

Minutes of a meeting of the Regeneration and Environment Overview and Scrutiny Committee held on Tuesday, 17 January 2023 in the Council Chamber - City Hall, Bradford

Commenced 5.30 pm
Concluded 7.10 pm

Present – Councillors

LABOUR	CONSERVATIVE	GREEN	BRADFORD INDEPENDENT GROUP
Mohammed Kamran Hussain Cunningham Dearden Rowe Choudhry (alt)	Herd	Watson	Elahi

Observers: Cllr Alex Ross-Shaw – Portfolio Holder Regeneration, Planning and Transport
Cllr Sarah Ferriby – Portfolio Holder Healthy People and Places

Apologies: Councillor Mohsin Hussain

Councillor Kamran Hussain in the Chair

49. **ALTERNATE MEMBERS (Standing Order 34)**

50. **DISCLOSURES OF INTEREST**

No declarations of interest were received in matters under consideration.

51. **MINUTES**

Resolved –

That the minutes of the meeting held on 6 December be held as a correct record.

52. **REFERRALS TO THE OVERVIEW AND SCRUTINY COMMITTEE**

No referrals were received.

53. INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals submitted to review decisions to restrict documents.

54. BIODIVERSITY AND ENVIRONMENT ACT UPDATE

The report of the Interim Strategic Director, Place (**Document “T”**) was submitted to the Committee to provide Members with a further updates relating to developments as part of the Environment Act 2021 since it came into law. The new legislation placed further statutory duties on local authorities to achieve a minimum of 10% net bio-diversity gain on every planning approval which would be mandatory from November 2023.

Officers explained that biodiversity levels would be measured both pre and post construction and needed to show a 10% increase within the site or nearby. As a last resort the biodiversity gain could be offset and put into a ‘habitat bank’ whereby other areas could be enhanced. The habitat bank would be led by the local authority and would be managed to ensure equity across the area.

Another element required by the Environment Act was the Local Nature Recovery Strategy (LNRS) for which WYCA was appointed by the Government to act as the responsible authority to prepare and publish the strategy. Bradford as well as the other West Yorkshire local authorities would feed into this. The report included details of what would be included in the LNRS that had been set out in the Act. The sphere of these would also include species action plans which would be taken into account to help conservation and recovery of species such as bees and other pollinators.

Officers also reminded Members that the Supplementary Planning Document had been adopted as of January 2022 to protect the South Pennine Moors within the Bradford District from the impacts of development. They also confirmed that funding from central Government was not finalised indicating that there would be a resource implication to enact and maintain the new legislation and that secondary legislation was yet to be announced.

Members were then given the opportunity to comment and ask questions, the details of which and the responses given are as below.

- A Member asked what the local benefit would be if net gain measure were taken off-site and how could it be managed to ensure it was maintained. Officers advised that offsetting was the last resort option and they would aim to keep net gain measures within sites wherever possible. They would work with developers to this end.
- Would a S106 be used as the mechanism to secure biodiversity net gain? Officers advised that it was being looked into in co-operation with other local authorities
- A member asked if there was a time limit and who would be responsible for maintaining the biodiversity measures. Officers advised that they were

pushing for in perpetuity but 30 years was the likely time period. There was no clear picture as to what would happen and it may be clarified in the secondary legislation which was due. Officers stated that Members would be updated

- A Member asked what the Council was doing about equitable diversity in areas of limited or no new developments as Members would like input to identify areas for improvement. Officers advised that areas would be identified and Member input could be included. Members were to be involved in the bio-diversity plan and a meeting had already been scheduled to get it underway
- A Member asked for a definition of what net gain actually meant and was advised that it would be written in to applications and would be required to be achieved and maintained. Using the DEFRA metric system to calculate, surveys would be carried out before to look at habitats on site and based on what was present, a bio-diversity value would be assigned by inputting data into the metric database.
- A Member asked how the decision was made and who the decision maker would be where net gain measures were implemented whether on site, nearby or offset. Also, would cost effectiveness for the developer be taken into account. Officers advised that a habitat survey would be carried out and then checked by a Bio-Diversity Officer from the Local Authority who would check on site to ensure the survey was appropriate
- A Member asked how much could be mandated as part of planning applications and was advised that it could be updated if needed as it was all very new at this time
- A Member asked about the different development zones and was advised that they were set out based on evidence of likely impact on plants, predation by domestic pets and protected birds foraging beyond the boundary of the moors themselves
- A Member asked about the capacity within the local authority to be able to support and deliver the necessary provision and whether there would be a role to work with communities. Officers advised that it was estimate that approximately 3.7 FTE staff would be needed to include Ecologists, Monitoring Officers and Planning Officers etc. In relation to working with the local community, it would be key to identify opportunities to do so and could include private land owners. Further work was needed and community groups would be engaged wherever possible
- A Member asked whether Farmers could be included and was advised that they could be encouraged to get involved and projects were underway on grass enhancements on agricultural sites. The Calder Rivers Trust also had a meeting scheduled to take place in which Farmers were and could be involved.
- A Member noted that soil and grass improvements were needed and another Member stressed the need for urban areas not to be overlooked

Resolved –

- 1. That consideration be given to Members' involvement in the Bio-diversity Partnership**
- 2. That the progress made to improve and protect the District's**

biodiversity be noted

- 3. That a further progress report, to include an update on the Local Nature Recovery Strategy, be presented to this Committee in 12 months' time**

Action: Strategic Director, Place

55. WASTE SERVICES PERFORMANCE AND CONTRACT REVIEW

The report of the Strategic Director, Place (**Document "U"**) was submitted to the Committee to update Members on the service provision and Waste related activities during 2022 and those planned for 2023. Officers summarised the activities for 2022 along with statistics from the report and gave an overview of the following year's plans which included more sustainable waste management levels, to minimise residual waste and to increase recycling. These measures would be in accordance with the Waste Strategy (Municipal Waste Minimisation and Management Strategy 2015 and the imminent waste strategy implementations from Central Government.

Officers advised that, in order to comply with waste regulations, whose requirements increased significantly in January 2022, they were waiting for an announcement from DEFRA relating to mandated changes to segregated DMR collections. The service faced an ongoing challenge within the District from contaminants in recycling caddies. There had been a decrease in contamination and a subsequent decrease in enforcement measures.

Officers also informed Members that an all-electric RCV had been purchased for the vehicle fleet and there was a view to increase this provided it proved to be fit for purpose.

A WRAP service review was completed to benchmark the various service provisions that would contribute to the changes needed in light of imminent DEFRA announcement and would predict the best options for service delivery.

Performance statistics indicated that there was a reduction in the amount of waste per household and the missed bin collections were at their lowest level since 2015/16. Other statistics shared from the report included the tonnage amounts taken to the District's HWRC's and performance figures in respect of residual household waste per household and waste recycled/composted.

A representative from the waste contractor, AWM was also present at the meeting and provided some additional details relating to the challenges of processing recyclates whilst the traditional markets for these remained, resale markets were not as profitable. He also confirmed that the contract with Ferrybridge was going well with minimum outages.

The Chair also reminded Officers that a visit to the site was still outstanding.

Members were then given the opportunity to comment and ask questions, the details of which and the responses given are as below.

- A Member raised an ongoing issue relating to odours in the Bradford East area and was advised that they were aware of the issue and had completed an analysis of the site in question. The West Yorkshire treatment and composting operation was compliant with its permit
- A Member raised the issue of storage and the impact on residents and queried if there could be a breach of the permit issues. Officers advised that they were unable to pinpoint the source due to the 12 week cycle on-site. The contract was going out to tender and Officers stated that they would be liaising with Yorkshire Water
- A Member asked if Officers had been out and spoken to residents directly and was advised that although not directly they had information via the Environment Agency, neighbourhood forums and residents' groups
- A Member highlighted a section in the report regarding possible closures of HWRC sites in the District and asked if consultation would take place, with whom and in what form. Officers advised that consultation was underway and proposals were needed. Four sites out of eight were being considered. Residents could submit comments via a forum and on the Council's website
- A Member commented that closures could be problematic if residents did not have access to a car and asked how they would be able to recycle without access to transport. Officers advised that recycling was available at some supermarkets and electronics banks plus a collection service was available from the Council
- A Member asked what considerations were being given to bins in built up areas and were 'superbins' under consideration. Officers advised that they had already attended a meeting in relation to using subterranean bins and had visited another local authority who were using them. They were in the process of trying to arrange a trial. A potential trial site was already identified as there were a large number of office to residential conversions without space for bins. There were no formal timescales available but the concept was being actively pursued
- A Member asked about the situation around incinerators and the options being considered for one of the HWRC sites which was under threat of closure such as reduced operating hours. Officers responded that the situation was not straight forward relating to the site in question as maintenance was needed and it was not operating efficiently. The site required a minimum number of staff in order to operate safely. Officers further confirmed that the transfer loading station would remain as well as the weighbridge on one of the sites under consideration
- A Member asked about missed bin collections and was advised that there was an in-cab system that recorded misses including whether bins were presented for collection – problems with access were communicated back via telephone but the numbers of missed bins were very low
- A Member also asked whether staff were trained to handle sharps and were provided with the necessary equipment to do so and was advised that staff were trained and had the equipment needed
- A Member asked about the underground 'superbins' and whether they were fed by a chute and was advised that they were and notification was automatically sent when full. There were some safety aspects still to be considered
- A Member asked about the tonnage levels going to the incinerator and whether there were any issues with the amount and was advised that there

were no issues with the contract as the levels were well above the minimum and no upper limit existed. They also confirmed that persistent organic pollutants (POPs) were collected by a dedicated vehicle and were segregated for disposal

- A Member asked about CO² emissions and energy from waster (EFW) in relation to the levels being produced and what plans there were for reducing them. Officers responded emissions were lower than Members might think and were promised that details would be circulated by AWM
- A member asked if the visits made to schools by the CYP team advisor were logged and was advised that they were and the figures could be circulated to Members
- The portfolio holder for Healthy People and Places was present at the meeting and advised that no decisions had been taken relating to HWRC and reiterated that budget consultations were still taking place. Residents would be listened to

Resolved –

- 1. That a further progress report be presented in twelve months' time.**
- 2. That a site meeting/plant tour be arranged for Members of the Regeneration and Environment Overview & Scrutiny Committee to visit AWM's waste processing plant at Leeds and also the Ferrybridge FM2 waste to energy plant.**

Action: Strategic Director, Place

56. WORK PROGRAMME

Members were given a verbal update on the Committee's Work Programme.

No resolution was made on this item.

Chair

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

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