

Agenda for a meeting of the Environment and Waste Management Overview & Scrutiny Committee to be held on Tuesday, 31 January 2017 at 5.30 pm in Committee Room 1 - City Hall, Bradford

Members of the Committee – Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	GREEN
Gibbons Riaz	A Ahmed Berry Thornton Watson	Stubbs	Love Warnes

Alternates:

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	GREEN
Ellis Rickard	Duffy Iqbal H Khan Nazir	R Sunderland	H Hussain

NON VOTING CO-OPTED MEMBERS

Nicola Hoggart Environment Agency
Julia Pearson Bradford Environmental Forum

Notes:

- This agenda can be made available in Braille, large print or tape format on request by contacting the Agenda contact shown below.
- The taking of photographs, filming and sound recording of the meeting is allowed except if Councillors vote to exclude the public to discuss confidential matters covered by Schedule 12A of the Local Government Act 1972. Recording activity should be respectful to the conduct of the meeting and behaviour that disrupts the meeting (such as oral commentary) will not be permitted. Anyone attending the meeting who wishes to record or film the meeting's proceedings is advised to liaise with the Agenda Contact who will provide guidance and ensure that any necessary arrangements are in place. Those present who are invited to make spoken contributions to the meeting should be aware that they may be filmed or sound recorded.
- If any further information is required about any item on this agenda, please contact the officer named at the foot of that agenda item.
- A briefing for all **Members** will be held at 1700 in Committee Room 2 on meeting day.

From:

Parveen Akhtar, City Solicitor
Agenda Contact: Jane Lythgow
Phone: 01274 432270 / 434287

To:

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A. PROCEDURAL ITEMS

1. ALTERNATE MEMBERS (Standing Order 34)

The City Solicitor will report the names of alternate Members who are attending the meeting in place of appointed Members.

2. DISCLOSURES OF INTEREST

(Members Code of Conduct - Part 4A of the Constitution)

To receive disclosures of interests from members and co-opted members on matters to be considered at the meeting. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

Notes:

- (1) *Members may remain in the meeting and take part fully in discussion and voting unless the interest is a disclosable pecuniary interest or an interest which the Member feels would call into question their compliance with the wider principles set out in the Code of Conduct. Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (2) *Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.*
- (3) *Members are also welcome to disclose interests which are not disclosable pecuniary interests but which they consider should be made in the interest of clarity.*
- (4) *Officers must disclose interests in accordance with Council Standing Order 44.*



3. MINUTES

Recommended –

That the minutes of the meetings held on 25 October 2016 and 29 November 2016 be signed as a correct record (previously circulated).

(Jane Lythgow/Tracey Sugden – 01274 432270/434287)

4. INSPECTION OF REPORTS AND BACKGROUND PAPERS

(Access to Information Procedure Rules – Part 3B of the Constitution)

Reports and background papers for agenda items may be inspected by contacting the person shown after each agenda item. Certain reports and background papers may be restricted.

Any request to remove the restriction on a report or background paper should be made to the relevant Strategic Director or Assistant Director whose name is shown on the front page of the report.

If that request is refused, there is a right of appeal to this meeting.

Please contact the officer shown below in advance of the meeting if you wish to appeal.

(Jane Lythgow/Tracey Sugden – 01274 432270/434287)

5. REFERRALS TO THE OVERVIEW AND SCRUTINY COMMITTEE

The following referral has been made to this Committee up to and including the date of publication of this agenda.

Corporate Overview and Scrutiny Committee at its meeting on 11 January 2017 resolved, amongst other things:

“That all Overview and Scrutiny Committees consider Departmental Risk Registers relevant to their area of responsibility”.

The Committee is asked to note the referral listed above and decide how it wishes to proceed, for example by incorporating the item into the work programme, requesting that it be subject to more detailed examination, or refer it to an appropriate Working Group/Committee.

(Mustansir Butt – 01274 432574)



B. OVERVIEW AND SCRUTINY ACTIVITIES

6. EXCLUSION OF THE PUBLIC

Recommended –

That the public be excluded from the meeting during the discussion of the Appendices relating to the White Rose Energy report on the grounds that it is likely, in view of the nature of the proceedings, that if they were present, exempt information within Paragraph 3 (Financial or Business Affairs) of Schedule 12A of the Local Government Act 1972 (as amended) would be disclosed and it is considered that, in all the circumstances, the public interest in allowing the public to remain is outweighed by the public interest in excluding public access to the relevant part of the proceeding for the following reasons:

It is in the public interest in maintaining the exemption because it is in the overriding interest of proper administration that Members are made fully aware of the financial implications of any decision without prejudicing the financial position of the authority.

(Jane Lythgow - 01274 432270)

7. CALLED-IN DECISION - WHITE ROSE ENERGY

At its meeting on 10 January 2017 the Executive were advised that Leeds City Council has created a local authority led energy services company (LESCo) called White Rose Energy (WRE) to provide a “fairer” energy supply deal to households across the Yorkshire & Humber region.

White Rose Energy is being opened up as a partnership, to other local authorities across the Yorkshire & Humber region. Some authorities and housing associations have been involved in discussions to date, including Bradford Council.

Leeds City Council is aiming to have the first partners signed up by January 2017.

The Strategic Director Regeneration submitted a report (**Executive Document “AW” with Not for Publication Appendix A and B**) which sought Executive approval for Bradford Council to enter into a formal partnership with White Rose Energy.



Executive resolved –

That Option 2 contained in Executive Document AW be approved.

That the option to proceed to becoming a partner of White Rose Energy be approved; and is in consultation with the Director of Finance subject to due diligence which confirms the optimal benefits for working as a partner with WRE in delivering energy supply locally; that the Service Level Agreement is signed at the earliest opportunity.

Action: Strategic Director, Corporate Services.

The decision of the Executive has been called in. The reasons for the call in by Councillor Davies are set out below:

“I request that the decision of the Executive, 10 January 2017, relating to Agenda Item 12, White Rose Energy, be called in for the reasons detailed below.

- **Bradford Council and other members of the Yorkshire Purchasing Organisation have an existing contract by which they are provided with energy on a group procurement basis and there has been a documented intention to expand the group procurement approach, to include energy supplies for local residents etc**
- **The decision of the Executive Committee, 10 January 2017, for Bradford MDC to become a partner of White Rose Energy, potentially undermines the basic principles of the Council’s membership of the Yorkshire Purchasing Organisation and thus possibly mitigates the potential for economies of scale, in terms of energy price reductions for residents of the Bradford District**
- **The fact that the service to residents is described as a “not for profit” service, is likely to lead to many local people, particularly the more vulnerable, to conclude that this means the cheapest service. However, in light of the Warm Homes Discount not being offered etc, this may not be the case and the Council could find itself in disrepute if it is seen to be effectively receiving a £15 commission per household per annum, without being absolutely confident that all participating residents benefit by more than this amount. The Council has not provided projections of savings for residents, including the most vulnerable”.**

In accordance with Paragraph 8.6.9 of Part 3E of the Constitution Members of the Overview and Scrutiny Committee can, following consideration of the matter, resolve to:

- (1) Release the decision for implementation.**
- (2) Refer all or part of the decision back to the Executive to reconsider it in the light of any representations the**



Committee may make. The decision may not be implemented until the Executive has met to reconsider its earlier decision.

- (3) Refer the decision to full Council for consideration, in which case the decision may not be implemented until the Council has met to consider the matter.**

If the Committee makes no resolution, in accordance with paragraph 8.6.9 of the Constitution, the decision may be implemented.

(Kate Smallwood – 01274 433885)

8. PROPOSED FINANCIAL PLAN 2017/18 - 2020/21

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The report of the Strategic Director, Place, (**Document “U”**) presents budget proposals pertaining to the Environment and Waste Overview and Scrutiny Committee which were approved for consultation by the Executive on 6 December 2016.

Comments on the budget proposals are requested to inform the consultation process.

Recommended –

That the report be noted.

(Steve Hartley – 01274 434748)

9. THE TRANSPORTATION OF ANIMAL BY-PRODUCTS.

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Previous reference: Minute 49 and 54 2015/16
Council Minute 69 (2015-16)

Members were reminded that at the meeting of the Committee in April 2015 a joint report was presented to provide an update on a number of actions in relation to the transportation and rendering of animal by products at Omega Proteins Ltd, Thornton, Bradford. The Committee requested that an update report be provided and the report of the Strategic Director, Health and Wellbeing, (**Document “V”**) provides that update.

Recommended –

That officers be supported in their statutory duties to investigate and take enforcement action, as appropriate, and that Ward Members and the Environment and Waste Management Overview and Scrutiny Chair be advised of any key actions.

(Ruth Lees – 01274 431349)



10. ENVIRONMENT AND WASTE MANAGEMENT OVERVIEW AND SCRUTINY COMMITTEE - WORK PROGRAMME 2016/17

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Document “W” presents the Committee’s work programme 2016/17.

Recommended –

- (1) That Members consider and comment on the areas of work included in the 2016-17 work programme for the Committee.**
- (2) That Members consider any detailed scrutiny reviews that they may wish to conduct.**
- (3) That the work programme 2016-17 continues to be reviewed regularly during the year.**

(Mustansir Butt – 01274 432574)

THIS AGENDA AND ACCOMPANYING DOCUMENTS HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER

