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## ENVIRONMENT COMMITTEE

19 March 2024 at 6.00 pm

Present: Councillors Wallsgrove (Chair), Worne (Vice-Chair), Blanchard-Cooper, P. Bower, Brooks, Greenway, May, Warr and Wiltshire

Councillors Goodheart and Yeates were also in attendance for all or part of the meeting.

### 714. APOLOGIES

Apologies for absence had been received from Councillors Elkins and Madeley.

### 715. DECLARATIONS OF INTEREST

Councillor Greenway declared a Personal Interest in Agenda Items 7 and 9 as a Member of West Sussex County Council.

### 716. MINUTES

The Minutes of the meeting held on 23 January 2024 were approved by the Committee. These would be signed after the meeting.

### 717. ITEMS NOT ON THE AGENDA THAT THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES

The Chair confirmed that there were no urgent matters for this meeting.

### 718. PUBLIC QUESTION TIME

No public questions had been submitted for this meeting.

### 719. CONTAMINATED LAND STRATEGY

Upon the invitation of the Chair, the Environmental Health Team Manager presented the report, which requested adoption of the revised contaminated land strategy. He explained that local authorities had specific statutory obligations in relation to contaminated land, including a requirement to publish a contaminated land strategy. The current strategy was published in 2001 and had not been substantially reviewed since. A detailed review had therefore been carried out and a revised strategy was presented at Appendix 1. The revised strategy detailed how the Council intended to

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meet its statutory duties to inspect its area for contaminated land. Environmental Health routinely commented on planning consultations in relation to contaminated land and this would continue to be the chief mechanism for managing contaminated land risks. Environmental Health would continue to provide information on potentially contaminated sites through Environmental Information Requests and maintain a public register of contaminated land. The existing contaminated land database required an extensive review to ensure all information was migrated to the Environmental Health database and was available in the corporate mapping system. Once completed, the reprioritising and associated investigation of sites would be conducted. The main changes to the Strategy included updating procedures to ensure the policy was complimentary with current legislation and guidance such as Defra revised statutory guidance. In addition, the revised strategy outlined how the Council intended to implement the contaminated land regime through utilisation of the planning process and by promoting a risk-based approach. Consultation had taken place with internal and external stakeholders and no objections or adverse comments had been received. An Equalities Impact Assessment had been carried out, and the Environmental Health Team Manager apologised for an error in this, as he had used a previous version of the template. He explained the decisions were made based upon the type and levels of contamination irrespective of protected characteristics, and should therefore have an overall positive impact.

The recommendations were proposed by Councillor Blanchard-Cooper and seconded by Councillor Wiltshire.

Members then took part in a debate and the following points were raised:

- The accuracy of two of the Ward names in the strategy was questioned, which it was confirmed were accurate.
- The strategy mentioned the possibility of contaminants on Ford Airfield, and with the potential of development on this site it was asked whose responsibility it would be to check this. The Environmental Health Team Manager explained standard process was followed with planning proposals, which were reviewed against mapping. If it was believed there was potential contamination, standard planning conditions would be recommended ensuring the developer would be required to undertake relevant surveys to ascertain the risk and where required complete work.
- Clarification was requested that there were no urgent problems. This was confirmed correct. There were currently no high risk sites identified.

The Committee

RESOLVED that

1. the revised contaminated land strategy be adopted.
2. authority be given to the Group Head of Technical Services to make minor and administrative amendments to the strategy.

## 720. COMBINED CLEANSING SERVICES CONTRACT

Upon the invitation of the Chair the Environmental Services & Strategy Manager presented the report. He explained that it was a requirement of the Environment Act 2021 that a weekly food waste collection to all properties in 2026 be implemented. The key decision required of Members this evening was whether to standardise the provision of a 180 litre residual bin or a 240 litre bin option for residents. Failure to make this decision and approve the other recommendations outlined in this report would result in delays to the procurement of a new contract and would significantly increase legal, procurement and financial risk to the authority.

Arun's current recycling rate was just below 43%. The agreed vision target was to achieve a 55% recycling rate by 2025 and 60% by 2030. The current service of a weekly collection from sacks would never allow Arun to achieve this target.

Defra had provided capital funding of £1.66 million to procure vehicles and food waste caddies to deliver a weekly food waste service. Confirmation of transitional and ongoing revenue funding would follow shortly. In order to ensure financial sustainability and to ensure uptake of food waste collections, the residual collection frequency must be reduced and the recommendation was to move to a fortnightly residual collection service.

Choosing a 180 litre bin would support greater diversion of food waste and recyclable materials and encourage the right behaviours from residents. It was estimated that this would achieve a recycling rate of over 57% and deliver the Council's immediate Vision target. A 240 litre bin provided more than ample capacity for a fortnightly collection and would potentially deliver a recycling rate of up to 53%. Both sizes would allow a future move to three weekly collections, although this was not deemed necessary at this time.

There was clear evidence from the 1-2-3 collections trial that high resident satisfaction could be maintained by introducing weekly food waste and reducing residual frequency. The recommendations in this report would ensure an enhanced and better performing service than the current one. Residents would receive an increase in core waste collections from 78 to 104 collections per year. Food waste made up approximately 42% by weight of a typical residual waste bin and targeted recyclables 13%. By giving residents the option to have both of these collected separately it reduced the need for residual collection frequency and capacity. When collected separately food waste could be processed via anaerobic digestion, which was a much more efficient and environmentally friendly way of processing and provided higher value end products in the form of bio gas outputs and fertiliser. There was an overall system benefit and carbon footprint reduction in this approach.

Other services provided under this new contract would largely operate as per the current ones. Dry mixed recycling collections and street cleansing operated effectively but would be reviewed in line with legislation and best practice.

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The procurement strategy for this procurement was to deliver the best service and environmental solutions possible, whilst at the same time being mindful of the Council's financial strategy and position and therefore ensuring that the contract was financially sustainable. Once all external funding and opportunities for efficiency and improvements were considered, it was hoped Arun would be in stronger financial position in relation to these services than currently.

Information provided by the industry from an early market engagement exercise supported and reinforced the recommendations in this report.

The recommendations were read out in full by the Chair, and were proposed by Councillor Wiltshire and seconded by Councillor Warr.

Members then took part in a debate and the following points were raised:

- Officers were thanked for such a good, detailed report.
- Was there the option of introducing soft plastics collection? It was confirmed that this was likely to be required in 2027, so was something Officers would be looking at including in the contract in the future.
- The 23 litre outside bin was quite low and it was asked whether Officers could explore the possibility of something being supplied to elevate the height of these for residents where required.
- It was asked whether Officers could look at whether fittings were available to install the small food waste caddies into kitchen cupboards.
- It was asked whether Members had a choice in whether the Group Head of Finance approved and signed off the framework agreement for the procurement and roll out of residual bins and food waste caddies. It was confirmed this was something the Group Head of Finance had delegated authority to sign-off.
- There was concern around providing a bin to all residents, as many would already have them. It was confirmed that an opt-out option could be offered, but the plan was to standardise the bins. During the trial only 1.5% of residents that took part opted out of receiving a new bin.
- Would special arrangements be made for people with limited storage capacity for bins? It was confirmed that the intention was to ensure each and every property had an appropriate solution, and these would be tailored where necessary.
- Would the spending of £1.2million for new bins equate to £1.2million in savings in future. The Consultant explained that standardising bins wherever possible would attract the most cost efficient contract prices. During the course of the eight year contract, there would be large financial benefits.
- Would larger families be supplied with larger bins when required? It was confirmed that if the Committee decided to standardise the 180 litre bin, a dispensation could be offered to larger families that needed bigger bins.
- It was asked whether residents were provided with larger recycling bins where required. It was confirmed this was currently provided when required, and would continue under the new contract.

- Further detail was requested on the estimated costs of the borrowing to fund the new bins and caddies. It was confirmed that based on an asset life of 12-15 years, it was estimated the borrowing costs would be around £135k per year, which could be funded through contract savings and potential future income that may be provided by the Extended Producer Responsibility Scheme.
- It was highlighted that if recycling bins were full, residents could put out additional recycling loose in a cardboard box, which would be collected (provided this remained dry).
- There was concern around borrowing money to fund the new bins, particularly in the current climate. The Group Head of Finance confirmed the level of borrowing in the general fund was currently very low. It was also possible that the level of contract savings and any potential future income that may be provided by the Extended Producer Responsibility Scheme, may mean borrowing would not be required, however this would not be known until nearer the time. This did not present a large financial risk. Borrowing was usual for a local authority, and the key was to look at the affordability of this.
- Clarification was sought on whether not standardising the bins could actually cost more in the long run. The consultant present confirmed standardising the bins was more cost effective and the savings would be substantial over a period of time.
- Neighbouring districts allowed people to purchase sacks to fill with green waste and have collected from the kerbside, had this been considered under the new contract? Officers confirmed this could be looked into.
- Were the bins made from recyclable plastics? Officers confirmed they would contain a percentage of recycled plastic.
- Further information was requested around the benefits of administering the green waste subscriber service. Officers explained that further work needed to be carried out regarding this, however there would be customer benefits including pricing and customer service.
- Officers were asked for reassurance that cleanliness of public toilets would be a priority. Officers confirmed the contractual specifications would be looked at, and also clauses for non-performance.

The Chair asked the Committee to indicate which size bin residents should be provided with, a 180 litre or a 240 litre. A further discussion took place as follows:

- A 180 litre bin seemed sensible if larger families could be provided with bigger bins where necessary.
- One Member felt a 240 litre bin would be a better option as the collection was moving to fortnightly.
- It was felt that smaller bins would encourage less waste.
- With food waste being collected separately there should be less waste and people should be encouraged to throw out less by using smaller bins.

This was put to the vote and eight Members were in favour of the smaller 180 litre bin, with one Member in favour of a 240 litre bin. The Chair confirmed the Committee's choice was to standardise the 180 litre bin.

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## The Committee

### RESOLVED that

1. a) The procurement of a new Combined Cleansing Services Contract based on the following changes to services provided under the contract, be approved:
    - i. A new weekly kerbside food waste collection with a supplied 5 litre internal caddie and 23 litre external caddie
    - ii. A fortnightly kerbside residual (refuse) waste collection from a 180 litre wheeled bin
    - iii. Introduction of kerbside coffee pod, textiles and batteries collection services.
    - iv. The new service to commence from 1<sup>st</sup> February 2026.
  - b) The inclusion of the following services as delivered under the current contract, be approved:
    - i. A fortnightly kerbside dry mixed recycling collection from a 240 litre bin.
    - ii. A fortnightly kerbside small waste electrical equipment items collection
    - iii. A fortnightly kerbside garden waste collection service (subscribers only)
    - iv. Street cleansing services
    - v. Public toilet cleaning
    - vi. A pay to use bulky waste collection service
  - c) The award of the contract to the highest scoring bidder, based on the procurement strategy as set out in this report, be approved.
  - d) authority be delegated to the Director of Environment & Communities to award the contract on the specified terms in accordance with the Council's Contract Standing Orders.
2. The following be noted:
    - a) That the Group Head of Finance will approve and sign off a framework agreement for the procurement and roll out of residual bins and food waste caddies required to facilitate the new services.
    - b) The principle of delivering the administration of garden waste subscriber services directly, based on the rationale provided in the report. The costs to providing this service will form part of a future budget report and will be offset through the commercial benefit of providing this service.
    - c) That the procurement, scope and evaluation of this contract consists of:
      - i. An open tender procurement exercise.
      - ii. A contract term of an initial 8 years with an optional extension of up to a further 8 years.
      - iii. The tender evaluation strategy as set out in this report.

RECOMMENDED TO POLICY AND FINANCE COMMITTEE that

3. it recommends that Full Council approve:
  - a) the addition of £1,820,000 to the Capital Programme in 2025/26 to fund the purchasing and delivery of food waste receptacles and purchasing of vehicles necessary to provide the weekly food waste collection service as part of the CCSC, to be funded by a grant received from DEFRA.
  - b) the addition of £1.2 million to the Capital Programme in 2025/26 to procure and roll out 180 litre residual bins for residents to facilitate a fortnightly residual collection service. This will be funded from borrowing if the Council is unable to secure further funding.

721. BATHING WATER QUALITY

Upon the invitation of the Chair, the Environmental Health Team Manager presented the report which provided an update on the bathing water classification for Bognor Regis Aldwick and the actions of the Bathing Water Quality Partnership Group. The last report on Bathing Water Quality had been presented to the Environment Committee on 15 June 2023 and outlined the work already undertaken to investigate and address the causes of the Poor bathing water classification at Aldwick. Since the last report the Bognor Regis Aldwick Bathing Water Quality Partnership Group had continued to meet, with further investigations progressed via the technical steering group. These had principally focused on identifying misconnections, but had also located and rectified a sewer defect causing potential infiltration to the surface water system, with works completed and additional relining works planned. Further sampling had also been conducted and had helped identify more areas for investigation, the details of which were in table 4.3. Investigations had also commenced to consider the potential impact to bathing waters of waste entering road drains, including the potential for toilet waste to be deposited by motorhomes. Whilst there was no direct evidence of motorhomes using drains in this manner, regular parking in the vicinity of the drains connected to the surface water system had been reported. Consideration was being given to sampling at potential locations to confirm if contamination was occurring, and the Council was also working with Southern Water to implement the principles of the former yellow fish campaign to help educate the public about the impact of pollution, with messaging around 'only rain down the drain'.

The latest bathing water classifications for 2023 were published on 1 December 2023 and were shown in the table 4.7. The classifications for 2023 were based on data from the last four years of sampling carried out by the Environment Agency, which were 2019, 2021, 2022, and 2023. There was no classification in 2020 due to Coronavirus restrictions. Whilst Aldwick had retained its poor classification, the bathing water sampling data from 2023 showed improvements, with a reduced bacterial load, and if the classifications were based on a single year of data, this would have been classified as Sufficient. Since the classification process considered four years of data this unfortunately meant it would take longer for the improvements made to impact the

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classification. Automated electronic signs were being installed at Aldwick, Littlehampton, Felpham and Bognor Regis East to eliminate the need to manually place handwritten signs when a pollution risk forecasting (PRF) was issued. This meant information and any advice against swimming was available in real-time. The Environment Agency had confirmed that Pagham would be added to the PRF forecasting for the 2024 season and funding support for an electronic sign to also be included at this location has been agreed by Southern Water. This meant additional information would be available at Pagham in 2024, to help residents and visitors make informed choices about bathing.

The Chair invited questions from Members and the following points were raised:

- Officers were congratulated on the work that was being done, and it was felt the agencies were working very well together.
- It was asked whether the signage would make reference to effluent and discharge, which Officers confirmed they would not.
- It was thought there was a containment tank in Victoria Road, and it was asked whether this was used. The Environmental Health Team Manager would raise this question at the next partnership group meeting.
- It was pointed out that improvements had been made already.
- The previous report had said there was no clear link between elevated sample results seen in 2022 and the operational storm overflows, was this still the case? It was confirmed there was still no definitive link.

The Committee noted the report.

## 722. ARUN FLOOD FORUM – INAUGURAL MEETING UPDATE

[During discussion in this Item, Councillor Greenway declared a personal interest as a Member of the Arun Flood Forum]

[During discussion in this Item, Councillor Blanchard-Cooper declared a personal interest as a Member of Littlehampton Town Council]

[During discussion in this Item, Councillor Wallsgrove declared a personal interest as a Member of the Arun Flood Forum]

[During discussion in this Item, Councillor Yeates declared a personal interest as a Member of the Arun Flood Forum]

Upon the invitation of the Chair, the Group Head of Environment and Climate Change presented the report, which provided an update to Committee following the inaugural Arun Flood Forum held on 26 of February 2024. The report set out the background and membership of the flood forum. Appendix 1 contained the Terms of Reference for the Arun Flood Forum; Appendix 2 provided rainfall figures for Bognor Regis from October 2023 to February 2024, which showed the rainfall had been above



average; Appendix 3 contained roles and responsibilities of the various agencies; the presentation given by Southern Water was shown at Appendix 4; Appendix 5 recorded the questions and answers before and during the meeting, which was still being completed; Appendix 6 showed the notes and action points from the meetings.

The Senior Coastal Engineer then went into further detail around the appendices attached to the report. Included in the Southern Water presentation was details of Southern Water's roles and responsibilities; an overview of the different flooding sources and who managed those; the wastewater management plan by area and enhancements that Southern Water were promoting; the clean river and sea plan for 2025-2030, which outlined the investment planned across the District; the role of providing infrastructure for new developments; a summary of the waste water treatment works; a brief overview of their infiltration reduction plan; and an update on flooding schemes. Members were encouraged to read the whole presentation, which was felt to be informative. At the Forum it was agreed that questions asked before the meeting would be responded to in writing, to allow more time for those present to ask questions. The answers to some questions were still outstanding, and would be circulated via the flood forum once answers had been obtained. The quality of questions from Forum members and the floor helped shape the actions arising from the meeting. It was clear there was a desire to strengthen partnership working to develop an integrated approach to deal with flooding within the District.

The Chair invited questions and comments and the following points were raised by Members (and non-Committee Members given permission by the Committee to speak):

- One Member felt the tone of the meeting was very good, however the Southern Water presentation had been disappointing, with very little mention of Storm Ciaran. He felt the Chair of the Forum needed to press for answers more, and questions needed to be carefully positioned to ensure the Terms of Reference were met. Overall, he felt it was a good meeting, but improvements could be made to the Forum going forward.
- There was concern that west of Littlehampton was not included, and historically there had been flooding in this area. It was asked that East Street, Beach Road, South Terrace, Pier Road also be included. The Group Head of Environment and Climate Change explained the Forum covered the whole of Arun and this would be taken on board.
- It was felt the meeting had not been long enough, and there had not been time to get through everything. It was suggested the next meeting be scheduled for 2 – 2.5 hours.
- It was suggested the questions asked before the meeting should be provided to Members in an electronic format prior to the meeting. Further questions had arisen out of answers provided. The Group Head of Environment and Climate Change would ensure an electronic copy was sent to the Members that had requested this, and asked for follow-up questions to be emailed so that he could obtain the answers.

The Committee noted the report.

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723. FREE PARKING SCHEME REVIEW WORKING PARTY - 05 FEBRUARY 2024

The Chair updated that the first meeting of the Free Parking Scheme Review Working Party had taken place on 05 February 2024, and the Minutes were attached to the agenda at pages 125-131. At the meeting it was agreed that Councillor Wallsgrove would be Chair of the Working Party and Councillor Wiltshire would be Vice-Chair. The Terms of Reference were agreed, and could be found in the Minutes, as was the Work Programme. It was agreed there would be three meetings of the Working Party in total, with the two remaining meetings scheduled for May and June. At the final meeting, the Working Party would finalise its recommendations to the Environment Committee. At the meeting, an Officer Presentation had been given, and the Working Party had asked questions, taken part in discussions and put forward initial suggestions. It had been agreed that the next meeting would take place at 6pm on 13 May 2024.

The Chair invited questions from Members and the following points were raised:

- From the Minutes it seemed that discussion was very varied about possible solutions, and it was asked how this would be taken forward. The Group Head of Technical Services explained that both he and the Chair had requested the Working Party members investigate potential solutions and submit them prior to the next meeting. These would then be discussed at the next meeting where recommendations to the Environment Committee would begin to be formulated. The recommendations would be finalised at the third and final meeting.
- It was asked whether use of technology had been discussed at this first meeting, as it was felt this would reduce misuse and give usage data. It was confirmed this had been discussed and was being looked into.

Councillor Worne explained that she had been unable to attend the first meeting, and would also not be able to attend the second meeting. She proposed that the Terms of Reference of the Working Party be changed under 'nomination to seats' as follows (additions shown in **bold** and deletions are shown in ~~strikethrough~~):

- ~~ADC Environment Committee Vice Chair~~
- **3 4** additional Members of the ADC Environment Committee, to be agreed by Group Leaders

This would allow another Environment Committee Member to take her place on the Working Party. This was seconded by Councillor Blanchard-Cooper.

It was asked whether this change would still need to be politically proportionate, and whether it may be easier to instead change the Terms of Reference to allow substitutions. The Chair stated Membership the Working Party would still need to be politically proportionate, and the Committee Manager confirmed this and explained that it would be for the Group Leaders to decide upon the amended Membership.

Upon taking the vote, the change to the Free Parking Scheme Review Working Party terms of reference was declared CARRIED.

The Committee

RESOLVED that

The Terms of Reference of the Free Parking Scheme Review Working Party be amended, as agreed by Committee.

724. OUTSIDE BODIES

There were no Outside Bodies reports.

725. WORK PROGRAMME

Upon the invitation of the Chair the Group Head of Environment and Climate Change and Group Head of Technical Services introduced the Items that would be included on the Work Programme for the new municipal year. Collectively, these were as follows:

- The Arun Flood Forum Update (following each upcoming meeting)
- Grounds Maintenance Contract Extension Re-Tender (likely to be around September)
- Bersted Brooks Update
- Cleansing Contract Performance Update
- Grounds Maintenance Contract Performance
- Beach Access Update
- Engineering Services Report
- Rights to the River Arun
- River Road, Arundel Car Park Review
- Parking Tariffs
- Bathing Water Quality Update
- Ferring Car Park Business Case Feedback
- Solar Canopy Feasibility Report – Mewsbrook Car Park.

A Tree Planting Strategy update would also be circulated to Members of the Committee at the end of the tree planting season.

It was asked whether a revised Work Programme could be circulated to Members. It was explained that it had not yet been decided which dates each report would be coming to Committee, but an email would be sent to Members confirming the reports.

It was requested by one Member that the Beach Access Update report come to Committee early in the new municipal year.

(The meeting concluded at 7.56 pm)

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