

ENVIRONMENT AND COMMUNITIES SELECT COMMITTEE

Meeting held in the Committee Room, Council Offices, Urban Road, Kirkby-in-Ashfield,

on Tuesday, 9th July, 2024 at 7.00 pm

Present: Councillor Dave Shaw in the Chair;

Councillors Kier Barsby (as substitute for Will Bostock), Sarah Lewsey, Trevor Locke, Gordon Mann and Warren Nuttall (as substitute for Lee Waters).

Apologies for Absence: Councillors Will Bostock and Lee Waters.

Officers Present: Mike Brown, Lynn Cain, Chris Clipstone, Mike Joy, Ashlea Montgomery and Shane Wright.

In Attendance: Councillors Julie Gregory, Helen-Ann Smith and John Wilmott.

EC.1 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests

No declarations of interest were made.

EC.2 Minutes

RESOLVED

that the minutes of the meeting of the Committee held on 19 October 2023, be received and approved as a correct record.

EC.3 Environment Act 2021 - Simpler Recycling

Mike Brown, the Council's Interim Assistant Director for Neighbourhoods and Councillor Helen-Ann Smith, Deputy Leader and Executive Lead Member for Parks and Environmental Services informed the Committee of the new requirements to be placed upon the Council as a result of large scale changes to current recycling in England. These changes were to be delivered through 'Simpler Recycling' which had been developed as part of the UK Resource & Waste Strategy 2018 and the Environment Act 2021.

The Council had recently received a Government allocation of £895,526 (capital funding) to support its introduction of weekly domestic food waste collections by October 2027. A revenue allocation was also expected from Government over the coming months.

The Department for Environment, Food & Rural Affairs (DEFRA) had initiated three interrelated projects known as 'The Packaging Reforms Programme' aimed at bringing about major change to how waste is paid for and collected:

Extended Producers Responsibility (EPR) – requiring companies that produce or sell products in the UK to cover the full cost of collecting and sorting household packaging waste.

Consistent Collections – simplifying the materials that are required to be presented for recycling from householders, businesses and organisations.

Deposit Return Scheme (DRS) – that places a redeemable deposit on all single-use plastics and metal drinks containers up to three litres in volume.

In respect of the Environment Act's impact on the Council and specifically in respect of 'Consistent Collections', the following deadlines had been set by Government:

- Collection of seven different recycling materials (glass, metal, plastic, paper, card, food and garden waste) by 31 March 2026 (Ashfield are exempted and can delay the start date of food waste collection until October 2027)
- Weekly collection of food waste
- Collection of plastic film into the recovery/recycling waste stream by April 2027
- Collection of the remaining residual waste at least fortnightly by March 2026.

Officers had already commenced modelling the opportunities and possibilities available to the Council and local residents to reconfigure the service and maximise the recycling of existing household waste. Development of a draft Costed Action & Delivery Plan (CADP) was due to commence shortly, and it was hoped that Members would have sight of the draft, for initial consideration, later in the year.

The Chairman thanked the Interim Assistant Director for Neighbourhoods for his update and a lengthy discussion was undertaken with some key points as follows:

Key Points

1. The location of the transfer station for receiving food waste was still be advised by the County Council. The details would need to be finalised by December 2024 for commencement of the service in March 2025. There were currently 2 food waste plants and 4 transfer stations within the Ashfield District.
2. Commercial waste collection was currently facilitated by the Council but outside services could be utilised, if required. All organisations would need to be compliant and have the necessary duty of care arrangements in place.

3. The requirements for residents to comply with the waste separation arrangements and powers to issue fixed penalties and instigate court action should enforcement be required for continued non-compliance.
4. An education and support approach to remain the priority for ensuring residents separate their waste correctly following introduction of the new arrangements.
5. An acknowledgement by officers that the new Labour Government might make some further changes to the 'Simpler Recycling' regulations and the timetables for implementation, with updates awaited to that effect.
6. Additional support to be offered to residents in the Council's sheltered courts to ensure their waste is separated correctly with prevention measures in place to mitigate the risk of communal cross contamination.
7. Work was due to commence to update the Council's Waste Strategy which hadn't been reviewed since 2017.

To conclude Members were advised that a lot of questions needed to be answered over the coming months to ensure the Council delivered its 'Simpler Recycling' project's established phases and gateways in a timely manner. The work undertaken would also ensure the Council would meet its statutory deadline, not only its own compliance but also that of local businesses and organisations within the District.

RESOLVED

that the following be received and noted:

- a) the Government's legislation for major reforms to domestic and commercial waste collection and packaging, requiring councils to align their waste and recycling services with the new 'Simpler Recycling' requirements;
- b) the recent Government allocation of £895,526 capital funding to the Council, in support of the introduction of weekly domestic food waste collections by October 2027;
- c) the intention of officers to develop a Costed Action & Delivery Plan (CADP) for the introduction of 'Simpler Recycling' by April 2026 and the weekly domestic food waste collection service by October 2027;
- d) the CADP document to be presented to Committee in October 2024 for consideration;
- e) development of a separate business case and project to enable the Council to comply with the legislation as an employer of ten or more employees, along with the introduction of a commercial food waste collection service by March 2025, which will enhance the current commercial waste collection offer by the Council.

EC.4 Select Review: Damp and Mould

The Service Manager for Governance welcomed Chris Clipstone, the Council's Assistant Director for Housing Operations, who was in attendance to give Members an update regarding the Council's current position in relation to the management of incidences of damp and mould within the Council's housing stock.

The former Inward Focus Select Committee had first considered Damp and Mould as a topic during 2023 and had received information in respect of the following:

- the background to the introduction of the Social Housing Regulation Act 2023 following the tragic fire at Grenfell Tower in 2017 and the death of Awaab Ishak in 2020
- current procedures for reporting damp/mould issues to the Council
- the increase in cases reported due to media focus and awareness and the resultant interest from solicitors touting for business via claims against the Council
- different types of mould and how/why they flourish
- the impact of the current Cost of Living Crisis and the resultant damp/mould issues arising in Council properties due to tenants struggling to heat their homes adequately
- the age of the housing stock equating to more substantial and recurring damp/mould issues
- the Council's current responsibilities to their tenants
- development of the draft Damp and Mould Policy and recent consultation with local Tenant Gateways and stakeholders
- the work being undertaken to raise tenant awareness of preventative measures that can reduce the effects of damp/mould.

To assist Members with their deliberations, a briefing note compiled by Joel Smith (from John Henry Newman school, Birmingham), who had been on work experience with the Scrutiny and Democratic Services Team, was circulated at the meeting.

To provide an insight into the current position, the Assistant Director for Housing Operations advised that there had now been a 90% increase in disrepair claims due to the increased media awareness, and solicitors were putting pressure on local authorities to settle claims quickly. The Council had recently taken on an extra officer to cope with the increased demand for house inspections as a result of this increase and it had been acknowledged that even more resources would most probably be needed in the future to keep up with demand.

Additions to the Social Housing Regulation Act 2023 were expected at some point later in the year regarding tighter guidelines for dealing with all types of hazards within tenant's homes as well as issues of damp and mould. It was proposed that landlords would only have 7 days from completion of inspection to commence works and rectify the hazard, with a requirement for an inspection report to be available 48 hours following the inspection. If passed, these timelines would be challenging and more resources would inevitably be needed to keep up with the prescribed requirements. It was intended that all social landlords nationally would be inspected over the next 4 years.

Members received a recap of the three types of damp and mould and the importance of educating tenants in relation to preventative measures for managing the humidity of their homes. Home insulation and the use of fans and heating were effective measures for reducing damp and mould, but many tenants were reluctant to use electrical equipment and/or heating systems that could result in their energy bills rising.

To endeavour to offer ongoing support to tenants, Council staff had recently been trained to assist with money management issues and to offer support and guidance in relation to damp and mould reduction measures.

An External Audit review was currently underway to ascertain how the Council was preparing and dealing with the implications from the new legislation in their role as a public sector landlord. It was anticipated that there would be some weaknesses highlighted but officers were already working on closing the gaps to improve the service and comply with the necessary legislation.

To conclude, Members were advised that the Council's Damp and Mould Policy had now been ratified at Council and in respect of private sector rental properties, a leaflet had been produced for private landlords addressing possible enforcement measures should they fail to acknowledge and rectify any incidences of damp and mould in their properties.

Members took the opportunity to debate the issues and thanked Chris Clipstone for his insightful update and Joel Smith for his detailed and informative brief. Both had assisted the Committee in gaining a further understanding of the challenges being faced by Councils in relation to dealing with incidences of damp and mould within their housing stock.

RESOLVED that

- a) the update in relation to the Council's management of incidences of damp and mould within the Council's housing stock, be received and noted;
- b) the Service Manager for Governance be requested to invite the Council's Service Manager for Environmental Health (Residential), Stacy White, to an informal meeting of the Committee, to give Members some further insight into the Council's residential private sector enforcement procedures and resources relating to damp and mould issues.

The meeting closed at 8.50 pm

Chairman.