends filming or photographing the meeting can be made aware.

The reporting of meetings is subject to the law and it is the responsibility of those doing the reporting to ensure that they comply.

The council may make a recording of this public meeting or stream it live to the council's website. Such recordings are made available for members of the public via the council's YouTube channel at [www.youtube.com/user/HerefordshireCouncil/videos](http://www.youtube.com/user/HerefordshireCouncil/videos)

## **Public transport links**

The Herefordshire Council office at Plough Lane is located off Whitecross Road in Hereford, approximately 1 kilometre from the City Bus Station.

The location of the office and details of city bus services can be viewed at:  
[www.herefordshire.gov.uk/downloads/file/1597/hereford-city-bus-map-local-services-](http://www.herefordshire.gov.uk/downloads/file/1597/hereford-city-bus-map-local-services-)

## **The seven principles of public life**

### **(Nolan Principles)**

#### **1. Selflessness**

Holders of public office should act solely in terms of the public interest.

#### **2. Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

#### **3. Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

#### **4. Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

#### **5. Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

#### **6. Honesty**

Holders of public office should be truthful.

#### **7. Leadership**

Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.





**Minutes of the meeting of Environment and Sustainability Scrutiny Committee held in Herefordshire Council Offices, Plough Lane, Hereford, HR4 0LE on Monday 25 September 2023 at 10.00 am**

**Board members present in person, voting:**

Councillor Dave Davies  
 Councillor Robert Highfield  
 Councillor Justine Peberdy  
 Councillor Louis Stark (Chairperson)  
 Councillor Richard Thomas

**Board members in attendance remotely, non-voting:**

Councillor Helen Heathfield (Vice Chairperson)

*Note: Board members in attendance remotely, e.g. through video conference facilities, may not vote on any decisions taken.*

Others present in person:

Ben Boswell	Head of Environment, Climate Emergency and Waste Services	Herefordshire Council
Simon Cann	Democratic Services Officer	Herefordshire Council
Joelle Higgins	Democratic Services Support	Herefordshire Council
Steve Hodges	Directorate Services Team Leader	Herefordshire Council
Danial Webb	Statutory Scrutiny Officer	Herefordshire Council

Others in attendance remotely:

Mark Averill	Service Director Environment and Highways	Herefordshire Council
Elizabeth Duberley	Service Manager Built and Natural Environment	Herefordshire Council
Rachael Joy	Interim Delivery Director for Environmental Transformation	Herefordshire Council

**42. APOLOGIES FOR ABSENCE**

No apologies were received.

**43. NAMED SUBSTITUTES**

There were no named substitutes.

**44. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**45. MINUTES**

The minutes of the meeting held on 19 January 2023 were agreed as a correct record and signed by the Chair.

#### **46. QUESTIONS FROM MEMBERS OF THE PUBLIC**

See Appendix 1 – Questions from members of the public.

#### **47. QUESTIONS FROM MEMBERS OF THE COUNCIL**

There were no questions received from Councillors.

#### **48. RIVER WATER POLLUTION**

The Chair gave a brief introduction and overview of the report and suggested the discussion be broken down by structuring it around the four objectives listed in the work programme for the item:

- Understand the factors contributing to the pollution of rivers and watercourses.
- Examine the council's duties and powers to address river pollution.
- Scrutinise how the council fulfils its duties and exercises its powers.
- Identify key partners and their roles and responsibilities

The Cabinet Member for the environment warned of oversimplifying the source of the pollution and focusing on just one of the causes of what was a complex and multi-faceted problem.

It was explained that when discussing phosphate it was important to consider the ecological impact on the river. Algal blooms were triggered by temperature, low flow, sunlight and nutrients.

Phosphate was not the only substance contributing to nutrient imbalance - ammonia and PFAS (Per- and Polyfluorinated Substances) were also factors, but the focus of the committee's discussion would be phosphate.

The cabinet member explained that phosphate was required for life and to make things grow, but that it had got out of balance and as covered in the RePhoKUs report phosphate levels had adversely impacted the nutrient balance in the catchment area, with a 3,000 tonne excess of Phosphate in the area.

The complexity of the problem was demonstrated by the numerous contributing factors including: run off, land drains, sewage treatment, detergents, soil health and peak flow of the river in response to rainfall.

The committee referred to the RePhoKUs report's comments regarding phosphate getting into the subsoil and how that would potentially be a long-term problem with no short term fix.

The committee asked the cabinet member if they felt there were any gaps in the evidence.

The Cabinet Member noted that there was a lot of information on accumulation and legacy phosphate, but that robust data on total phosphorous and the impact it was having would be useful.

It was also noted that the use of soluble reactive as a proxy worked in relation to sewage treatment works, but was not an effective proxy for land-based studies.

The Cabinet Member stressed that in order to deal with the accumulation of legacy phosphate, it would be necessary to work towards solutions, involving building a greater understanding of how the phosphate could be copped out to help get the soils balanced again.

The committee heard from the Chief Executive of the Wye and Usk Foundation, who stated that understanding drives action and pointed out that the problem was chronic as well as acute.

The chronic problem was fundamentally related to the fact that too much phosphorous was being applied to the catchment soil - this was predominantly due to the intensification of agriculture and the basic supply chain/logistical pressures of locating feed stock close to the factories - with manure/waste products from that increasing the soils in those areas.

The Chief Executive then explained that the acute problem was the mechanism by which the phosphorous was getting into the water. There was an increased understanding that some of it was getting in through drain flow, overland flow and a lot was coming from yard run off and direct manure impact.

It was explained that the current focus was on phosphate P04, as that was the statutory monitoring programme. The statutory monitoring programme was built to measure what comes out of sewage works - soluble reactive phosphorous.

Regarding what comes from agriculture, it was stated that only about 10% of it is in the form of the soluble reactive phosphorous, the phosphate from the other 90% of the phosphorous was in other forms that people had been blind to and this was causing major ecological problems in certain catchment areas.

The Chief Executive explained that the Environment Agency was set to expand its monitoring programme to include other forms of phosphorous and that analysers were set in place in the catchment to start to understand this.

The Chief Executive pointed out that when dealing with the chronic problem, the 1,750 tonnes of bag phosphorous being applied was the excess and action from Avara could take 600-800 tonnes of that out - as farmers want to own the problem. Controlling the amount of fertilizer being applied to the soils determines whether or not the catchment is in balance and that can potentially be controlled through regulation.

In terms of solving the acute problem, the chief executive felt this was a more complex matter. There was a need to open up things wider than just phosphate in order to understand why the river was going green and why there were eutrophic problems. There were forms of condensed phosphorous predominantly coming from manures that fell outside of the current statutory monitoring programme and this needed to be addressed.

The Interim Delivery Director for Environmental Transformation explained how council members had placed considerable pressure on government to do more about the problem, including: a call for a WPZ (Water Protection Zone), round table and promise of a plan from the Secretary of State and the legal requirement on the agencies to produce a diffuse water pollution plan, however, there remained a need to go further.

The Interim Director pointed out that where this was a cross-government, cross-country problem, there was a need to bring systems thinking to bear and that the committee needed to think about systems as a whole and what needs to change within the system.

It was suggested that there was need to see, from the governments of both England and Wales, a proper scientific analysis of what it would take to actually recover the river, followed by a proper fair and open assessment of what the options were to do that. This might likely involve more voluntary action, a mixture of voluntary action and enforcement or a better set of tools.

The Interim Director noted that this was the first time in human history where there had been a requirement to manage down phosphate levels.

Thinking systematically about the problem, the potential solutions and having a public process that included the community would be crucial to solving the problem. The solutions would likely be very difficult and would require significant change within the poultry industry and significant change in farming practice.

The Interim Director stressed the need to focus energy on getting a proper process to get to a proper plan in place and then a properly resourced plan to deliver a solution. The committee enquired who would lead the plan being discussed and it was explained that ultimate responsibility for such a plan would lie with Defra, although the council and other agencies could continue to press with soft power.

The committee asked about the powers available to the Council to assist in tackling the problem.

The Head of Environment Climate Emergency and Waste Services broke the powers down into four main categories, with some examples:

- Planning and the ability to influence through planning.
- Convening power of the Council - including working with and coordinating other organisations, bodies and regulators, which had led to lobbying for a water protection zone and the creation of a Cabinet Commission
- General decision making of the Council – including decision reports and guidance from officers, environmental impacts featuring in all decision reports.
- The general powers of competence - the general wellbeing powers pioneering nationally some of the mitigation projects, such as the wetlands and the phosphate calculator on how to evidence the mitigation. These had set national standards.

The committee asked if the Council was able to influence the water companies in relation to the amount of sewage input going into the waterways.

The Cabinet Member for the environment explained that the water companies have an investment period and were currently installing phosphate stripping technology into sewage treatment works. Welsh Water had invested £60 million in phosphate reduction for the catchment.

The Interim Delivery Director for Environmental Transformation pointed out that Welsh Water was looking to reinvest in communities and on the Wye and that plans were in place to manage new house builds.

The committee asked if it would be possible to draw up an action plan similar to the one that had been created for the flood risk strategy, with a view to establishing a standardisation for action plans moving forward.

The Interim Director explained that unlike with the flood risk action plan, Herefordshire Council was not a lead authority in this matter, but was a partner. However it would be possible to provide a plan about what the Council was trying to influence through the

Cabinet Commission. It would also be possible to detail action around the planning system and how those levers were being used. Details of the limited role of environment enforcement and what is happening on the mitigation side could also be included.

The Chief Executive of the Wye and Usk Foundation explained they had been working with the Wye Catchment Partnership on a whole catchment approach to dealing with the principle issues. Once an issue has been identified it become possible to look at what the quantum of the issue is, what the cause is, the solution, then who implements the solution, where it happens and monitor it and feed it back.

It was explained that the approach allows for gap analysis, which is being built up with 124 different partners, of which the council is one. The Councils play a key role in this, but it is owned by everybody. What it will ultimately do is highlight gaps in research, knowledge and funding, which could feed into other related plans.

The committee noted that the Council was a publicly elected body within the 124 partners and that it would be crucial that they instilled confidence in the public and brought them along in the process, in order to ensure any plans were successful.

The Cabinet Member pointed out that housing in Herefordshire was responsible 0.02 of the problem and was mitigated. The housebuilding industry was being hit hard and restricting new builds was doing no good for the river nutrient neutrality in the region.

The Chief Executive of the Wye and Usk Foundation detailed an Environment Agency-funded project being run with the Foundation and some local farmers that had revealed a correlation between soil P indices and the amount leaving through land drains. Only one tenth was leaving through the land drains and in heavy soil areas this figure dropped to zero.

A Defra project for a phosphate balance calculator, would be able to focus on which of the soils need to be focused on to get phosphate applications and export into balance. This would create a science based pathway that farmers were aware of and engaging with to assist with putting in place better mitigation.

The Chief Executive stated that there was a lot going on, a greater understanding of the causes of the problem was emerging, the farmers were engaging, solutions were arising around legacy, but there were still fundamental issues with manure and manure management, which needed to be focused on.

The Chief Executive described to the committee how phosphate analysers, which allow for the recording of phosphate and other forms of phosphorous, were currently being used in the Wye and Usk catchment areas. The devices, of which there are currently three in the Usk catchment (funded by Dŵr Cymru Welsh Water) and one in the Wye catchment, enable continuous data retrieval on phosphorous components and ammonia. The analysers require a river bank lab, which costs approximately £40,000 to install and £20,000 per year to run.

An analyser on the Lugg would massively improve the efficacy of any plan to bring the river back into favourable conditions.

The committee noted that lost income resulting from the moratorium on building development had adversely impacted the GDP of the county and council by significant amounts and that funding the analysers being described seemed like a sensible positive development.

The Interim Director suggested that a recommendation about exploring such funding with others, such as Welsh Water, might be a sensible approach.

The Interim Director pointed out that the Council had used softer powers to inform the poultry industry and give it a greater understanding of what was happening in the river.

The Council had brought together the local farming community, Scottish Rural College, Defra, Natural England and the Environment Agency to do some detailed work on issues with the soil, which had resulted in a new tool that would measure phosphate within the field rather than having to send it off to labs. The tool was about to be trialled and further tools would allow farmers to make better choices regarding the impact of planting cover crops later or earlier.

The committee felt that work needed to be done with the Environment Agency in relation to manure management plans and raising awareness. There was a need for a regulatory floor, where there would be consequence for going below that.

The committee agreed that farming rules for water and control of agricultural pollution regulations needed improvement and both could be better. It was felt that here was a potential need to create an awareness campaign for what the requirements were, but this would be about getting things right and not punishing people.

The Interim Director raised a point of order, suggesting that the discussion was beginning to stray into areas of what the EA (Environment Agency) can do, and that the committee might want to invite an EA rep to discuss this before making recommendations.

The Chair acknowledged this point, but said that the recommendation would request working with the EA to inform and implement any campaign.

The committee discussed introducing a kitemark of quality to highlight a catchment sensitive farming approach where it has been taken. It was pointed out that the Herefordshire Farming Alliance was already doing something similar through 'river friendly farming' and 'river friendly food'.

The committee asked the Chief Executive of the Wye and Usk Foundation if it might be possible to obtain a breakdown of the 124 partners involved in the whole catchment approach.

The Chief Executive confirmed that it would be possible to do so and that the partners ranged from government, supermarkets, supply chains, deliveries to farmers, citizen scientists, wildlife trusts and other councils.

**ACTION: The Chief Executive of the Wye and Usk Foundation to provide a breakdown of the 124 partners in the whole catchment process by governance area, for reference.**

The committee discussed and made a number of amendments to the proposed recommendations on this item relating to:

- b) adding funding for analysers to the recommendation to ensure decisions are being made based on accurate data.
- c) concerns were raised about the EA not being engaged before putting the recommendation forward, but the committee felt that the recommendation was proposing working with the EA.
- d) to acknowledge the need to work with partners already running similar schemes, such as the Herefordshire Food Alliance.

Following debate, the committee unanimously voted in favour of making the following recommendations to the Executive:

## **RESOLVED:**

**That:**

- a) The Executive should consider drawing up a River Improvement Direct Action Plan itself, constructed around the Council’s existing statutory responsibilities, to inform policy development, prioritisation on actions to be taken, including those in the pipeline, budgeting and resourcing. This would also refer to and draw from related plans being constructed by partners; and**
- b) The Executive should collect its own water quality samples, through funding analysers on the river Lugg specifically:
  - first to fulfil its role as the “competent” authority under the “Habitat regulations”**
  - second, to use as evidence on the true state of our rivers in our catchment area, in negotiations with partners on the required river improvement actions;**
  - third, as a response to the claim by RePhokUs in their latest report, “that current inconsistencies in river water quality monitoring programmes are confounding understanding of the impact of variable farming pressures and P surpluses on river P pollution; and****
- c) With the EA, an awareness and engagement campaign should be run within the livestock and agricultural sector, covering manure management plans and compliance with the requirements of the “Storing silage, slurry and agricultural fuel oil regulations”; and**
- d) With livestock and agricultural producers, the Executive should explore the value of a kitemark designation for local sourced produce to indicate they have come from “Catchment Sensitive Farming (CSF)” practices. This should include discussion with the Herefordshire Food Alliance and any other interested partners; and**
- e) That the Executive should push strongly through the existing Cabinet Commission, for the proposed SoS led plan for the river Wye to include a glide path to a Water Protection Zone, if all voluntary arrangements fail to achieve river recovery.**

## **49. EXECUTIVE RESPONSE TO RECOMMENDATIONS ON THE LOCAL FLOOD RISK MANAGEMENT STRATEGY ACTION PLAN**

The Chair introduced the item and provided background information in relation to the recommendations made by the Committee and the responses received from the Executive.

The Chair explained that unless there were any questions from members, the focus would be on the responses to recommendations 5 and 6, which had been partially accepted.

Recommendation 5 and the Executive response to it were read out to the committee. The Chair invited the Directorate Services Team Leader for Economy and Environment to provide an update on the response.

It was explained that the reason for the recommendation being partially accepted was due to the potential impact of forthcoming national policy, but that the directorate was

aware that policy elements specific to Herefordshire would need to be considered as part of the Local Plan. The team leader read out a statement that had been provided by the Strategic and Neighbourhood Planning Manager:

*“The draft local plan contains policies to ensure that the effects of climate change and flooding risks are recognised, considered and managed. Specific policies have been drafted to address these issues. These may need to be reviewed if a flood risk policy is included within the national development management policies, as part of the levelling up and regeneration bill and changes to the national planning policy framework, which are expected this autumn. The local plan is going to define the up-to-date extent of the land at risk of flooding, which may include sources of flooding other than the environment agency flood zones and this is the area where the national and local policy will apply. Strategic flood risk assessments both at county and site level will be important in this process and the strategic flood risk assessment part two is currently being commissioned.”*

It was stated the Strategic and Neighbourhood Planning Manager’s work would be underpinned by the local flood risk strategy as well.

The committee understood that the local flood risk management strategy action plan needed to be used as an evidence base to inform the local plan, but it had concerns about the accuracy and reliability of EA (Environment Agency) flood mapping information.

The committee stated that it felt the EA’s flood mapping was out of date, too reliant on height above sea level data and contours, and didn’t give enough consideration to water coming in from higher grounds.

The committee also raised concerns about plans that focused solely on how to rush water through systems at the expense of considering other factors, such as how to slow down the arrival of water. It was felt that local knowledge was vital in shaping flood planning, but was not always available or included.

The committee voiced concerns about the EAs evidence base and over reliance on central government policy.

The Cabinet Member for the Environment stated that plans tended to focus on riparian/fluviat flooding rather than pluvial flooding. It was suggested that a systems thinking style approach would be helpful going forward. Plans should take a holistic approach and needed to be future-proofed to take into account climate change. The committee noted this and suggested a recommendation be put to the Executive in relation to the matter.

Recommendation 6 and the Executive response to it were read out to the committee. The Chair invited the Directorate Services Team Leader for Economy and Environment to provide an update on the response.

It was explained that arrangements were already in place and were currently being assessed, which was why the recommendation had been partially accepted. The Council’s ecology team in conjunction with ecologists within Balfour Beatty Living Places (BBLP) would be further developing the process of assessing projects in relations to Habitats Regulations Assessments (HRAs) and that this was very much a work in progress.

**ACTION:** That the team leader provide the committee with a further update in relation to any amendments to the process in this area and to give assurance that recommendation 6 has been fully signed off.



At the end of the debate, the committee voted unanimously in favour of the proposed recommendation:

**RECOMMENDATION:**

**That:**

- a) **The Executive reassure themselves that any review of the Local Plan takes account of all the flood risks, both pluvial and fluvial, specific to Herefordshire.**

**50. WORK PROGRAMME**

The committee discussed the work programme.

**RESOLVED:**

**That:**

- a) **The planned 'Meeting net zero-carbon in Herefordshire' item would be rescheduled from the 22 January 2024 meeting to the 25 March 2024 meeting of the committee and;**
- b) **The planned 'Nutrient Management Board' item would be rescheduled from the 25 March 2024 meeting to the 22 March 2024 meeting of the committee and;**
- c) **A briefing would be held on the Minerals and Waste Local Plan and;**
- d) **Members would conduct enquiries in relation to littering and public bins in their local area, findings would then then be shared and discussed at a future informal briefing and a decision taken as to whether or not to include the topic as a work programme item.**

**51. DATE OF THE NEXT MEETING**

Monday 27 November 2023 10.00 am

**52. APPENDIX 1 - QUESTIONS FROM MEMBERS OF THE PUBLIC**

<b>Questioner:</b>	Ms Carol-Ann Banks, via email
<b>Scrutiny Meeting:</b>	ESSC Meeting 25 September 2023
<p>Herefordshire Council would appear to be waging a war against private car ownership. The roads are narrowing, you are reducing parking spaces, forcing people into using public transport, spending £2m on electric buses powered by batteries which are anything but green all whilst aiming to reduce carbon dioxide emissions to net zero as per the WEF Agenda30.</p> <p>Facts:</p>	

- carbon dioxide is only 0.04% of the atmosphere
- only 3% of the 0.04% is produced by cars
- 1.3% of the 3% is produced by manufacturing, cows passing wind and bush fires
- Only 1% of the 3% is produced by the UK
- China emits in one day the equivalent of the UK emissions in one year
- There has been global COOLING over the last 8 years, despite 450 billion tons of emissions, which is 14% of total human manufacturing CO<sub>2</sub>. (Part of the 1.3% of the 3% of the 0.04%).

*(the National Oceanic and Atmospheric Administration (NOAA))*

Looking at the science:

A mature tree will absorb 21.77 kg of carbon dioxide per year. This doesn't include other plant life.

The area of woodland in the UK at 31 March 2023 is estimated to be 3.25 million hectares. This represents 13% of the total land area in the UK.

Woodland Carbon Code projects in the UK that were validated (including those that were also verified) at 31 March 2023 were predicted to sequester a total of 8.5 million tons of carbon dioxide over their lifetime of up to 100 years.

[forestresearch.gov.uk](http://forestresearch.gov.uk)

**Question: So why are we trying to reduce carbon dioxide emissions?  
If carbon dioxide levels fall to 0.02% ALL life will cease to exist.**

**Response:**

- The Council is committed to providing residents with a transport network that supports all transport modes, enabling safe and sustainable travel choices for residents.
- The Council is also committed to leading a local response to the Climate & Ecological Emergency, which was recently reaffirmed by unanimous vote at Full Council on the 28<sup>th</sup> July.
- Here we have set targets, and are making good progress to achieve:
  - carbon neutrality across the Council's own emissions by 2030
  - and we are working with partners, businesses, communities and residents to achieve this countywide.
- The importance of this commitment is reiterated within the [most recent report from the Intergovernmental Panel on Climate Change \(IPPC\)](#), who are the internationally accepted authority on climate change. Some headlines

statements from this report include:

- *Human activities, principally through emissions of greenhouse gases, have unequivocally caused global warming, with global surface temperature reaching 1.1°C above 1850–1900 in 2011–2020.*
- *Widespread and rapid changes in the atmosphere, ocean, cryosphere and biosphere have occurred.*
- *Human-caused climate change is already affecting many weather and climate extremes in every region across the globe.*
- *This has led to widespread adverse impacts and related losses and damages to nature and people.*
- *Continued greenhouse gas emissions will lead to increasing global warming, with the best estimate of reaching 1.5°C in the near term in considered scenarios and modelled pathways.*
- *Risks and projected adverse impacts and related losses and damages from climate change escalate with every increment of global warming.*

<b>Questioner:</b>	Ms Carol-Ann Banks, via email
<b>Scrutiny Meeting:</b>	ESSC Meeting 25 September 2023
<b>Supplementary Question: Sent via email and read out by the clerk during the ESSC meeting 25 September</b>	
<p>Given that carbon dioxide is essential for life, and that reducing carbon dioxide emissions to net zero could have disastrous consequences, what is your rationale for waging a war against private car ownership and reducing parking spaces?</p> <p>Supporting information:</p> <p>The National Oceanic and Atmospheric Administration (NOAA) website shows that there has been global cooling over the last 8 years, despite 450 billion tons of emissions.</p> <p>I look forward to receiving a response to my question at the meeting.</p> <p>Thank you for your time and consideration.</p> <p>Kind regards Carol</p>	
<b>Response: A written response was provided to the question as set out below.</b>	
The Council remains committed to providing residents with a transport network	

that supports all transport modes, including private cars. Parking charges do play an important role in managing the balance between private car use, and promotion of other options such as walking and cycling.

Work is currently underway preparing the development of the next Local Transport Plan which will set out the council's strategy for supporting economic growth, improving health and wellbeing and reducing the environmental impacts of transport.

Through the development of this new plan the Council will be actively consulting and I would encourage you to take part in the future consultations.

The meeting ended at 12:39 pm

**Chairperson**

# Title of report: Implementing the Environment Act 2021

**Meeting: Environment and Sustainability Scrutiny Committee**

**Meeting date: Monday 27 November 2023**

**Report by: Sustainability & Climate Change Manager**

## Classification

Open

## Decision type

This is not an executive decision

## Wards affected

(All Wards);

## Purpose

This report presents information for the committee to consider regarding the targets, duties and powers conferred to the council and its partners by the Environment Act 2021. It describes how Herefordshire Council is implementing the duties of the act and how it is working in partnership with other bodies relating to the act.

## Recommendation(s)

**That:**

- a) **The committee notes the Council's progress and leadership to date, and**
- b) **The committee determines any other actions or recommendations it may seek to make.**

## Alternative options

1. None identified, this report provides an update to the Environment and Sustainability Scrutiny Committee (ESSC).

## Key considerations

2. The Environment Act 2021 (The Act) received Royal Assent on 9 November 2021 and operates as the UK's new framework of environmental protection. Given that the UK has left the EU, new laws that relate to nature protection, water quality, clean air, as well as additional environmental protections that originally came from the EU, needed to be established. The

---

Further information on the subject of this report is available from  
Richard Vaughan, Tel: 01432 260192, email: [Richard.Vaughan@herefordshire.gov.uk](mailto:Richard.Vaughan@herefordshire.gov.uk)

Environment Act allows the UK to enshrine some environmental protection into law, it offers new powers to set new binding targets.

3. The priority areas are:
  - a. air quality;
  - b. water;
  - c. biodiversity; and
  - d. resource efficiency and waste reduction.
4. The Act introduces a new framework for setting long-term, legally binding targets for environmental improvement. These targets will sit with the Secretary of State.
5. The Act legally obliges policy-makers to have due regard to the environmental principles policy statement when making policy decisions.
6. The Act establishes the Office of Environmental Protection (OEP) as an independent, domestic watchdog. The Council has a duty to co-operate with the OEP in connection with the exercise of its functions. The OEP will have enforcement functions over public authorities who fail to comply with environmental law and powers to deal with significant environmental complaints. It can issue notices to public authorities and there are powers in the Act for the OEP to apply for judicial review of public authorities where serious failure to comply with environmental law takes place.
7. A detailed summary of the targets, duties and powers conferred to the Council by the Environment Act 2021 together with a progress update is included as Appendix 1.

### **Community impact**

8. The Act supports improvements that will benefit all who reside and visit the county by improving air quality and water quality, protecting local nature and reducing waste. Improvements in these areas will positively contribute towards the delivery of the Council's County Plan (2020-24), specifically the following success measures:
  - a. Increase flood resilience and reduce levels of phosphate pollution in the county's river.
  - b. Improve the air quality within Herefordshire.
  - c. Improve residents' access to green space in Herefordshire.

### **Environmental Impact**

9. The Act supports the County Plan's ambitions to:
  - a. Seek strong stewardship of the county's natural resources
  - b. Protect and enhance the county's biodiversity, value nature and uphold environmental standards
  - c. Build understanding and support for sustainable living
  - d. Develop environmentally sound infrastructure that attracts investment

- e. Minimise waste and increase reuse, repair and recycling
10. Specifically this will deliver positive impacts on the success factors detailed in paragraph 8 of this report.
11. The Act supports the commitments outlined in the Council's Environmental policy<sup>1</sup>, specifically:
- a. Make efficient use of natural resources;
  - b. Minimise waste;
  - c. Prevent and reduce pollution and protect our environment; and
  - d. Conserve the natural and historic environment of Herefordshire.

### **Equality duty**

12. Environmental inequalities tend to disproportionately adversely impact areas of deprivation and those with lower household income<sup>2</sup>. The Act supports the commitments outlined in the Council's Environmental policy which are outlined in paragraph 11.
13. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:
- A public authority must, in the exercise of its functions, have due regard to the need to –
- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
14. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. Our providers will be made aware of their contractual requirements in regards to equality legislation.

### **Resource implications**

15. There are no resource implications associated with providing this progress update to the Environment and Sustainability Scrutiny Committee.
16. The development of any future projects as a result of the Act will require separate governance which in turn will inform future resources needs.

---

<sup>1</sup> <https://www.herefordshire.gov.uk/directory-record/4848/environmental-policy>

<sup>2</sup> <https://www.gov.uk/government/publications/state-of-the-environment/the-state-of-the-environment-the-urban-environment>

## Legal implications

17. The role of the Council's Scrutiny Committee is set out in Part 2 Article 6 of the Council's Constitution and includes helping to develop policy, carrying out reviews of Council and other local services and holding decision makers account for their actions and decisions.
18. The functions of the Scrutiny Committee include powers to make reports and/or recommendations to the executive with respect to the discharge of any functions which are the responsibility of the executive and to make reports or recommendations to council or the cabinet on matters which affect the authority's area or the inhabitants of that area.
19. As outlined above the Environment Act imposes various requirements and obligations upon the Council as the local planning authority and establishes the OEP; an independent body charged with monitoring and reporting on the compliance of government, its agencies and other public bodies. The Environment Act also gives the OEP the power to issue information notices, decision notices and instigate environmental or judicial reviews against local authorities.

## Risk management

20. There are no risks associated with providing a progress update to the Environment and Sustainability Scrutiny Committee.
21. If any new projects are instigated as a result of the Act separate governance will be required including their own risk assessments.

## Consultees

22. None.

## Appendices

23. Appendix 1 - Summary of Environment Act 2021 Implications and Progress to Date

## Background papers

24. None identified.

## Report Reviewers Used for appraising this report:

Please note this section must be completed before the report can be published		
Governance	Simon Cann	Date 16/11/2023
Finance	Karen Morris	Date 16/11/2023
Legal	Marc Sorrentino	Date 16/11/2023
Communications	Luenne Featherstone	Date 16/11/2023
Equality Duty	Harriet Yellin	Date 16/11/2023
Procurement	Lee Robertson	Date 16/11/2023
Risk	Lee Washbrook	Date 16/11/2023



**Please include a glossary of terms, abbreviations and acronyms used in this report.**

- Air Quality Management Areas (AQMAs)
- Air Quality Monitoring Station (AQMS)
- Biodiversity Net Gain (BNG)
- Department for Transport (DfT)
- Deposit return schemes (DRS)
- Drinking Water Inspectorate (DWI)
- The Environment Act 2021 (the Act)
- Environment and Sustainability Scrutiny Committee (ESSC)
- Extended Producer Responsibility (EPR)
- Herefordshire Biological Records Centre (HBRC)
- Key Performance Indicators (KPIs)
- Local Cycling and Walking Infrastructure Plan (LCWIP)
- Local Nature Recovery Strategy (LNRS)
- Local Transport Plan (LTP)
- National Planning Policy Framework (NPPF)
- Office of Environmental Protection (OEP)
- Organisation for Economic Co-operation and Development (OECD)
- Quantified Carbon Reduction (QCR)
- Strategic Environmental Assessment (SEA)



**Appendix 1 – Summary of Environment Act 2021 Implications and Progress to Date**

Theme	Implications	Work to Date	Further work
Air Quality	<p>Local Authority required to tackle air quality – targets</p> <p>Target on ambient PM2.5 concentrations</p> <p>Smoke control areas under the Clean Air Act 1993 – civil penalty regime</p>	<p>Hereford and Leominster Air Quality Management Areas (AQMAS) were declared on the basis of nitrogen dioxide, which at the time of declaration was in exceedance of the national standard in both locations. PM10 has also been recorded at the Hereford AQMA for over ten years using an automatic Air Quality Monitoring Station (AQMS), so historical data would be available if requested / required. Recent upgrade last year to the automatic AQMS in Hereford has facilitated additional particulate monitoring of PM2.5, and this functionality is mirrored in the new AQMS installed (also last year) in the Leominster AQMA. This puts us in a strong position to demonstrate compliance with national particulate targets set within the context the Clean Air Act 1993 and Environment Act 2021.</p> <p>The Transport Act 2008 requires all local transport authorities to have due regard to Government guidance and policies related to the environment when formulating their Local Transport Plans (LTP) and policies. The council’s currently adopted LTP (2016-2031) includes a number of policies which seek to reduce the impact of polluting forms of transport and improve air quality. These include ‘LTP Policy AQ1- Improving Air Quality’ and ‘LTP Policy ZLV1- Zero and Low Emission Vehicles’. In order to monitor the effectiveness of these, the LTP includes a number of Key Performance Indicators (KPIs) which are monitored on an annual basis. These include:</p> <ul style="list-style-type: none"> <li>- <i>Reduction in nitrogen dioxide and particulate levels within Herefordshire’s two Air Quality Management Areas; and</i></li> <li>- <i>Reduce CO2 from transport</i></li> </ul> <p>In addition to the above, the council is required by law to undertake a Strategic Environmental Assessment (SEA) on its LTP. This is to ensure that environmental issues are taken into account at every stage in the preparation, implementation, monitoring and review of the LTPs plans and programmes. An SEA was undertaken in 2016, before the current plan was adopted. The assessment identified a number of mitigation measures to help prevent, reduce or offset any</p>	<p>The Council will review whether both AQMAS are required and action plans will be reviewed and updated.</p> <p>The council is currently in the early stages of developing a new LTP to cover the period up to 2041. A new Electric Vehicle Strategy will support the LTP, and we will work with partners such as National Highways and bus operators to address specific air quality issues where appropriate. Although local authorities are still awaiting publication of the new LTP guidance from the Department for Transport (DfT), DfT have indicated that alongside LTP guidance, they will also be publishing Quantified Carbon Reduction (QCR) guidance, which will require all local authorities to undertake thorough assessments of the carbon impacts of their schemes, to help the UK to</p>

		<p>significant adverse effects on the environment when constructing or delivering the transport schemes identified in the LTP, alongside a set of suggested KPIs. Many of these KPIs were taken forward in the LTPs monitoring programme.</p> <p>The countywide Local Cycling and Walking Infrastructure Plan (LCWIP) is currently being developed and once completed will become a supporting document to the new LTP. The LCWIP will help to deliver environmental objectives by:</p> <ul style="list-style-type: none"> <li>- Improving and extending active travel options throughout the county;</li> <li>- Increasing the number of short distance trips being made by walking and cycling; and</li> <li>- Improving air quality.</li> </ul> <p>The LCWIP will provide the council with a prioritised list of infrastructure schemes to be delivered over the next 3-, 5- and 10-year periods. Data on NO2, PM2.5 and PM10 levels have been included in the baseline analysis for the emerging plan. All schemes within the resulting plan will have undergone an appraisal and sifting process to ensure only those schemes which contribute to addressing national and local economic, environmental and social objectives are included.</p>	<p>meet its net zero carbon target by 2050. This will be in addition to undertaking a SEA.</p>
<b>Nature</b>	<p>Strengthened biodiversity duty on development and conservation covenants</p> <p>Protected Site Strategies</p> <p>Species Conservation Strategies – Local Planning Authority (LPA) to cooperate with Natural England</p> <p>Local Nature Recovery Strategies lead Local Authority (LA) appointed</p> <p>Trees</p>	<p>Council has confirmed it is acting as Responsible Authority in September 2023 for the delivery of Nature Recovery Strategy.</p> <p>Detailed guidance received from the Department for Environment, Food and Rural Affairs (DEFRA) in June this year.</p> <p>Steering group for delivery of Local Nature Recovery Strategy (LNRS) established in September.</p> <p>Part 1 Nature Recovery Network Mapping, to identify opportunities for nature recovery.</p> <ul style="list-style-type: none"> <li>• Baseline mapping underway by Herefordshire Biological Records Centre (HBRC).</li> <li>• Local Wildlife Sites reviewed on a rolling programme as part of a joint project with the Wildlife Trust and HBRC.</li> <li>• Gloucestershire Wildlife Trust commissioned to undertake the opportunities mapping.</li> </ul>	<p>Part 2 Nature Strategy, written document sets out the vision and priorities for the county based upon the opportunities identified through the mapping. Due to be completed by December 2024</p>

	<ul style="list-style-type: none"> <li>• LA to consult on street tree felling</li> <li>• Woodland protection enforcement strengthened</li> <li>• Use of commodities associated with large-scale deforestation; due diligence process and enforcement for regulated businesses.</li> </ul>		
<b>Biodiversity Net Gain – planning applications</b>	<p><b>Position– as of February 2022</b> National Planning Policy Framework (NPPF) #174 requires a net gain (amount unspecified)</p> <p>Local Plan policy either requires no net loss or sets a % target</p> <p><b>Future:</b> Statutory target of at least 10% Biodiversity Net Gain (BNG) for all development –on or off site –condition included by law on all planning permissions.</p> <p>Biodiversity gain site register</p> <p>Sites managed for 30 years (could be increased after government review)</p> <p>BNG metric to be used in calculations</p>	<p>Delivery of 10% BNG on all major development proposals submitted from January 2024. In line with the mitigation hierarchy. Minor development proposals will also be required to deliver 10% BNG from April 2024 with a number of exemptions including householder applications, permitted development and change of use.</p> <p>This is a delay implemented by Defra as we await the detailed guidance on delivery of offsite BNG – creation of habitat banks and use of Conservation Covenants.</p> <p>Sites are monitored by LPA to confirm they continue to comply with 30 year commitment.</p>	Any increase on 10% of BNG would need to be identified through the Local Plan, alongside any decision to secure offsite contributions for landscape scale nature recovery.

	LA to produce Biodiversity Report every 5 years – actions taken and impacts		
<b>Water</b>	<p>Targets on water quality</p> <p>Water management plans</p> <p>Discharge of sewage</p> <p>Damage caused by water extraction</p> <p>Revised licensing process</p> <p>The Act does not shift the onus onto local authorities but provides drinking water inspectorate and environment agency with additional powers and interventions</p>	<p>The Act does not shift the onus onto local authorities but provides drinking water inspectorate and environment agency with additional powers and interventions.</p> <p>While not necessarily linked to legislative revisions of the Environment Act 2021, Environmental Health still retain statutory duties to ensure private water supplies are safe and healthy to drink and to provide an annual report to the Drinking Water Inspectorate (DWI). There are over 3000 private water supplies in Herefordshire; larger domestic supplies serving more than one household and businesses relying on a private supply of water where it is used for domestic purposes or as part of a public or commercial activity are risk assessed and periodically sampled for chemical and microbiological quality in accordance with the Private Water Supplies (England) Regulations 2016 – see the Private Water Supplies (England) Regulations 2016 (as amended) see <a href="https://www.herefordshire.gov.uk/business-1/water-supplies">https://www.herefordshire.gov.uk/business-1/water-supplies</a></p>	N/A
<b>Waste</b>	<p>Consistency in recycling collections</p> <p>Extended producer responsibility (EPR)</p> <p>Deposit return schemes (DRS) for drinks containers &amp; charges for single use plastics</p> <p>Electronic waste tracking – fly tipping</p> <p>Labelling of products</p>	<p>In July 2021 Cabinet approved an ambitious new Herefordshire Integrated Waste Management Strategy which sets out a number of strategic targets including meeting the requirements of the Environment Act 2021. This new strategy was developed following a successful cross party Waste Task and Finish group review of General Scrutiny Committee.</p> <p>The Integrated Waste Management Strategy 2021 – 2035 is available here: <a href="https://www.herefordshire.gov.uk/downloads/file/23473/integrated-waste-management-strategy-2021-2035">https://www.herefordshire.gov.uk/downloads/file/23473/integrated-waste-management-strategy-2021-2035</a></p> <p>In November 2021 the Council commenced a Competitive Dialogue procurement process for a new waste collection provider to deliver a new three weekly residual collections with twin stream recycling service as the new waste collection model</p>	<p>We are awaiting further statutory guidance relating to ‘Simpler Recycling’</p> <p>The remaining aspects of the future collection service will be introduced at the appropriate time, subject to funding, legal responsibilities and approved business case(s).</p> <p>EPR responsibility payments will start in 2025/26 and we are awaiting further guidance.</p> <p>We are awaiting further guidance on the Deposit Return Scheme.</p>

	<p>Shipment of hazardous waste</p> <p>Export of waste to non-Organisation for Economic Co-operation and Development (OECD) countries</p>	<p>There have been numerous and significant delays from Government on the secondary legislation relating to the consistency in recycling collections, DRS and EPR.</p> <p>On 21st October Government provided a direction of travel on the new Waste Reforms, renamed as 'Simpler Recycling'. This update proposes a programme of changes from 2025 – 2027 as detailed below and indicates that local authorities will be supported by 'Reasonable' new burdens contributions for the additional services.</p> <table border="1" data-bbox="663 491 1415 930"> <thead> <tr> <th data-bbox="663 491 1131 531">Simpler Recycling Proposals</th> <th data-bbox="1131 491 1272 531">Commercial</th> <th data-bbox="1272 491 1415 531">Domestic</th> </tr> </thead> <tbody> <tr> <td data-bbox="663 531 1131 710">           Encouragement for fortnightly residual collections           <ul style="list-style-type: none"> <li>This is still to be confirmed and another consultation will follow before the guidance.</li> </ul> </td> <td data-bbox="1131 531 1272 710">TBC</td> <td data-bbox="1272 531 1415 710">TBC</td> </tr> <tr> <td data-bbox="663 710 1131 767">Weekly food waste collections</td> <td data-bbox="1131 710 1272 767">March 2025</td> <td data-bbox="1272 710 1415 767">March 2026</td> </tr> <tr> <td data-bbox="663 767 1131 855">Additional recycling materials to be collected - Aluminium foil and tubes</td> <td data-bbox="1131 767 1272 855">March 2025</td> <td data-bbox="1272 767 1415 855">March 2026</td> </tr> <tr> <td data-bbox="663 855 1131 930">Recycling collections to include Plastic Film</td> <td data-bbox="1131 855 1272 930">March 2027</td> <td data-bbox="1272 855 1415 930">March 2027</td> </tr> </tbody> </table> <p><u>These proposals are subject to consultation and further formal guidance</u></p> <p>In October 2021 Cabinet approved:</p> <ul style="list-style-type: none"> <li>the delivery of the Waste Management Strategy objectives and environmental improvements, by continuing the procurement process for the provision of a waste collection service under the existing collection model, within the proposed 2024/25 annual revenue budget, for an initial term of 8 years, including options to extend by up to a further 12 years (following budget approval);</li> <li>and a phased implementation of the new collection model with the procurement of and that the procurement process should include a mechanism within the contract to enable the services to transition to:       <ul style="list-style-type: none"> <li>a three weekly, twin stream recycling service,</li> <li>introduce a weekly food waste collection service and:</li> </ul> </li> </ul>	Simpler Recycling Proposals	Commercial	Domestic	Encouragement for fortnightly residual collections <ul style="list-style-type: none"> <li>This is still to be confirmed and another consultation will follow before the guidance.</li> </ul>	TBC	TBC	Weekly food waste collections	March 2025	March 2026	Additional recycling materials to be collected - Aluminium foil and tubes	March 2025	March 2026	Recycling collections to include Plastic Film	March 2027	March 2027	<p>We are awaiting further guidance on the 'introduction of mandatory digital waste tracking' and 'reforming the waste carrier, broker and dealer regime'.</p>
Simpler Recycling Proposals	Commercial	Domestic																
Encouragement for fortnightly residual collections <ul style="list-style-type: none"> <li>This is still to be confirmed and another consultation will follow before the guidance.</li> </ul>	TBC	TBC																
Weekly food waste collections	March 2025	March 2026																
Additional recycling materials to be collected - Aluminium foil and tubes	March 2025	March 2026																
Recycling collections to include Plastic Film	March 2027	March 2027																

		<ul style="list-style-type: none"><li>• introduce a non-mandatory, seasonable, two weekly, chargeable garden waste service;</li></ul> <p>The procurement process for the new waste collection service is live and has been updated to accommodate this flexibility.</p> <p>As part of our waste disposal contract extension and variation the Council included new checks and requirements for the downstream processing of our materials to ensure greater visibility and accountability. Here the Council requires that Mercia and its subcontractors seek the Council's permission, undertake environmental impact assessments and subsequent auditing of any recycling materials moving beyond the UK and European Economic Area.</p>	
--	--	---	--



**Environment and Sustainability Scrutiny Committee draft work programme**

**25 September 2023 report deadline 15 September 23**

<b>Topic and Objectives</b>	<b>Evidence required</b>	<b>Attendees*</b>
<p><b>River water pollution</b></p> <ul style="list-style-type: none"> <li>- Understand the factors contributing to the pollution of rivers and watercourse.</li> <li>- Examine the council’s duties and powers to address river pollution.</li> <li>- Scrutinise how the council fulfils its duties and exercises its powers.</li> <li>- Identify key partners and their roles and responsibilities</li> </ul>	<p>Map of rivers and watercourses in Herefordshire</p> <p>Appraisal of nature and extent of pollution in rivers and watercourses</p> <p>Outline of council powers and duties</p> <p>RePhokus report on River Wye</p> <p>Cabinet commission on phosphates reporting</p>	<ul style="list-style-type: none"> <li>• Service Director, Economy and Growth</li> <li>• Service Director, Environment and Highways</li> <li>• Head of Environment Climate Emergency and Waste Services</li> <li>• Wye and Usk Foundation</li> <li>• Farm Herefordshire</li> </ul>

**27 November 2023 report deadline 17 November 23**

<b>Topic and Objectives</b>	<b>Evidence required</b>	<b>Attendees*</b>
<p><b>Implementing the Environment Act 2021</b></p> <ul style="list-style-type: none"> <li>- Understand the targets, duties and powers conferred to the council and its partners by the Environment Act 2021.</li> <li>- Scrutinise how Herefordshire Council is implementing the duties of the act</li> <li>- Further scrutinise partnership working relating to the act.</li> </ul>	<p>LGA briefing – Environment Act 2021</p> <p>Analysis of consequences for the council in implementing the Act.</p>	<ul style="list-style-type: none"> <li>• Head of Environment Climate Emergency and Waste Services</li> <li>• Sustainability and Climate Change Manager</li> </ul>

**22 January 2024 report deadline 12 January 2024**

<b>Topic and Objectives</b>	<b>Evidence required</b>	<b>Attendees*</b>
<p><b>Nutrient Management Board</b></p> <ul style="list-style-type: none"> <li>- Scrutinise the effectiveness and achievements of the Nutrient Management Board, to include:</li> </ul>	<p>Nutrient Management Board terms of reference</p> <p>Minutes from previous meetings</p>	<ul style="list-style-type: none"> <li>• Chair of Nutrient Management Board</li> </ul>

<ul style="list-style-type: none"> <li>○ governance arrangements</li> <li>○ terms of reference</li> <li>○ agreed objectives and</li> <li>○ its role as river champion</li> <li>○ agreed targets and key performance indicators</li> </ul>	Board action plan	<ul style="list-style-type: none"> <li>● Other members of the board</li> </ul>
---	-------------------	--

25 March 2024 **report deadline 15 March 2024**

Topic and Objectives	Evidence required	Attendees*
<p><b>Meeting net zero-carbon in Herefordshire</b></p> <ul style="list-style-type: none"> <li>- Appraise current carbon emissions in Herefordshire and the work required to achieve the goal of net-zero carbon by 2030.</li> <li>- Scrutinise how the council contributes to the work of the Herefordshire Climate and Nature Partnership Board</li> <li>- Assess the partnership's achievement to date</li> </ul>	<p>Herefordshire Climate and Nature Partnership Board Terms of Reference Herefordshire Council net zero strategy and delivery plan</p>	<ul style="list-style-type: none"> <li>● Head of Environment Climate Emergency and Waste Services</li> <li>● Sustainability and Climate Change Manager</li> </ul>

\*The Corporate Director, Economy and Environment, and Portfolio Holder, Environment, both have a standing invitation to the meeting. It is assumed that the portfolio holder will attend each meeting.