

## Minutes of the Environment Overview and Scrutiny Panel

County Hall, Worcester

Friday, 7 October 2022, 2.00 pm

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### Present:

Cllr Alastair Adams (Chairman), Cllr Tony Muir (Vice Chairman),  
Cllr Paul Harrison, Cllr Emma Marshall, Cllr Beverley Nielsen, Cllr David Ross  
and Cllr Emma Stokes

### Also attended:

Cllr Richard Morris, Cabinet Member with Responsibility for Environment  
Cllr Mike Rouse, Cabinet Member with Responsibility for Transport and  
Highways  
Cllr Matt Jenkins  
David Muggidge, Chair, Worcestershire Community Transport Consortium  
Paul Smith, Assistant Director for Highways & Transport Operations  
Rachel Hill, Assistant Director for Economy, Major Projects and Waste.  
Steph Simcox, Deputy Chief Finance Officer  
Madeleine Sumner, Community Transport Development Officer  
Emily Barker, Head of Planning and Transport Planning  
Richard Woodward, Waste Services Manager  
Dave Corbett, Management Information Analyst  
Samantha Morris, Overview and Scrutiny Manager  
Alyson Grice, Overview and Scrutiny Officer

### Available Papers

The members had before them:

- A. The Agenda papers (previously circulated);
- B. The Minutes of the Meeting held on 11 July 2022 (previously circulated).

(A copy of document A will be attached to the signed Minutes.)

## 8 Apologies and Welcome

Apologies had been received from Councillor Mel Allcott.

## 9 Declarations of Interest and of any Party Whip

In relation to agenda item 6 Environment Act New Requirements:

- Councillor Marshall declared that she was a Member of the Council's Strategic Waste Management Board and Member Advisory Group on the Environment
- Councillor Nielsen declared that she was a Member of the Council's Strategic Waste Management Board, a Member Advisory Group on the Environment and the portfolio holder for Environmental Services at Malvern Hills District Council
- Councillor Stokes declared that she was a Member of the Council's Strategic Waste Management Board, a Member Advisory Group on the Environment and the portfolio holder for Resident and Customer Services at Wychavon District Council.

## **10 Public Participation**

None.

## **11 Confirmation of the Minutes of the previous meeting**

The Minutes of the meeting held on 11 July 2022 were agreed as a correct record and signed by the Chairman.

## **12 Community Transport in Worcestershire**

The Panel received an update on developments relating to Community Transport in Worcestershire. By way of introduction, the Community Transport Development Officer made the following main points:

- The Community Transport network in Worcestershire was countywide and provided transport for those who were not able to access any other transport.
- Although Covid had had a significant impact on the voluntary sector, all Community Transport schemes had now re-opened.
- The Community Transport website was currently being updated. It was confirmed that there were now 14 schemes running in the County.
- Not all of the schemes received money from the Strategic Grant as some were fully funded by the District Councils. The Strategic Grant had reduced over the years and was £90k for the current year. This would be reviewed in December for the next financial year.
- The Strategic Grant was administered by Pershore Volunteer Centre on behalf of 11 operators and the operation of the Grant was reviewed on a quarterly basis.

Members were given an opportunity to ask questions and the following main points were raised:

- A breakdown of funding for each Community Transport scheme as part of the Strategic Grant would be provided following the meeting.

- With reference to Community Buses, where there was little or no public transport available officers would have a discussion with local bus providers and, if this did not prove successful, Community Transport would be considered. Of the Community Buses currently running in the County, all except one were demand responsive and operated under Section 19 of the Transport Act Permit Legislation.
- In response to a request for a comparison of cost per journey between commercial bus routes and Community Transport, the Panel was told that, for the £90k Strategic Grant, there were 135k journeys per year. It was important to remember that Community Transport offered a bespoke service from door to door, which was not the case for commercial journeys. It was agreed that figures giving the cost per journey for each Community Transport scheme would be provided following the meeting.
- It was agreed that figures giving a breakdown of car use and minibus use by Community Transport, and numbers of volunteers and paid drivers would be provided following the meeting.
- It was agreed that the location of routes using minibuses would also be provided.
- It was confirmed that the criteria for travel on Community Transport was that a person was not able to access any other transport. Community Transport was not just for older or disabled people but could be used by any age group for any reason. However, it was acknowledged that the majority of users were older people.
- It was confirmed that Community Transport could be used for social events and did operate outside usual working hours. In Wyre Forest 80% of trips were to social events using minibuses. Schemes which used private cars were more often used for travel to medical appointments.
- A Member suggested that £90k seemed like a small level of funding and felt that Community Transport in the County should be expanded into a larger, better funded scheme allowing the community to serve itself.
- The Cabinet Member with Responsibility (CMR) for Transport and Highways thanked the Community Transport Development Officer, the Chair of the Worcestershire Community Transport Consortium and all Community Transport providers for their work. He pointed out that Community Transport providers were essential in Worcestershire and suggested that his vision for a vibrant public transport system in the County could not be delivered without Community Transport. He went on to suggest that the development of demand responsive transport via an app (currently being used as part of a pilot scheme in Bromsgrove) offered an opportunity to Community Transport providers to get involved and widen participation.
- A Member of the Panel suggested that Community Transport should also be promoted to younger people who may need help to access education and training opportunities.
- The CMR reminded the Panel that his aim was to have commercial buses running along the key arterial routes with demand responsive services connecting to these key routes. However, he acknowledged that in connecting routes in this way there were some challenges with regard to ticketing and pricing. The Government was also looking at

these issues and was introducing a fare cap from January 2023. The aim was for each journey to be as quick as possible but there was a lot of work to do to get to the required level of bus interconnectivity.

- It was confirmed that access to Community Transport was not means tested but assessments were done on trust.
- A Member requested that an update report on the demand responsive bus pilot in Bromsgrove (Worcestershire on Demand) be brought to a future Panel meeting. The CMR confirmed that a report would be brought to Cabinet prior to any expansion of the scheme and he would welcome pre-decision scrutiny at this stage.
- The CMR confirmed that the County Council could provide back-office support in terms of training and technology to support Community Transport schemes in taking up the opportunities offered by the on demand app.
- With reference to the potential for a Worcestershire-wide payment card similar to London's Oyster card, the CMR suggested that a separate card was not needed as passengers could already use their own debit card in this way. However, he acknowledged the importance of an easy passenger experience to encourage more people to use buses.
- The Chair of the Worcestershire Community Transport Consortium confirmed that Community Transport providers would embrace the rollout of an app. However, he cautioned that some older clients may not want to use new technology, preferring instead to retain access to a phone line for booking journeys.
- It was confirmed that providers using minibuses were allowed to use bus lanes. The CMR acknowledged that bus prioritisation could be helpful but noted that this was not always under the control of the County Council and may require district council support. He also pointed out that spending on infrastructure would mean that there was less money available for subsidies.
- The Chairman of the Panel noted that overall, including home to school transport and SEND transport, the County Council spent £23 million on buses. By comparison, the £90k spent on Community Transport seemed low. He suggested that Community Transport was essential in combatting rural isolation.
- The Community Transport Development Officer confirmed that Community Transport providers had been encouraged to get involved in competitive tendering for County Council contracts and the value of the contracts currently run by CT providers was greater than in 2018.
- It was confirmed that 2 schemes were currently using electric vehicles and more may be introduced soon. However, it was acknowledged that the funding required to purchase an electric vehicle was a challenge for the voluntary sector. Also, there was currently a long lead in time for new electric vehicles (something also experienced by commercial operators).
- With reference to concessionary fares, the Chair of the Worcestershire Community Transport Consortium noted that funding had been protected by Covid legislation based on 2019/20 activity levels. This protection was due to cease in March 2023 and some smaller schemes were anxious about the impact this would have on them. The CMR informed the Panel that this was also the case for main route operators

and he had raised the issue with Baroness Vere, the Government Minister with responsibility for buses. It was agreed that the Chairman of the Panel would write to the Minister to support continued protection of concessionary fares funding after March 2023.

- It was confirmed that the fee paid for using Community Transport varied according to each scheme. Although it would be helpful for Councillors to promote the service to residents who may find it useful, this promotion would need to be balanced against the availability of volunteers and, therefore, the capacity of the service.

In conclusion, the Chairman summed up as follows:

- The Chairman would write to the Minister with responsibility for buses about the protection of concessionary fares funding beyond March 2023.
- He noted that the £90k Strategic Grant was small when compared to the County Council's overall spend on buses. The Panel wished to urge the Cabinet Member with Responsibility for Transport and Highways to consider how the Council could improve the support provided to Community Transport in the County.
- The Panel welcomed the Cabinet Member's offer of support to Community Transport schemes in making use of the demand responsive app (as developed as part of the Worcestershire on Demand pilot in Bromsgrove).

The Chairman thanked all contributors for attending the meeting.

## **13 Environment Act New Requirements**

Members were updated on the new requirements arising from the Environment Act. The Cabinet Member with Responsibility for the Environment informed the Panel that, although the Environment Act had come into force in January 2022, further guidance and funding was expected and, therefore, implementation was at an early stage.

The Head of Planning and Transport Planning reminded Members that the Act covered three key matters: biodiversity, waste and pollution. In the ensuing discussion, the following main points were raised:

### Biodiversity

- The new Act required development sites to deliver 10% Biodiversity Net Gain (BNG). This could be achieved either onsite or offsite, must be secured for a minimum of 30 years and would be monitored annually. The responsibility for monitoring net gain would fall to individual planning authorities, including the County Council. The Council had already undertaken some preparatory work funded by the Natural Environment Investment Readiness Fund. It was expected that 2 full time equivalent staff would be needed to carry out this work.

- With reference to Biodiversity Net Gain, a Member of the Panel suggested that, although the intentions of the legislation were good, she could not see how the requirements could be implemented as they would prove to be too resource intensive and it was not clear what would be achieved. In response the Chairman pointed out that this was a legal requirement.
- The Head of Planning and Transport Planning reminded the Panel that this was part of the Government's response to a loss of biodiversity across the country as outlined in the 25-year Environment Plan. As the requirement was embedded, it was expected that there would be a move to easier ways of monitoring through, for example, remote sensing, drones or aerial photography.
- In response to a question about biodiversity banks, Members were told that there was a variety of ways to approach this. Large developers might choose to set up their own banks and specialist companies may be set up for use by smaller developers. A national scheme had also been proposed but Defra had indicated that this would be a 'scheme of last resort'. Discussions on the approach that the County Council might take were still at an early stage, awaiting further guidance from central Government.
- It was confirmed that the Act included additional requirements with regard to the County Council's role as mineral planning authority but it was suggested that the mineral industry were generally on board with this.
- It was confirmed that the requirements for Biodiversity Net Gain would apply to highways developments.
- In response to a question from a Councillor who was not a Member of the Panel, it was confirmed that the new biodiversity requirements had the potential to change how development was done. It was confirmed that some habitats, such as ancient woodland, were excluded from possible development as they were classed as irreplaceable.

## Waste

- The Waste Services Manager informed the Panel that the Environment Act represented the biggest change in local authority waste management for 20 years.
- The Act introduced the Extended Producer Responsibility (EPR) which put the focus on companies who created packaging to pay for 100% of the cost of disposal of products.
- The Act also aimed to create greater consistency in waste disposal across the country. One definite new requirement was for food waste to be collected weekly. Although other requirements were not yet confirmed, the County Council was being proactive by looking at potential options.
- The Chairman of the Panel suggested that the current commingled system of collecting recycling in the County worked well and asked whether the message was being passed on to central Government that Worcestershire residents were generally happy with the existing system. In response, the Cabinet Member agreed that current systems

worked well and this put the County in a strong position. However, it was still possible to look for improvements.

- In response to a question about the relative costs of commingled waste and separation at kerbside, the Panel was told that there was not a big difference. Collection costs were higher for waste separated at kerbside, whereas sorting costs were higher when commingled waste was collected.
- A Member of the Panel noted that there were still many unknowns arising from the Act and welcomed the fact that a working group had already been set up to look at the challenges. She went on to suggest that the Panel may wish to express its support for the district councils' response to the Defra consultation.
- In response to a Member's suggestion that the proposed target to reduce residual waste by 50% by 2042 was very high, the Panel was told that the aim was to educate residents in order to empower them and change behaviour. A Councillor who was not a Member of the Panel referred to higher recycling rates in Wales where black bins were smaller or were collected less frequently.

### Pollution

- With reference to particulates, the Panel was informed that further guidance was expected in late 2022.
- Air Quality Action Plans would require greater cooperation between the different tiers of local government. Although this would be led by the district councils there was also a requirement for the County Council to put forward specific schemes.

In conclusion, the Chairman noted that much of the Act remained a moveable target given that further guidance was still awaited from Government. However, he welcomed the fact that preparatory work had been started. With reference to waste collection, the Panel felt that the current system in the County worked well and wished to support the district councils' response to the Defra consultation.

## **14 Performance and 2022-23 In-Year Budget Monitoring**

### Performance Monitoring

The Lead Analyst (Performance) updated the Panel on areas of success and challenge as outlined in the report. Members were given an opportunity to ask questions and the following main points were raised:

- Further information was provided in relation to the graphs showing 'Completed and Late Pothole Defects' and 'Pothole Defect Reports: Clarifications'.
- It was confirmed that there were currently 12 teams working on footway repairs in the County and progress was good. The Chairman stated that it was important that local members were consulted on which footways were repaired to ensure the decision was made by those closest to the area. He requested that the annual list of proposed

repairs be circulated in January/February to allow time for Members to comment.

- With reference to street lighting, progress was good in terms of reduced costs and kWh usage.
- Members discussed the use of the Member Portal for reporting local issues and were informed that the system was due to be relaunched later in the month as part of a corporate initiative. A Member requested that data on response times and quality of response in relation to reports made via the Member Portal (which were relevant to this Panel) be available at the next meeting. It was noted that, although much of the focus to date had been on the system itself, it would also be important to consider working practices and processes in relation to the Portal.
- With reference to the percentage of Public Enquiries (PEMs) completed within 28 days, the Chairman welcomed the figure of 89% for June 2022.
- It was confirmed that highways inspections included consideration of ironwork, such as drain and manhole covers. The Assistant Director for Highways and Transport Operations confirmed that all defects should be noted as part of highways inspections, not just the ones that had been reported and he agreed to take this up with inspectors.
- In response to a question about why there were only 2 PEMs relating to Utility Company Apparatus/Works in Q1, the Lead Analyst (Performance) agreed to follow this up after the meeting.
- The Assistant Director for Highways and Transport Operations agreed to update the Chairman on progress related to the Honeybourne Public Rights of Way (PROW) volunteer group following the meeting.
- With reference to the backlog of Definitive Map Modification Orders (DMMOs), the Panel was informed that this was now being looked at a strategic level.
- With reference to the use of new products in footway and highway repairs, it was confirmed that these were considered in consultation with relevant experts with the aim of being cost effective and durable.

### In-Year Budget Monitoring

By way of introduction, the Deputy Chief Finance Officer made the following main points:

- The figures given in the agenda report were for period 4 (rather than Q1) as these gave a more up to date picture.
- The majority of areas were breaking even with an overall forecast underspend of £289k. The main reason for this was an increase in income generation within Network Management.
- Pressure on the Waste Management budget would be funded via the Waste PFI reserve.
- The impact of the current economic climate and the rate of inflation was being monitored on a regular basis.

The following points were raised in response to Member questions:



- It would be important to be mindful of whether the current level of income generation was sustainable and could be relied on in the future. It was agreed that the Panel would receive a report back on the sustainability of income generation within Network Management.
- Although there was a forecast underspend of £28k across the whole of waste management, the overspend referred specifically to the waste contract. The renegotiation of the waste contract should allow savings to be made. Members were informed that agreement had been reached on the renegotiation of the waste contract with final legal and technical details now being confirmed.
- In relation to road pricing, the Assistant Director for Highways and Transport Operations agreed to confirm the timing of the planned report to Cabinet.
- With reference to capitalisation, it was confirmed that there was a target of £3.2 million in relation to staffing and the Directorate was on target to deliver on this by the end of the financial year.

## 15 Work Programme

It was agreed that:

- the Scrutiny Manager would check whether the Streetscape Design Guide could be added to the agenda for the Panel’s November meeting
- the Panel would receive an update on developments relating to the Environment Act when further guidance had been received from central Government
- an update on Worcestershire on Demand (the pilot in Bromsgrove) would be added to the Panel’s work programme.

The meeting ended at 4.55 pm

Chairman .....