

Minutes of a meeting of the Environment and Waste Management Overview & Scrutiny Committee held on Tuesday, 31 January 2017 at Committee Room 1 - City Hall, Bradford

Commenced 5.30 pm
Concluded 7.20 pm

Present – Councillors

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

NON VOTING CO-OPTED MEMBERS

Julia Pearson

Bradford Environment Forum

Observers: Councillors Ross-Shaw; Ferriby; Warburton and Davies

Apologies: Nicola Hoggart

Councillor Warnes in the Chair

43. DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

44. INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals submitted by the public to review decisions to restrict documents.

45. MINUTES



Resolved –

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

46. REFERRALS TO THE OVERVIEW AND SCRUTINY COMMITTEE

The following referral had 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 was asked to note the referral listed and decide how it wished 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.

It was agreed that risks would be identified in the committee reports and there was the opportunity for them to be assessed at briefing meetings.

No resolution was passed on this item.

47. THE TRANSPORTATION OF ANIMAL BY-PRODUCTS.

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”**) provided the response to that request.

Members were aware that a new varied permit was issued to the Company on February 4th 2015. This permit had required the Company to meet certain requirements in relation to the operation of the plant which go beyond the advice within the statutory guidance. On March 27th 2015 the Company submitted an appeal against the varied permit to the Planning Inspectorate. The appeal was heard in November 2015 and the Planning Inspector’s decision was received by the Authority on September 7th 2016. The Inspector rule in relation to four contested conditions was reported.

Following the receipt of the Inspector’s decision notice the Company decided to apply for judicial Review in relation to the matter covered in 2.1.4 in relation to the site boundary. That matter had not yet been considered by the Administrative



Court although correspondence had been received by the Council's legal services indicating that this matter was progressing.

Following receipt of the Inspectors decision a varied permit incorporating the relevant changes was issued to the Company on the 25th November 2016. Since the date of the last report and following on from the issue of the varied permit in February 2015 a number of works had been carried out at the plant and included continuous monitoring equipment installed on the thermal oxidiser; additional extraction installed above the raw materials hoppers; bio filter 2 media replaced and the trailer shed completed including extraction to the biofilter.

The Major Development Manager confirmed that there had been no major planning issues since the previous report and that two planning consents had now been implemented involving the stack and trailer shed. Members were advised of a procedure to allow emergency movement of vehicles if there was an animal emergency due to vehicle breakdown. That process had been used twice last year when vehicles become stuck because of inclement weather.

The Highway Services Manager provided an update on highway issues since the last report and confirmed that the new 20mph speed limit signs were now installed and awaiting electrical installation in February 2017. The locations of those signs were appended to the report and arrangements were being made for the Road Safety Team to attend Keelham Primary School to carry out a day of action with staff and pupils.

Officers were thanked for their efforts to alleviate the problems experienced by local residents and were congratulated for their success in the legal process. The relationship with the company since the legal process was questioned and it was confirmed that it had improved. It was reported the company respected and accepted the issues raised. Officers were pushing to achieve Best Available Technology (BAT) at the premises. The condition which was still being pursued by the company was regarding the definition of the site boundary and did not affect odour emissions. It was confirmed that the Authority was not responsible for any costs associated with the issue being challenged.

Progress on the company's trial of a new design trailer to tackle odour being emitted from wagons was questioned and it was advised that the company was still working towards that design. Spillages were still occurring with three happening in the previous week. There had been insufficient evidence to prosecute on those occasions, however, two incidents, occurring in June and September were being pursued. It was explained that the haulage company was from Birmingham and not connected with the Leo Group.

An update had been provided to Queensbury residents who had been informed that the Council could not force the company to use the new vehicles but a prototype was in use. They had also been informed that the Council could, with



sufficient evidence, prosecute for spillages.

Resolved –

That officers be thanked for their continuing efforts to support residents; 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.

ACTION: Strategic Director, Health & Wellbeing

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

The report of the Strategic Director, Place, (**Document “U”**) presented 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 were requested to inform the consultation process.

The Strategic Director, Place, provided the background to the report including the rationale for the proposals; the message from the Executive regarding the Council’s revenue and capital spending plans from 2017/18 to 2020/21 and the alignment of resources to the Council’s priorities.

The Assistant Director, Planning Transportation and Highways presented the proposals in detail for transport issues and the Strategic Director, Place, detailed the impact on Waste and Street Scene Services. The proposals were appended to Document “U”.

Following a detailed presentation a number of issues were raised:-

- Were street lighting reductions achieving the savings anticipated and would the programme be rolled out across the district?
- Bradford had the highest rate of child deaths on the road. Consideration of areas for street lighting reductions and other proposals should be calculated taking into account the activities in that area. To allocate reductions in one ward may impact on children from other areas who access that area to school. Finances should be targeted objectively and proposals should be considered on nature of the area not by ward.
- It would be difficult to explain the proposals to residents and communication should be upfront and inform residents of the likely impact.
- It appeared that the West Yorkshire Combined Authority (WYCA) was not enduring the level of cuts that Bradford was. It was hoped that Bradford



would make a case about the impact of the cuts in Bradford, for example, teaching children to cross the road may have to cease and all residents were being asked to pay more for less.

- Had there been sufficient significance given to the provision of public toilets for visitors to the area? It was good to see that discussions were in place with Town and Parish Councils regarding that provision.

In response it was explained:-

- The budget proposal related to an extension of the street lighting limited switch-off programme which was already underway. The size of the saving proposed represented approximately two more areas being considered. There were a lot of criteria involved in selecting sites suitable for limited switch-off and careful consideration must be undertaken to ensure areas with specific problems were not included in the programme. Any criminal occurring in these areas would be monitored using data from West Yorkshire Police and that information would be brought to Members as it became available. The savings achieved were dependant on the type of lights and energy consumption and there were a range of different cost models which were not contained in the report.
- Identifying areas of risk by location not ward was a good point and would be fed back to Executive Colleagues.
- The Enforcement Team had now been amalgamated into the Neighbourhood Teams and resources were allocated by place. The change had made a demonstrable difference and, as an example, the increased numbers of prosecutions for fly tipping were reported.
- Fifty per cent of WYCA commitments were mandatory. At the end of the four year period the reduction in discretionary spend would be 20%.
- Discussions would continue to consider how the Council could work with Town and Parish Councils to assist them with the provision of public toilets.

Resolved –

(1) That officers be thanked for their informative report and presentation.

(2) That the report be noted.

ACTION: Strategic Director, Place

49. EXCLUSION OF THE PUBLIC

Resolved –



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.

50. CALLED-IN DECISION - WHITE ROSE ENERGY

At its meeting on 10 January 2017 the Executive was advised that Leeds City Council had 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 was being opened up as a partnership, to other local authorities across the Yorkshire & Humber region. Some authorities and housing associations had been involved in discussions to date, including Bradford Council.

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

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

The Executive had 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.

The decision of the Executive had then been called in. The reasons for the call in by Councillor Davies were as follows:

“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 were advised they could, 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 made no resolution, in accordance with paragraph 8.6.9 of the Constitution, the decision may be implemented.

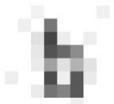
Following consideration of the call-in it was:

Resolved –

That the decision be released for implementation.

ACTION: Strategic Director, Regeneration

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



Document “W” presented the Committee’s work programme 2016/17. Progress on the trial of alternate weekly bins in Wyke was questioned and Members were advised that a verbal update would be provided.

Resolved –

That an update on the trial of the alternate weekly bin collections in the Wyke Ward be presented at the meeting on 28 February 2017.

ACTION: Overview & Scrutiny Lead

Chair

Note: These minutes are subject to approval as a correct record at the next meeting of the Environment and Waste Management Overview & Scrutiny Committee.

THESE MINUTES HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER

