

**ENVIRONMENTAL SCRUTINY
 COMMITTEE
 4 DECEMBER 2015**

PRESENT: COUNCILLOR C L STRANGE (CHAIRMAN)

Councillors Mrs V C Ayling (Vice-Chairman), A M Austin, A Bridges, J R Marriott, N M Murray, C R Oxby, C Pain, R A Renshaw, N H Pepper and A H Turner MBE JP

Councillors: S M Tweedale attended the meeting as observers

Officers in attendance:-

Andy Gutherson (County Commissioner for Economy and Place), Sean Kent (Group Manager, Environment Services), Matthew Michell (Environmental Services Senior Officer (Technical)), Ian Taylor, Nigel West (Head of Democratic Services), Steve Willis (Chief Operating Officer) and Rachel Wilson (Democratic Services Officer)

44 APOLOGIES FOR ABSENCE/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors C J T H Brewis and M Brookes.

The Chief Executive reported that having received notice under Regulation 13 of the Local Government (Committees and Political Groups) Regulations 1990, he had appointed Councillors N H Pepper and A H Turner MBE JP as replacement members on the Committee in place of Councillors C J T H Brewis and M Brookes respectively, for this meeting only.

An apology was absence was also received from Councillor C J Davie, Executive Councillor for Economic Development, Environment, Planning and Tourism and Councillor R A Shore, Executive Councillor for waste and Recycling.

45 DECLARATION OF MEMBERS' INTERESTS

There were no declarations of interest at this point in the meeting.

46 MINUTES OF THE MEETING HELD ON 23 OCTOBER 2015

RESOLVED

That the minutes of the meeting held on 23 October 2015 be signed by the Chairman as a correct record.

47 ANNOUNCEMENTS BY THE EXECUTIVE COUNCILLORS AND SENIOR OFFICERS

There were no announcements from the Executive Councillors or the Chief Operating Officer.

48 WASTE AND FLY TIPPING ENFORCEMENT - THE NORTH KESTEVEN DISTRICT COUNCIL APPROACH

The Committee received a presentation from Janet Williams, Environmental Health Manager, North Kesteven District Council which provided information in relation to the North Kesteven District Council approach to Waste and Fly-Tipping Enforcement. The presentation covered the following areas:

- Fly-tipping – Lincolnshire Context
- NK Commitment
- Approach in Practice
- Publicity
- Opportunities available
- Future Activities

During the presentation, the following information was highlighted to the Committee:

- The same presentation had recently been given at the Lincolnshire Waste Partnership;
- North Kesteven District Council was very proud of its work and its record of enforcement with fly – tipping;
- It was noted that it could not be proven that more prosecutions led to a reduction in fly-tipping, but it allowed the authority to let its residents see that it was taking action;
- NKDC also included any incidences fly-tipping on private land which were reported to them, which could account for an increased number of fly-tipping incidents;
- In national terms, fly-tipping was on the increase;
- It was noted that NKDC had specifically put resources into fly-tipping and waste enforcement. However, members were advised that this was not the only work that they did, these officers also looked into other nuisance issues such as noise, and bonfires etc. but fly-tipping and waste enforcement was a very high profile function of this team;
- NKDC had recently been through a process of reviewing all of its services, and there was strong opposition to the proposal to reduce the resources in this area;
- NKDC had a presumption to prosecute approach, and got a good return on cases which progressed to court. The authority also had a very positive relationship with the Police.

RESOLVED

That the information contained within the presentation be noted.

49 ENERGY FROM WASTE PLANT UPDATE

Consideration was given to a report which advised the Committee on the planned maintenance activity recently carried out at the Energy from Waste (EfW) plant and also FCC Environment's plans for achieving 'R1 Status' to allow the plant to be certified by the Environment Agency as a recovery facility instead of a disposal facility.

Members were advised that the EfW facility was now into contract year 3, and was approaching 20,000 hours of operation. This was the annual outage to allow the facility to undergo a 'top to tail' clean and repair. FCC and LCC worked closely together to ensure there was the minimum amount of disruption to services. The planned shutdown took place on 4 September 2015, and work started on 5 September 2015. The facility underwent a significant examination to ensure that any work or equipment replacements which were required under warranty were completed before it expired in March 2016.

Following substantive use of Ultrasonic thickness testing, it was ascertained that none of the equipment was wearing more than expected, and in fact, most of it was showing less wear and tear than expected. It was concluded that the facility appeared to be working extremely well, and the equipment was working very effectively and efficiently.

In relation to FCC Environment's intention to achieve R1 Status for the EfW, it was highlighted that this would be particularly significant following an announcement at the recent LARAC (Local Authority Recycling Advisory Committee) conference, where a speaker stated that as part of the circular economy package under development in the EU, a ban on disposal of key recyclates such as paper, cardboard, and plastic by any means other than recycling was under consideration. Further to publication of the agenda, it was noted that there had been a proposal to increase the recycling rate for local authorities to 65% by 2030, which could include a ban on key materials being placed in waste bins.

The implication of this was that waste collection authorities would need to keep all of these materials out of the residual waste bin. Members were advised that the one exception currently considered appropriate to relax that requirement, would be if those materials were going to an EfW plant with R1 status.

RESOLVED

That the report be noted.

50 COUNCIL BUSINESS PLAN 2015 - 2016 PERFORMANCE REPORT,
QUARTER TWO

Consideration was given to a report which provided the key performance information which was relevant to the work of the Environmental Scrutiny Committee.

Members were advised that the Value for Money Scrutiny Committee, which as part of its remit reviewed all the Council's business plan indicators, had formally

requested that this Committee seek assurances on the waste Sent to Landfill indicator, as set out on pages 19 and 20 of the agenda pack.

The Chairman was also asked at the Overview and Scrutiny Management Committee held on 26 November 2015 to look at this indicator in detail and it was believed that other councillors had raised this issue directly with the Council's officers.

The concern was that the tonnage of waste sent to landfill in Quarter 2 was much higher than the target. The commentary on page 19 provided an explanation, but people had been seeking more information, for example, would there be a budgetary impact, and would it be on target by the end of the year.

The Group Manager Environmental Services, advised that answers had been circulated to those members who had raised these questions, and it was thought it would be helpful to summarise these answers for the benefit of the Committee.

The Committee was reassured that the vast majority of this tonnage was sent when the EfW was closed for planned maintenance. Since that was an annual event, landfill tonnages had now returned to their usual very low levels and it was expected to be within target for the year as a whole. Also, it was reported that approval had been recently received to increase the capacity of the EfW, which should enable more waste to be diverted away from landfill in future.

It was also noted that the recycling rate forecast for the year was considerably short of the 55% target, and was also lower than the previous year. Whilst there were specific reasons for this year's lower performance, work was underway with Lincolnshire waste Partnership colleagues to develop new strategic ways forward.

Members were provided with the opportunity to ask questions to the officers present in relation to the information contained within the report, and some of the points raised during discussion included the following:

- It was reported that there were two waste streams to the EfW – waste was delivered direct to the facility from the City of Lincoln and North Kesteven, and for the remaining districts, waste was sent to the waste transfer stations (WTS's) before being delivered to the EfW. Prior to the shutdown the bunker at the EfW was emptied to allow for waste from the City of Lincoln and North Kesteven to continue to be delivered there, the waste collected at the WTS's was diverted to landfill as the Environment Agency did not allow for waste to be stored at WTS's for more than 72 hours;
- It was queried whether the capacity of the WTS's could be increased to allow for more waste to be stored during the times of outage, and members were advised that the WTS's had been designed to feed the EfW;
- It was commented that there was a lot of confusion with residents regarding what could be recycled, and members were advised that work was ongoing with the Lincolnshire Waste Partnership in order to develop a simplified and consistent message across the county;
- In relation to the performance target for the waste sent to landfill, it was noted that this was looked at as a whole year target, as it was calculated by how much waste was collected per year and how much could be processed by the

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EfW, the remainder was 13,000 tonnes which was then divided between the four quarters. It was not known exactly when the outage would take place, and in this year it had fallen on the border of quarter 2 and quarter 3 and so it would have been difficult to programme this into the quarterly targets. Members were assured that the performance for this quarter was much lower than target, and since the facility had restarted, nothing had been sent to landfill;

- It was clarified that although the outage had been planned for 14 days, it had actually been completed within 12 days;
- The purpose of a 'Clinker Weir' had been clarified for members;
- It was queried whether the planned outage could have been scheduled for the Christmas period;
- It was requested whether officers could look into what the costs of providing a hanger for storage of waste during these outages would be and how these compared to the costs of sending waste to landfill during these periods;
- It was also queried what the costs would be of an unexpected fault which caused a shutdown, and what costs would be incurred for disposal, as well as who would be responsible for this. Members were advised that the Group Manager Environmental Services would respond to this query outside of the meeting as it involved contractual issues;
- Members were satisfied with the response that there was no option but for waste from some of the districts to be sent to landfill during the planned outage;
- It was noted that all districts were in agreement that there was work to be done to ensure that the message in recycling was simple in order to make it easier for residents to recycle;
- Members were advised that collected pre-sorted recycling from households would not necessarily improve the recycling issues, as there would be a need for materials to be stored and collected separately. It was also noted that there were material recovery facilities (MRF's) had the ability to sort the recycling which was collected;
- Officers noted that the number of complaints received regarding HWRC's was relatively low when compared with the number of people who used them;
- Councillor Marriott wished it to be recorded that he was very impressed with the level of service he received from the staff at both the Whisby and Great Northern Terrace HWRC's.

RESOLVED

That the information presented be noted.

51 ENVIRONMENTAL SCRUTINY COMMITTEE WORK PROGRAMME

Consideration was given to a report which enabled the Committee to consider and comment on the content of its work programme for the coming year.

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Members were reminded that it was planned to hold the next meeting of the Committee, scheduled for 29 January 2016 at Mid-UK at Caythorpe, weather permitting.

Member were also advised that if they had any issue that they thought the Committee should look into or discuss then to contact either the Chairman or Vice-Chairman.

RESOLVED

That the report be noted.

The meeting closed at 10.55 am