

# Findings of the Environment and Sustainability Scrutiny Committee: Waste and Recycling Update

**Meeting:** Cabinet

**Meeting date:** 22 June 2023

**Report by:** Democratic Services

## Classification

Open

## Decision type

Non-key

## Wards affected

(All Wards);

## Purpose:

The purpose of this report is to notify the Cabinet of the findings and recommendations from the Environment and Sustainability Scrutiny Committee on the update regarding the Herefordshire Waste and Recycling Review; The implementation of the Waste Management Review and the Executive Response to the Waste Management Review Scrutiny Report and Recommendations carried out in 2021 - as recorded at its meeting on 19th January 2023 and to request an Executive Response.

## Recommendations

- a) That the recommendations on the Waste and Recycling report for Herefordshire, made by the Environment and Sustainability Scrutiny Committee at its meeting on 19th January 2023 be noted.
- b) That an Executive Response to the scrutiny recommendations be prepared for consideration by the Cabinet or an individual Cabinet Member as appropriate, within two months.

## Alternative options

None proposed; it is a statutory requirement for the Cabinet to be notified and consider reports and recommendations made by a scrutiny committee.

## **Key considerations**

1. Scrutiny committees have statutory powers to make recommendations to the Executive, and the Executive (Cabinet) has a statutory duty to respond. They may also make reports and recommendations to external decision making bodies.
2. Scrutiny recommendations are addressed to the Cabinet, as the main Executive decision making body of the council (or, where appropriate, an external agency).
3. Cabinet is being asked to note the scrutiny report / recommendations and that an Executive Response to the scrutiny recommendations be prepared for consideration by the Cabinet within two months.
4. The minutes of the meeting of the scrutiny committee provide the record of the scrutiny committee's consideration of the issue and the scrutiny recommendations made during the meeting.
5. The scrutiny committee will be notified of the Executive Response made in respect to the scrutiny recommendations and may track the implementation of the Cabinet decisions and any actions agreed. This enables the scrutiny committee to track whether their recommendations have been agreed, what actually was agreed (if different) and review any outcomes arising.

## Waste and Recycling Background

6. In 2020 General Scrutiny Committee formed a cross party Waste Task and Finish group to review the waste management collection service across Herefordshire. Through a process of evidence and information gathering, considering the Frith Resource Management (FRM) review, learning from the experience of other local authorities and considering the needs and aspirations of the council the group considered what the objectives for future improvements should be and different options for providing the service in future.
7. On 28 September 2020 General Scrutiny Committee considered the findings of the Waste Task & Finish group and recommended that a public consultation exercise was undertaken on the two collection models of:
  - a) Option 1 - Three weekly residual collection with twin stream recycling
  - b) Option 2 – Kerbside sort collection
8. This recommendation was accepted in November 2020 and between December 2020 and February 2021 MEL Research undertook a public consultation exercise on the two proposed collection service options for both Public and Business Users. The consultation was promoted on the council's website, social media pages, print media publications and emails were sent to a representative sample of residents with telephone surveys and postal surveys also available. Trade and non-trade waste customers were sent an email to take part in the business survey.
9. Option 1 was supported by a majority of consultee respondents, 53%, whilst 47% of respondents favoured option 2. The survey results were compiled from returns made by 3,498 residents and 181 businesses.

## Scrutiny Review of the Herefordshire Waste and Recycling Update

On 19<sup>th</sup> January 2022 the Environment and Sustainability Scrutiny Committee considered the development of the Waste and Recycling strategy, What the Council and its statutory partners are doing to review waste services in the county and a review of progress made.

10. During the meeting, the committee drew together some findings that it would like the Cabinet to take into consideration in the ongoing development of the Herefordshire Waste and Recycling plan. These are set out here in the attached document at Appendix 1, which was agreed by the committee at its meeting on 19<sup>th</sup> January 2023.
11. The minutes of the meeting are available [here](#)<sup>1</sup>.
12. The findings/recommendations of the scrutiny inquiry are contained in the document attached at Appendix 1.

#### Procedure for Recommendations from Scrutiny Committees

13. Where scrutiny committees make reports or recommendations to the Cabinet, as soon as this has been confirmed, these will be referred to the Cabinet requesting an Executive Response. This will instigate the preparation of a report to Cabinet and the necessary consideration of the response, the technical feasibility, financial implications, legal implications and equalities implications etc.
14. Where scrutiny committees make reports or recommendations to full Council (e.g. in the case of policy and budgetary decisions), the same process will be followed, with a report to Cabinet to agree its Executive Response, and thereafter, a report will be prepared for Council for consideration of the scrutiny report and recommendations along with the Cabinet's Response.
15. Where scrutiny committees have powers under their terms of reference to make reports or recommendations to external decision makers (e.g. NHS bodies), where they do this, the relevant external decision maker shall be notified in writing, providing them with a copy of the committee's report and recommendations, and requesting a response.
16. Once the Executive Response has been agreed, the scrutiny committee shall receive a report to receive the response and the committee may review implementation of the executive's decisions after such a period as these may reasonably be implemented (review date).

#### **Community Impact**

17. In accordance with the adopted code of corporate governance, the council is committed to promoting a positive working culture that accepts, and encourages constructive challenge, and recognises that a culture and structure for scrutiny are key elements for accountable decision making, policy development and review. Topics selected for scrutiny should have regard to what matters to residents. There has been a drive to improve the scrutiny function at Herefordshire, further to the Rethinking Governance review undertaken in 2021-2022.
18. The Waste Management Strategy and associated actions strongly support the delivery of the following County Plan (2020-24) priorities:
  - a. Protect and enhance our environment and keep Herefordshire a great place to live
  - b. Minimise waste and increase reuse, repair and recycling
  - c. Build understanding and support for sustainable living

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<sup>1</sup> <https://councillors.herefordshire.gov.uk/ieListDocuments.aspx?CId=1158&MId=8834&Ver=4>

- d. Invest in low carbon projects
- e. Identify climate change action in all aspects of council operation
- f. Support an economy which builds on the county's strengths and resources;
- g. Seek strong stewardship of the county's natural resource
- h. Develop environmentally sound infrastructure that attracts investment
- i. and spend public money in the local economy wherever possible

### **Environmental Impact**

- 19. There are no direct environmental impacts connected with this report or the outcomes it seeks to deliver.
- 20. The Cabinet is requested to provide an Executive Response within two months, at which stage, in considering its response, a full assessment of resource implications should be undertaken.
- 21. The council seeks to treat waste as a resource, supporting a more circular economy for Herefordshire reducing, reusing and recycling materials so that they stay in use for longer, offsetting use of raw materials and reducing carbon emissions.
- 22. The environmental impact of the Waste Management Review has been integral to the development of the new strategy, new waste collection service, waste disposal extension, pilot schemes and future options review. The associated actions will minimise waste, increase re-use, reduce energy and carbon emissions and consider opportunities to enhance biodiversity.
- 23. The modelling undertaken by FRM indicates that the new service should:
  - a. Significantly increase recycling levels from ~40% to 63%. This will result in early delivery of target 2 to reuse or recycle 55% of municipal waste by 202560% by 2030 and will significantly move us towards achieving 65% by 2035, which will position Herefordshire as a national leader.
  - b. Significantly increase recycling quality

Through the WMSC the Council has reduced the amount of waste to landfill from 20% to less than 1%. This achieves the new strategy target three years early. 25. Through the specific requirements for bidders to include zero carbon collection vehicles, such as both electric RCV's and cargo bikes in the city centre this will further reduce carbon emissions, reduce noise pollution, reduce congestion and improve air quality in the Hereford Air Quality Management Area

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### **Equality Duty**

- 25. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

26. 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.
27. 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
28. 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.
29. As a committee report this will not have an impact on our equality duty.

### **Resource Implications**

30. This report provides notification to Cabinet on the scrutiny report and recommendations, which have been referred to the Executive (Cabinet) for an Executive Response.
31. The Cabinet is requested to provide an Executive Response within two months, at which stage, in considering its response, a full assessment of resource implications should be undertaken.

### **Legal Implications**

32. Section 9F (2) (b) of the Local Government Act 2000 provides that a scrutiny committee can make reports and recommendation to the Executive with respect to the discharge of any functions which are the responsibility of the Executive.
33. Section 9F (2) (e) of the Local Government Act 2000 provides that a scrutiny committee can make reports or recommendations to the Executive on matters which affect the authority's area or the inhabitants of that area.
34. The scrutiny report provides the scrutiny recommendations of the committee to be made to the Executive (Cabinet).
35. The Cabinet is requested to provide an Executive Response within two months, at which stage, in considering its response, a full assessment of legal implications should be undertaken.

### **Risk management**

Risk / opportunity	Mitigation
There is a reputational risk to the council if the scrutiny function does not operate effectively.	The arrangements for the notification of recommendations from the scrutiny committees and agreement of an Executive Response should help mitigate this risk.

36. The Cabinet is requested to provide an Executive Response within two months, at which stage, in considering its response, a full assessment of risk implications should be undertaken.
37. The Executive will then need to assess the risks arising from any executive decisions made in respect of the scrutiny committee's recommendations.

### **Consultees**

The Head of environment, climate emergency and waste services, Waste Transformation Lead  
The Cabinet Member for Environment and Economy.  
The Chairperson of the Environment and Sustainability Scrutiny Committee.

### **Appendices**

Appendix 1: Appendix 1: Recommendations - Waste and Recycling

### **Background papers**

[Waste and Recycling Report](#)

[Browse meetings - Environment and Sustainability Scrutiny Committee - Herefordshire Council](#)