

Confirmed



Minutes of a Meeting of the **Scrutiny Committee** held remotely via Zoom on **Thursday 25 March 2021**
at **6:30 pm**

Members of the Committee present:

Councillor Edward Back, Councillor Stuart Bird, Councillor Judy Cloke, Councillor Linda Coulam, Councillor Mike Deacon, Councillor Andree Gee, Councillor Louise Gooch, Councillor Tracey Green, Councillor Geoff Lynch, Councillor Mark Newton, Councillor Keith Robinson, Councillor Caroline Topping

Other Members present:

Councillor Stephen Burroughes, Councillor Peter Byatt, Councillor Janet Craig, Councillor James Mallinder, Councillor Keith Patience, Councillor Craig Rivett, Councillor Ed Thompson

Officers present:

Katherine Abbott (Democratic Services Officer), Kerry Blair (Head of Operations), Sarah Carter (Democratic Services Officer), Andrew Jarvis (Strategic Director), Sue Meeken (Political Group Support Officer (Labour)), Andrew Reynolds (Environment Protection Manager), Daniel Wareing (Environmental Sustainability Officer)

Others present:

Ben Ablett (Waste Management Officer - Norse), Ben Hunter (Waste Management Officer - Norse), Stuart Mortimer (Operations Manager - Norse), Nicky Noodles (Waste Management Officer - Norse)

1 Apologies for Absence

Apologies for absence were received from Councillor Beavan.

2 Declarations of Interest

There were no Declarations of Interest.

3 Unconfirmed Minutes of the Meeting held on 28 January 2021

By consensus it was

RESOLVED

That the Minutes of the Meeting held on 28 January 2021 be confirmed as a correct record and signed by the Chairman.

4 Review of waste management (Part 1)

The Scrutiny Committee report **ES/0712** which provided information on fly tipping, enforcement and the reporting of environmental crimes. The report was part one of a comprehensive review of aspects of waste management. The second part of the report would be received in June with reference to contamination, collection issues, littering and public realm.

The Cabinet Member for the Environment was invited to briefly introduce the report. He thanked the Committee for the opportunity to address it and welcomed the chance to have a constructive conversation into where improvement was possible and to identify where things were being done correctly. The Cabinet Member said that although he very much wanted to listen to the Committee's concerns and thoughts - he hoped to approach the review as a think tank in order to have scrutiny help him to improve some of the on-going issues. The Cabinet Member said that from reviewing the written questions submitted in advance it seemed that a briefing for Councillors would be useful and so this was being arranged and would cover reporting, statutory responsibilities, Council powers, and definitions. The Cabinet Member asked the Committee to remember that waste/ items on a piece of land, no matter how anti social, was not fly-tipping if permission had been given - although environmental protections would be a concern in such an instance. He added that fly-tipping was classed as 'the illegal deposit of any waste onto land that does not have a licence or give permission'. Under that classification, the dumping of leaves in woodland was as illegal as more obvious items such as a mattress or builder's rubble. The Cabinet Member stated that, such was the extent of fly tipping, major organised crime gangs were often involved. In conclusion, he said that, according to Keep Britain Tidy - 'Uncontrolled illegal waste disposal can be hazardous to the public, especially if it contains toxic material or asbestos. There could be a risk of damage to watercourses and soil quality from the dumped waste.'

The Head of Operations briefly highlighted the key points in the report, including operational partnerships and environmental agencies.

The Chairman invited questions.

Councillor Topping asked if the Pakefield recycling site would continue to operate an appointment system. It was acknowledged that this site was the responsibility of the county council, but the Cabinet Member advised that the Suffolk Waste Partnership had reviewed and improved the booking system. Councillor Topping also referred to large quantities of bags left in the doorways of charity shops and asked if there was anything the Council could do in this regard. The Head of Operations said that bags left on private land should be cleared by the land-owner, in this example the charity shop, bags left on public land could be removed by the Council. A similar situation existed with the location of clothing banks, if on public land items not placed in the bank could be cleared by the Council, but if the bank was on private land it was only possible for

the Council to investigate and, if sufficient evidence could be obtained, issue a fixed penalty notice.

Councillor Lynch asked why bins could not have QR codes (a two-dimensional barcode which was readable by smartphones) on them so that members of the public could report them as full and to be more efficient in collections. The Head of Operations said that trial of bins which omitted an electronic signal when full had been undertaken, however, the results were inconclusive and the technology had not been completely reliable. The Council continued to investigate other options and their benefits. The Waste Management Officer (Norse) also referred to similar trials and said these were more beneficial in rural locations and did enable the collection service to be more efficient.

Councillor Deacon thanked the Cabinet Member and Officers for a very comprehensive report. He referred to an article about the approach of Northamptonshire to fly-tipping where the county's police, fire and crime commissioner was covering the cost of having fly-tipping cleared from private land in two areas of the county on a trial basis. He asked if a similar scheme was possible in Suffolk. The Environmental Protection Manager said that many criminal offences were the responsibility of the local authority to investigate and enforce and that, in his opinion, fly-tipping was not a police matter. Councillor Deacon stated that it would be helpful to be willing to explore a partnership approach, as Northamptonshire had, and that if their approach worked it was reasonable to assume it might in Suffolk. He added that fly-tipping was a costly problem and a blight on the district, therefore, to ask if a partnership approach or special initiative was possible should not be so quickly dismissed.

Councillor Newton referred to personal experience of using the on-line reporting form which had been responded to quickly. However, his experience of the 'My East Suffolk' portal had been less responsive and the option to use the system without registering had not been easily visible, he said. Councillor Newton added that the system also did not indicate if an issue had already been reported. The Cabinet Member with responsibility for Customers, ICT and Commercial Partnerships, present as a visiting member, confirmed that it was not necessary to register for an account to use the portal but he noted the comments and said he would see if there was a way to make this more explicit and clear. He also said he would look into the suggestion of a QR code with the digital team.

Councillor Gooch thanked the Cabinet Member and Officers for an excellent report. She said this review had originally been sought by the Waveney Overview and Scrutiny Committee in autumn 2018 but it had been delayed and deferred for various reasons; she welcomed the review now taking place. Councillor Gooch stated that, without in any way wishing to sound critical of the Council, the problems associated with fly-tipping were extensive and, with reference to the Cabinet Member's wish to have a think tank approach, said she welcomed the opportunity to identify solutions together. Councillor Gooch said she had raised the special initiatives on trial in Northamptonshire with the Police and Crime Commissioner (PCC) and he had mentioned a wider initiative; she asked if there was more information on this available. The Environmental Protection Officer said that, to date, the PCC had not indicated anything further on this initiative. He added that he represented the Council on the pan-Suffolk Fly-tipping Action Group which met to discuss waste enforcement, the Constabulary had

previously attended the group but had advised it could no longer commit resources to its meetings. The Cabinet Member for the Environment said that there was scope to do collective work and that he would raise this proposal at the Suffolk Waste Partnership. Councillor Gooch referred to the elections to the County Council in May and suggested that it might be a prime opportunity to explore a pan-Suffolk approach. Councillor Gooch also suggested that the Council might introduce a public education campaign on litter and fly-tipping including the increased use of fixed penalty notices. The Waste Management Officer (Norse) confirmed that whilst no education material was sent to those who received a fine nor information on the adverse impact of their action on the environment, the accompanying letter did explain the reason for the fine and included an ashtray. Councillor Gooch referred to the extent of littering along the highways and asked if there was a more proactive approach that could be taken within the district. The Operations Manager (Norse) said the removal of litter from verges required a rolling road-block to be put in place in liaison with SCC Highways Department, these were scheduled events but had been impacted by the pandemic and also the snow earlier in the year, therefore the programme of work was a little behind schedule. The Strategic Director said that the removal of litter from highways was, unfortunately, almost an endless task but he praised the effective high-level dialogue between local authorities in this regard. Councillor Gooch asked if there had been any monitoring of when the majority of littering occurred. The Operations Manager (Norse) said that this was largely dependant on the people who made the litter and no real monitoring was undertaken.

Councillor Back referred to a recent *Panorama* documentary which had highlighted several cases where people employed a contractor to dispose of their waste but said contractor did so illegally by fly-tipping; he asked what documentation a legal, registered contractor should provide to give customers reassurance that their rubbish would be disposed of legally and appropriately. The Environmental Protection Officer said contractors required a licence from the Environment Agency and that without that licence the removal of waste was an offence. He briefly explained the system of tracking in place but said that funding, investment and the gathering of evidence was an issue. It was suggested by the Committee that the public needed to be better educated on how to find a legitimate licensed waste contractor and of the requirement to seek a waste transfer note.

Councillor Green asked if recycling centres had CCTV cameras to monitor those people who left items at the gates. The Cabinet Member said automatic number plate recognition (ANPR) technology had been put in place to capture the registration details of people illegally dumping items. Councillor Green asked if as a ward member she should approach a housing association or the Council to assist residents in social housing with the removal of bulky items of furniture. The Environmental Protection Officer said that this should be reported to the Council and, if necessary, it would speak with the landowner, in the case of social housing this being the housing association. Councillor Green asked if there was a schedule for the emptying of bins in laybys and, if so, when this was last reviewed, including the sufficiency of bins in lay-bys. The Operations Manager (Norse) said the schedule for the emptying of bins in laybys had just been reviewed and it was felt the numbers were sufficient. It was agreed that the schedule would be shared with the Committee after the meeting. Councillor Green referred to the laybys close to the Port of Felixstowe and asked if there was anything that could be done to address the amount of rubbish left in these sites, including

bottles of urine etc. The Operations Manager (Norse) said that there was dialogue with the Port and the use of electronic signs on gantries to encourage responsible waste disposal were being considered. The Cabinet Member welcomed that suggestion and he also wondered if the Port could be encouraged to look at the facilities for drivers etc. Councillor Robinson said that there were already facilities for drivers at the Port. It was suggested that a possible recommendation arising from the review might be that bins be branded and feature clear contact information, that facilities for lorry drivers be sited outside the Port to minimise use of laybys and that the schedule for the emptying of bins in lay-bys be further reviewed.

Councillor Gooch asked if litter bins in seaside locations were fit for purpose because of coastal winds and seagulls etc. The Cabinet Member said the Council worked with its seaside towns to make containers wind and seagull proof.

Councillor Coulam suggested there were insufficient bins for the collection of dog excrement and also that litter was often located outside of schools which might, she said, necessitate the education of children in this regard to be addressed. Councillor Mallinder said town and parish councils were encouraged to purchase additional dog bins and also reminded members that they could use their individual Enabling Communities Budget for this purpose. The Cabinet Member said there were education programmes in place using the plastic champions. However, he did agree that more could be done in this regard. It was noted that discussions were underway with SCC on a review of current resources for such education, to identify any gaps and future resource needs. The Committee was also informed that plastic pollution resources were available online to teachers and home educators.

Councillor Cloke referred to an initiative in Devon and Cornwall where no litter bins were provided to encourage people to take their waste home. The Head of Operations reminded the Committee that the second report, in June, would focus on littering.

The Chairman referred to the report which stated that 525 incidents of fly-tipping had been investigated, ten fixed penalty notices had been issued and no prosecutions had been pursued. He added that, having researched the success rate of prosecutions nationally, these were generally successful and asked whether the Council was being proactive enough in this regard. The Waste Management Officer said the issue was finding sufficient evidence to proceed to prosecution. He added that last year five interviews under caution (Police and Criminal Evidence Act) had been delayed by the pandemic but were now rescheduled for May and June 2021.

Councillor Gooch said other methods needed to be considered - for example, requiring the registration number of purchasers of fast food to be stamped on packaging so that they can be identified if it is not disposed of properly. She asked if this could, perhaps, be included as a condition at the point of approving planning applications for such restaurants. The Environmental Protection Manager said environmental health was consulted on planning applications but were not asked to comment on the provision of litter bins. He suggested that the registration number on packaging would not identify the littering offender who might claim it blew out of the bin, for example, and therefore an illegal act could not be proven to the required standards of evidence to enable prosecution. Councillor Gooch asked if 'free' windows for the collection of large and bulky items could be available to encourage people to use this facility rather than

fly-tip. The Head of Operations replied that 'amnesties' had been used in the past, but they had proven to be difficult to apply fairly and could have perverse reactions in that people from far afield, outside of the district, abused the facility meant for local people. The Cabinet Member said that people needed to be encouraged to take responsibility for their items and their appropriate disposal.

Councillor Coulam referred to the current charge for the collection and removal of three bulky items (she quoted £45) and said that this was too high. The Cabinet Member said that other means of disposal were available including donation to charity organisations, selling the items etc. but did require some effort on behalf of the resident to research and arrange.

There being no matters raised for debate, the Chairman concluded the item by reminding the Committee that it would receive the second part of the review at its meeting in June 2021 and at that point it would be asked to formulate its recommendations to Cabinet, as considered necessary.

The Chairman thanked the Officers for their contribution to the meeting.

5 Cabinet Member's update

The Chairman invited Councillor Mallinder to provide his portfolio update in his role as the Cabinet Member for The Environment. In summary, Councillor Mallinder updated the Committee on the Council's work on the conservation of open spaces; the meeting of climate ambitions; the transformation of waste collection; the increasing of recycling; the reduction of carbon emissions; and, environmental protection.

The Chairman invited questions.

Councillor Topping commented positively on Councillor Mallinder's enthusiasm, energy and passion for the work of his portfolio. She asked if there was a specific reason he had been appointed to his portfolio and if there was some past experience he brought to the role. Councillor Mallinder thanked Councillor Topping for her kind words - he said he put so much energy into the role because it was so obviously the right thing to do. He said he endeavoured to engage and work collaboratively in what he described as a fantastic role that he genuinely enjoyed doing.

Councillor Deacon also praised Councillor Mallinder's passion and enthusiasm for his portfolio; he asked what Councillor Mallinder hoped would be in his greatest achievement in the role. Councillor Mallinder replied that the *Pardon the Weeds, We are Feeding the Bees* initiative had real traction and had positively engaged and educated people.

Councillor Gooch welcomed Councillor Mallinder's collaborative approach and praised his inclusion of her, as Shadow Cabinet Member, on new initiatives. She also referred to the work of the cross-party Environment Task Group which she said was a tribute to Councillor Mallinder's steer to the work of the portfolio. Councillor Gooch asked if the produce served in the café at the Council's Riverside offices was monitored for its carbon footprint. Councillor Mallinder said that the Council did try to monitor the source and to show a local lead on this matter. He referred to the need for a national

campaign on the carbon footprint of food and its production.

Councillor Lynch asked about the cutting back of hedges and the impact on natural habitats. Councillor Mallinder said the Council worked with local communities to explain and educate about the impact on biodiversity.

The Chairman asked if the Council was lobbying about the proposed changes to building regulations related to glazing and source heat pumps. Councillor Mallinder said the Environmental Planning Guide was used by the Planning Officers in discussions with agents, developers and residents on their planning applications. He hoped that the new regulations would be implemented on a phased basis with possible tax incentives. He also said that Council needed to educate local developers on its vision in this regard. Councillor Mallinder said he would be happy to discuss possible lobbying with Councillor Ritchie.

There being no further questions, the Chairman thanked Councillor Mallinder for his update and responses to the Committee.

6 Scrutiny Committee's Forward Work Programme

The Scrutiny Committee received and reviewed its current forward work programme.

The Committee received a draft scoping form from Councillor Green on social prescribing and which she briefly summarised. There was some reticence about whether, or not, this was a suitable topic for the Scrutiny Committee to review. It was agreed that the advice of the Head of Communities would be sought by the Clerk and her response provided to the next meeting at which time a decision to proceed with the review, or not, would be taken.

There are no Exempt or Confidential items for this Agenda.

The meeting concluded at 21.29pm.

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Chairman