

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the **Environment Overview & Scrutiny Committee**
held via video conferencing at **2 p.m. on Thursday 1 October 2020**

PRESENT

Councillors: Alaa Al-Yousuf (Chairman), Martin McBride (Vice Chairman), Jill Bull, Mike Cahill, Suzi Coul, Andrew Coles, Owen Collins, Harry Eaglestone, Ted Fenton, Gill Hill, Liz Leffman, Elizabeth Poskitt and Alex Postan.

Also in attendance: Councillor Norman MacRae MBE

Officers in attendance: Phil Shaw (Business Manager, Development Management); Scott Williams (Business Manager, Waste); Vanessa Scott (Climate Change Manager); Keith Butler (Head of Democratic Services); and Amy Bridgewater-Carnall (Senior Strategic Support Officer).

1. MINUTES

RESOLVED: That the minutes of the meeting of the Committee held on 6 February 2020 be approved as a correct record and signed by the Chairman.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence and the Committee was advised that Councillor Suzi Coul was attending in place of Councillor Richard Bishop.

3. DECLARATIONS OF INTEREST

There were no declarations of interest from Members or Officers in matters to be considered at the meeting.

4. PARTICIPATION OF THE PUBLIC

No submissions were received from the public in accordance with the Council's Rules of Procedure.

5. PETITION: SEWAGE AND SEWAGE DISCHARGES

The Committee considered a report which advised that a petition had been received from Ms Ruth Smith of Witney Town Council, containing 1700 signatures.

The petition made a number of requests of the Council with regard to the concerns raised regarding Thames Water and the water systems in the District. The Committee's role was to consider the content of the petition and to make a recommendation as to what, if any, action should be taken by the Council. That recommendation would be to Cabinet, although Council approval could also be needed if, for example, the proposed actions had budgetary implications.

A copy of the covering letter and of the petition were included as appendices to the report and for ease, Annex 2 highlighted the specific requests being made of the Council.

The report advised Members that officers were aware of the reports of the increase in incidents of untreated sewage discharging to the river and agreed with the concerns being raised at the consequent harms to its quality and its role as an ecosystem.

One of the requests proposed in the petition was for petition a greater degree of coordination of development and sewerage infrastructure. However, the report highlighted that it was difficult to see what more could actually happen in that regard. Thames Water were consulted on sites in the Local Plan and on planning applications, could request infrastructure improvements on the back of new development occurring or could suggest conditions to be imposed on any decision issued. In that regard it was felt there was already close liaison, such that integration was not seen as an issue and it was more the matters causing concern largely fall outside the planning/regulatory control of the Council.

There was clearly a need to enforce legislation but this fell outside of the remit of the Council, who did not have a regulatory of enforcement role. That duty fell to the Environment agency. It was recognised that residents would continue to contact WODC members and staff if they did not obtain sufficient response or comment from Thames Water or the Environment Agency.

As many of the solutions lay outside of the Council's remit, it was suggested that the local MP be advised of the need for legislative amendments if the problems were to be properly resolved.

The report therefore recommended that the contents of the petition be noted and the Cabinet Member for the Environment be asked to lobby Thames Water to confirm its plans to combat the problems report and liaise with Robert Courts MP and advise him that Council felt legislative change was required.

The Business Manager, Development Management, Phil Shaw introduced the report and reiterated that officers were very aware of the problems being faced across the District. He was supported by the Cabinet Member for the Environment, Councillor MacRae who reminded Members of the motion proposed to Council at the start of the year, which mirrored many of the issues and possible measures raised in the petition.

Members noted the work undertaken by officers and elected members including holding previous Water Days and the communication already carried out by the Cabinet Member in liaison with the local MP.

The Committee recognised that the petition was a good, community based piece of work and was useful in pushing the message out to the government. However, it was felt that the Council could act more strongly by conducting further lobbying and publicising that Members agreed with the petitioners. Councillor Coul also highlighted that it was important to involve MP's from across the whole of the Thames Valley.

Councillor McBride suggested that Robert Courts MP be sent a recording of the meeting so that he could see and hear the comments made.

The Cabinet Member agreed that a press release could be published and Robert Courts could be sent a link to the meeting recording.

The Committee therefore

RESOLVED:

- (a) That the contents of the petition be noted; and
- (b) That the Cabinet Member for the Environment be requested to (i) support the lobbying of Thames Water to confirm its plans to combat the widespread problems reported; and (ii) copy Robert Courts MP into this report and advise him that the

Council considers legislative changes are required in order to enable an effective solution.

6. COMMUNITY RECYCLING: BRING SITES IN WEST OXFORDSHIRE

The Committee considered the report of the Business Manager – Waste, which updated Members on the issues being experienced at the community recycling (bring sites) in West Oxfordshire. The report being submitted to Cabinet sought approval for the bring sites' permanent removal.

The scrutiny committee were being asked to take into account the risks and financial and performance related implications of removing the community recycling (bring site) facilities and submit any comments to Cabinet.

Scott Williams, Business Manager – Waste, introduced the report and highlighted the significant issues being experienced with the misuse of these sites.

Councillor Leffman highlighted the problem encountered by residents of towns and villages located in the North of the District who had to travel tens of miles to reach a recycling centre. Councillor Leffman suggested that the location of the bring sites should be considered before being closed, because forcing residents to drive long journeys to these sites did not correspond with the Council's commitment to Climate Change.

Some Members recognised the misuse of the sites and many had personal experiences of the problems being encountered. It was suggested that residents should be asked their opinion before the sites were closed and it was agreed that education and communication to residents was key.

In response to questions from Members, Mr Williams advised that when the bring sites were closed in the Cotswold District, it did not result in an increase of fly-tipping. General misuse of the sites was by traders who did not want to sign up to the Trade Waste system and the Bulky Waste service proved residents with an alternative, although it was noted there was a cost to this.

With regard to a question regarding the option of installing CCTV and prosecuting individuals, Mr Williams reminded Members that this would come at a cost, as would monitoring the system and the officer time taken to bring cases to court.

Following a query raised regarding clothing banks, Mr Williams advised that the Council was working with the clothing banks to ensure the service continued effectively, following a slow down due to lockdown. He also stated that the income received from recycling cardboard was running at a negative and authorities were having to pay for recycling.

There was a general feeling that there should not be a blanket closure of the sites because residents should not be disadvantaged by the actions of the minority. Councillor Coul felt that it would become known that the Council was prosecuting fly-tippers and this would have an impact on the frequency of instances.

The Committee agreed that closures should not take place across the board until the location of each site had been considered in relation to the travel time needed to reach alternative sites, the option of CCTV had been explored and more focus was placed on prosecuting fly-tippers and carrying out enforcement.

It was also supported that residents should be consulted with before any sites were closed permanently.

The Cabinet Member for the Environment addressed Members and thanked them for the detailed debate. He provided an update on the enforcement measures carried out recently with nine prosecutions being carried out in the form of fixed penalty notices.

Having considered the report and having heard from the officers and Members present the Committee

RESOLVED:

- (a) That the risks and financial, and performance related implications of removing the community recycling (bring site) facilities are noted;
- (b) That Cabinet take into account that the permanent removal of the community recycling (bring site) facilities should not take place until the location of each site has been considered in relation to the travel time needed to reach alternative sites, the option of CCTV has been explored and more focus has been placed on prosecuting fly-tippers and carrying out enforcement. However, effective communication was necessary in order to mitigate the issues being experienced with high levels of contamination, fly tipping and misuse; and
- (c) The Committee considered that residents should be consulted prior to the closure of sites.

7. MOTION: FIREWORK DISPLAYS

The Committee considered the motion proposed by Councillor Toby Morris and seconded by Councillor Suzi Coul, as amended following comments from Councillor Bolger, at the meeting of the Council held 26 February 2020:

“This Council resolves:

- (a) To ask for all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people*
- (b) To actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks*
- (c) To write to the UK Government urging them to introduce legislation to limit the environmental impact and maximum noise level of fireworks to 90dB for those sold to the public for private displays*
- (d) To encourage local suppliers of fireworks to stock climate-friendly and ‘quieter’ fireworks for public display*

The Committee was asked to consider the matter and agree on any comments or recommendations to be submitted to Council.

The seconder of the original motion, Councillor Coul, addressed Members and reiterated the difficulties that animal owners experienced when unexpected fireworks were set off. It was noted that discussion on the motion had been delayed due to the impact of the Covid-19 pandemic and the consequential postponement of scrutiny meetings.

The Committee accepted that many organised, public displays were adequately advertised and noted that the District Council did not have a statutory duty to regulate firework displays.

It was felt that the Council could do more to work proactively with event organisers, town and parish councils, and to educate residents to encourage them to consider their neighbours when arranging celebrations. The Committee was also supportive of the proposal to write to businesses and encourage them to stock fireworks with lower decibel levels.

Councillor Leffman proposed that the motion be amended to include specific reference to the Council contacting Parish and Town Councils with a view to them publishing communications in their parish newsletters and advising them of Members' desire to protect people and animals.

The Committee agreed that this should be included and the proposition was put to the vote and was carried.

RECOMMENDED: That the Council works with Parish and Town Councils and

- (a) asks for all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people;
- (b) actively promotes a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks;
- (c) writes to the UK Government urging them to introduce legislation to limit the environmental impact and maximum noise level of fireworks to 90dB for those sold to the public for private displays; and
- (d) encourages local suppliers of fireworks to stock climate-friendly and 'quieter' fireworks for public display.

8. MOTION: ENVIRONMENTAL AWARDS FOR BUSINESSES

The Committee considered the motion proposed by Councillor Duncan Enright and seconded by Councillor Rosa Bolger at the meeting of the Council held 26 February 2020:

"In light of the climate emergency, the council will encourage businesses and organisations in the district to adopt more sustainable modes of operation. The council therefore resolves to investigate methods to encourage this by audit and award schemes to recognise good practice. These will include exploring best practice by local authorities, the inclusion of environmental measures in procurement decisions, considering awards similar to environmental health audits for food outlets, and discussion with West Oxfordshire Business Awards (WOBA) about sustainability awards."

The Committee was asked to consider the matter and agree on any comments or recommendations to be submitted to Council.

The Committee was supportive of the motion and noted that some local businesses already promoted their environmental commitment. There was discussion about how the awarding process would be resourced and whether it could be included in existing work streams of the Climate Action Working Group or the Covid-19 Recovery Plan.

It was noted that WOBA already provided awards to local businesses and it was suggested that the Council approach WOBA and ask them to consider including a sustainability award in their programme.

Councillor Enright felt that the motion was a good starting point, worth pursuing and the details could be worked out later.

The Climate Change Manager, Ness Scott, advised that the scheme could be as large or as small as required and quoted some examples of other Local Authorities which ran similar incentives.

Having considered the comments made, the Committee agreed that the motion should be supported and suggested that the awards be included within the work of the Climate Action Working Group.

RECOMMENDED: That the Council encourages businesses and organisations in the district to adopt more sustainable modes of operation. The Council should ask the Climate Action Working Group to investigate methods to encourage this by audit and award schemes to recognise good practice, including exploring best practice by local authorities, the inclusion of environmental measures in procurement decisions, considering awards similar to environmental health audits for food outlets, and discussion with West Oxfordshire Business Awards (WOBA) about sustainability awards.

9. COMMITTEE WORK PROGRAMME 2020/2021

The Committee was provided with an update on its work programme and was advised that the proposal for 2020/21 had sought to take into account the impact of the cancellation of the previous scheduled meetings of the Committee, had been prepared following consultation with the Chair and Vice Chair of the Committee, and had an overarching aim of making the programme more focused and relevant.

The Chairman highlighted the changes that had been made with a view to helping the Committee carry out their role more effectively by looking at work that was relevant to their remit and would add value to the decision making process.

9.1 Waste Service

It was noted that whilst the Cabinet Member and the lead officer for this item had been present for the Bring Sites report, they were not in attendance when the work programme was discussed. Members agreed that they would still like to hear a general service update and wished to invite the Area Manager from Ubico to attend their December meeting to discuss and review options for the new waste contract.

Following the December meeting, this item could move to a six monthly update.

9.2 Update on Carbon Action Plan

The Climate Change Manager addressed the meeting and provided a comprehensive update as to where the Carbon Action Plan was in the decision making process. It was agreed that this update should appear as a standing item on the agenda.

RESOLVED: That

- (1) The 'Waste Service' item be deferred to December 2020, then six monthly thereafter; and
- (2) The 'Update on Carbon Action Plan' be added as a regular report to the work programme and agenda; and
- (3) Further items could be added following consideration of the Cabinet Work Programme

10. CABINET WORK PROGRAMME

The Committee received and considered the report of the Head of Democratic Services, which gave members the opportunity to comment on the Cabinet Work Programme published on 22 September 2020.

10.1 Items 11 and 17 – Approval of East Witney & North Witney draft SPD’s for consultation

Councillor Postan raised a concern that the naming of development areas could create negative connotations. It was noted that the names detailed in the Cabinet Work Programme were likely to reflect those given to the areas in the Local Plan and although this was an issue that did not fall under the scrutiny committee’s remit, Councillor Postan was advised that he could raise his concerns at the next Cabinet meeting.

10.2 Electric Vehicle Charging Points

Councillor Postan was disappointed that there was still little or no progress with this project and queried whether the committee should examine how the project had been handled.

In response, Councillor Al-Yousuf advised that Ness Scott had provided an update on Green and Active Travel at the Climate Action Working Group earlier that day, which had been encouraging.

Ness Scott reiterated the information previously reported with regard to the Park and Charge project and assured Members that further information would be given in due course.

10.3 Item 19 – Litter Bin Replacement Programme

Councillor Bull highlighted this item as she had a number of questions relating to whether this was for damaged units or an entire replacement programme. It was agreed that the item could be added to the Committee’s work programme for December as the Cabinet report should be available for officers to advise on.

RESOLVED: That the Committee Work Programme be amended to include Litter Bin Replacement Programme for December 2020.

11. START TIME OF MEETINGS

The Committee considered the report of the Head of Democratic Services, which invited it to consider the start time for its meetings for the remainder of 2020/20201.

It was noted that concerns had been raised by some Councillors that the staggered collection times brought in by primary schools since the Covid-19 outbreak, was making it difficult to attend 2pm meetings. However, those Members in attendance did not feel this was an issue for them at the present time and

RESOLVED: That the start time remain at 2.00pm on the understanding that this could be reviewed if necessary.

12. MEMBERS’ QUESTIONS

Prior to the meeting Councillor Coles had circulated the following question:

“At the full council meeting held virtually on 24th June, the Chief Executive responded to a question of mine regarding air quality. He agreed with me that now would be an ideal time to re-examine the council’s approach to tackling the poor air quality in both Witney and

Chipping Norton. Can the committee be updated on what actions or progress has been made since the June meeting please?”

In response, officers advised that the issue of Air Quality was due to be considered and debated at the next meeting of the Committee in December 2020. However, following discussion regarding the importance of the issue and the delay already encountered, it was agreed that officers would be asked to respond to the query and the answer circulated to the Committee prior to the next meeting.

Councillor Coles reiterated the importance of Members being kept updated as to what actions or progress had been made with re-examining the council’s approach to tackling this issue.

The Chairman thanked everyone for their attendance and closed the meeting.

The meeting closed at 4.35 pm

CHAIRMAN