

MINUTES of a MEETING of the ENVIRONMENT POLICY DEVELOPMENT GROUP
held on 7 November 2023 at 5.30 pm

Present

Councillors

M Fletcher (Chairman)
B Fish (Vice Chairman), C Adcock,
C Harrower, G Czapiewski, B Holdman,
S Robinson and G Westcott

Apologies

Councillor(s)

Also Present

Councillor(s)

D Broom, E Buczkowski, J Buczkowski, L Taylor, J Wright
and D Wulff

Also Present

Officer(s):

Matthew Page (Corporate Manager for People, Governance and Waste), Paul Deal (Corporate Manager for Finance, Property and Climate Change), Luke Howard (Environment and Enforcement Manager), Darren Beer (Operations Manager for Street Scene), Jason Ball (Climate and Sustainability Specialist), Sarah Lees (Democratic Services Officer) and David Parker (Democratic Services & Policy Research Officer)

Councillors

Online

N Bradshaw, S J Clist, A Cuddy, A Glover, L Knight, J Lock
and J. Poynton

Officers Online

Dr Stephen Carr and Dean Emery

32 APOLOGIES AND SUBSTITUTE MEMBERS (0:03:27)

There were no apologies

33 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (0:03:38)

Members were reminded of the need to make declarations of interest where appropriate.

None were declared.

34 **PUBLIC QUESTION TIME (0:03:54)**

There were no questions from members of the public

35 **MINUTES OF THE PREVIOUS MEETING (0:04:07)**

The minutes of the previous meeting, held on Tuesday 10 October 2023, were approved as a correct record and **SIGNED** by the Chairman.

36 **CHAIRMAN'S ANNOUNCEMENTS (0:04:27)**

The Chairman had no announcements to make.

37 **PERFORMANCE DASHBOARD (0:04:36)**

The Performance and Risk Manager explained the Dashboard. The "In Focus" box gave additional information specific to the Environment PDG. In response to a question as to why so many areas were highlighted in red, the Performance and Risk Manager explained that for instance;

- the Electric Fleet Vehicles had only been delivered in August so only two months of data was available;
- the main reason for Solar Panel Performance being below target was the delayed installation of a solar array at Exe Valley Leisure Centre.
- In terms of Finance, the reward from the Devon Share Saving Scheme had recently been received, so approximately £350,000 had not entered the dashboard yet.
- With regard to the use of agency staff, during the Covid Pandemic and post-pandemic period a lot of agency staff had been used, that use would reduce but there would probably be a need for agency staff in any event.
- With regard to Street Scene and Open Spaces the price received per ton of cardboard and other materials had reduced.
- The target figure for zero hours was an aim, we were on target but not there yet.
- Outturn against budget are overspends, but Capital projects was showing underspends.

The solar array at Exe Valley was subject to arrangements with the contractors and no update was yet available.

The next dashboard in the quarterly series would be available in the next quarter.

The report was **NOTED**.

38 **CLIMATE AND SUSTAINABILITY UPDATE (0:17:44)**

The Climate and Sustainability Specialist gave a verbal update and highlighted:

- The new Zed Pod projects had won an industry award for partnership work, community outreach and engagement.
- The Council has been awarded £660,000 from the Brownfield Land Release Fund (BLRF2) for an extra 50 Zed Pod homes at 6 locations. Councillors requested an opportunity to visit the Z-Pods.
- The Government had made decisions to fund Railway Stations at Cullompton and Wellington.

- The Government had committed to the M5 junction 27 improvements.
- Mid Devon District Council had put in a second bid for funds to decarbonise facilities at Culm Valley Leisure Centre.
- A Training Workshop had been delivered for Planning Officers on Biodiversity Net Gain.
- There had been a district Landscape Character review workshop.
- Leases had been signed for Electric Vehicle (EV) charge points at three car parks - William Street at Tiverton, Market Street at CREDITON and Forge Way at Cullompton. A revenue share 5% of gross income would come to the Council.
- Conversations with landowners bidding for funding for flood alleviation work.
- There had been a swimming pools fund bid to reward / support energy efficiency investments.
- Public Sector Decarbonisation Scheme. Latest bid submitted to fund Culm Valley energy efficiency improvements and renewable energy installations.
- LEVI funding – as mentioned in the previous minutes for the October meeting this was for EV charging particularly on street e.g. from bollards, street lights or pavement gullies. The Climate and Sustainability Specialist encouraged Town and Parish Councils to nominate sites quickly to benefit from LEVI. The LEVI funding and ‘call for sites’ was hosted by Devon County Council.

The update was **NOTED**.

39 **REVIEW OF BIN IT 123 AND THE WAY FORWARDS (0:31:09)**

The Group had before it, and **NOTED**, a report* from the Corporate Manager for People, Governance and Waste.

The Chairman congratulated the Waste Management Team on their success with the scheme.

The following was highlighted within the report:

- Following the most recent Government announcement regarding Simpler Recycling, the Corporate Manager for People, Governance and Waste stated that he did not envisage the current three weekly collection scheme changing and that it was in the Council’s interest to make sure that its current scheme worked as effectively as possible.
- The report showed the improvement achieved since the implementation of three weekly collections in October 2022 regarding both a rise in recycling rates and a reduction in residual collection rates.
- Both of these are required to reduce the Councils carbon footprint and help it achieve its carbon net zero commitment. In the 21/22 national figures the Council was ranked in the top 35 of more than 200 Councils and Mid Devon District Council hopes to further improve its position in future 22/23 and 23/24 statistics.
- It was the team’s aim to ensure residents removed food waste from the residual waste collected and place it in the food caddy.
- Although the majority of households are complying with the scheme, 12% were putting out extra side waste and these residents required further education.

Consideration was the given to the following comments and questions:

- Whether families could be educated to use recyclable nappies – this was signposted on the website but greater emphasis could be applied.
- Whether uncooked food could go in the food waste caddy? – It was confirmed that all food, without packaging, should go in the blue food waste caddy. A campaign about food waste had gone to the residents of Teignbridge District Council and Mid Devon District Council could use the same campaign.
- Plastic packaging should be recycled at supermarkets soft plastics collections.
- Vulnerable residents – were Mid Devon District Council reaching them? Recycling Advisors would be going out into communities over the next few months to advise and support residents.
- Did Mid Devon District Council have any plans to start accepting plastic film?
- How could residual waste be reduced? Much of it could be recycled.
- The Environmental Protection Act 1990 s.46 contained legislation to enforce recycling. However, if waste was left piling up within the curtilage of a property then that was not an offence. District Council Officers could use other elements of the legislation to enforce and encourage householders to dispose of their rubbish properly.
- At the same time as educating the public, could excellence in recycling be celebrated?
Stickers were already used to explain why waste was not being taken, could a “Star” sticker be used to reward good practice?
- Why did the recycling centres refuse to accept households black waste? – If households had exceptional waste then if they contacted Customer Services on 01884 255255 then that waste could be collected.
- The Cabinet Member for Environment and Services commented that discussions about how to reduce waste and collaborative working with other authorities was already underway. In the graph at 2.4 of the report, 50% of the waste could easily be recycled within Mid Devon at no extra charge to the Council.
- Within the education programme being put together, the point should be made to the public that if the Councils in Devon didn’t spend £5m on collecting waste then what other services could be funded using that £5m?
- Education: The Street Scenes team were going into Primary Schools and talking to Key Stage 2 children (year 3 upwards). Mid Devon District Council contribute Resource Future who were specialist advisors from Bristol who go into schools to get involved in pupil engagement.
- Specialist campaigns around Christmas and other times of the year.
- Working with the Communications Team – radio advertising etc.
- Enforcement procedures – case by case basis.
- Households in challenging circumstances – the team encouraged Members to let them know if they were aware of residents needing support.

Note: *report previously circulated and attached to the minutes.

40 **QUARTER 2 ENVIRONMENT ENFORCEMENT STATISTICS (01:10:17)**

The Group had before it, and **NOTED**, a report* from Environment and Enforcement Manager.

Consideration was given to:

- Police and Criminal Evidence Act Training had been given to Enforcement Officers.
- Headline statistics on Car Parking use.
- The significant drop in fly tipping over the previous 12 months but a growth in commercial fly tipping.
- Working with a small selection of businesses about their residual waste.
- Abandoned vehicle statistics
- Making car parking more climate friendly – Mid Devon District Council were bringing in Electric Vehicle (EV) charging points.
- Efficiency of collecting Fly tips – 2 men per hour making 116 man hours.
- The average call out time between call out and collection depended upon whether the Enforcement Team had to get involved to see whether waste could be identified – the collection was usually carried out within days.
- The core reasons for commercial fly tipping were generally people who have a waste carriers licence but then didn't pay the waste charge and dump the waste.
- The public should report incidents via the Mid Devon App or to Customer Services.

Note: *report previously circulated and attached to the minutes.

41 **FLY TIPPING POLICY REVIEW (01:23:26)**

The Group had before it, and **NOTED**, a report* from Environment and Enforcement Manager and Corporate Manager for People, Governance and Waste.

RECOMMENDED to Cabinet that:

1. Delegated authority be given to the Environment and Enforcement Manager in respect of determining FPN value.
2. The fly tipping policy be amended to allow for
 - A sliding scale in respect of fly tipping Fixed Penalty Notice (FPN) amount, with the minimum being £400 and maximum amount £1,000.
 - A sliding scale in respect of breach of duty of care for household waste fixed penalty with the minimum being £150 and the maximum amount £600.
3. The fly tipping policy be amended for general updating purposes.

(Proposed by the Chairman)

Consideration was given to:

- The changes Central Government had made. – New legislation dated 31st July 23, the District Council could now fine a maximum of £1,000 rather than £400.
- Not all fly tipping was the same and the officer sought permission to apply the fines policy in a proportionate way using a sliding scale.

- Impacts of Fly Tipping – the team were proactive in tackling it.
- Commercial Fly Tippers would be prosecuted through the courts where the fines were unlimited.
- Record keeping in respect of Prosecutions.
- Whether there was a way for a householder to check that the waste they had paid someone to take to the re-cycling centre had actually arrived at the centre.
- The increase in fines worked as a deterrent as the disposal cost was close to the old fixed penalty fine of £400.
- Reciprocal arrangement between counties regarding waste centres – this was a Devon County Council matter.

Note: *report previously circulated and attached to the minutes.

42 **ACCESS TO INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC (01:38:47)**

The Chairman indicated that discussion with regard to the next item, may require the PDG to pass the following resolution to exclude the press and public having reflected on Article 12 12.02(d) (a presumption in favour of openness) of the Constitution. This decision may be required because consideration of this matter in public may disclose information falling within one of the descriptions of exempt information in Schedule 12A to the Local Government Act 1972. The PDG would need to decide whether, in all the circumstances of the case, the public interest in maintaining the exemption, outweighs the public interest in disclosing the information.

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the next item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 respectively of Part 1 of Schedule 12A of the Act, namely information relating to the financial or business affairs of any particular person (including the authority holding that information)

(Proposed by the Chairman)

43 **2024 - 2025 - FEES AND CHARGES (PART B RECORDING 0:00:27)**

The Group had before it, and **NOTED**, a report* from the Deputy Chief Executive (S151).

RECOMMENDED to Cabinet the proposed Fees and Charges for 2024/2025.

Consideration was given to:

- In 2023/2024 a complete review had been undertaken.
- September's Consumer Price Index (CPI) stood at 6.7%. That was the proposed uplift value applied to the majority of fees and charges for 2024/25. Where any proposals were exceeded, the justification would be presented to the relevant PDG.
- The take up for compostable sacks had plateaued.
- With regard to the shared savings with Devon County Council on residual waste, the Officer was trying to find out what would happen post 2026.
- Devon County Council – bulk waste charge has increased significantly.

Note: *report previously circulated and attached to the minutes (Figures in Part II only).

44 **WORK PROGRAMME (PART B RECORDING 0:00:48)**

Items considered for future meetings were:

- Green Standards in Planning – the Planning Policy Advisory Group would look at this as part of the Local Plan review. There would be room for discussion and cross pollination between groups via the Net Zero Advisory Group.
- Solar panels and renewable energy as sustainable income streams.

Note: * Work Programme previously circulated

(The meeting ended at 7.28 pm)

CHAIRMAN