

## **Minutes of the Climate Change Select Committee**

**Thursday 14<sup>th</sup> March, 2024 at 6.00 pm  
in Committee Room 2, The Council House,  
Priory Road, Dudley**

### **Present:**

Councillor P Dobb (Chair)  
Councillor T Russon (Vice-Chair)  
Councillors C Barnett, H Bills, D Borley, K Denning, J Elliott, S Henley, N Neale  
and A Tromans.

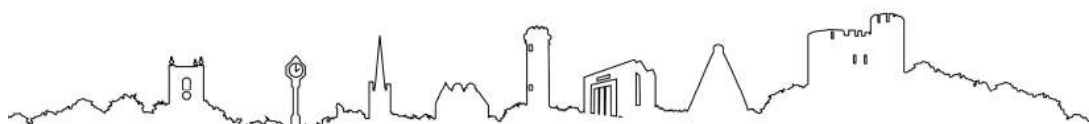
### **Dudley MBC Officers:**

N McGurk (Director of Environment), F Mahon (Head of Energy, Sustainability  
and Climate Change), J Deakin (Head of Waste and Fleet Operations), M  
Clinton (Waste Strategy Disposal Manager), J Wallader (Waste Operations  
Manager), V Popplewell (Planning Policy Manager), K Lowe (Principal Planning  
Officer) and G Gray (Democratic Services Officer)

### **Also in Attendance:**

Councillor Dr R Clinton (Cabinet Member for Climate Change)  
Councillor D Corfield (Cabinet Member for Highways and Environmental  
Services)  
Mr T Weller (Member of the Public by invitation)  
Mr M Richards (Member of the Public by invitation)

Together with 2 members of the public.



### 35 **Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of Councillors C Bayton, M Dudley and C Eccles.

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### 36 **Appointment of Substitute Members**

It was noted that Councillors H Bills and K Denning had been appointed as a substitute Member for Councillors C Eccles and C Bayton respectively, for this meeting of the Committee only.

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### 37 **Declarations of Interests**

No Member made a declaration of interest, in accordance with the Members Code of Conduct, in respect of any matter considered at the meeting.

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### 38 **Minutes**

#### **Resolved**

That, the minutes of the meeting held on 24<sup>th</sup> January, 2024 be approved as a correct record and signed.

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### 39 **Public Forum**

Mr T Weller advised that concerns had been raised by Dudley traders in regard to the development of the tramway being routed to Merry Hill and the possibility of trade being taken outside of the Dudley Town centre and was of the view that there was a lack of free parking for customers within Dudley. Mr Weller suggested that savings could be made by keeping the tram on the current railway line to Stourbridge Junction.

The Chair clarified that the concerns raised and issues regarding Dudley Town traders and the tramways was not within the remit of the Climate Change Select Committee.

Councillor C Barnett commented that discussions had been carried out with Mr Weller previously and considered that there was a large population within the Stourbridge area that would use the tramway.

Councillor T Russon commented on the absence of stations situated within the Halesowen area, however, agreed that issues concerning tramways could not be considered by the Climate Change Select Committee.

Councillor D Borley noted that there was potential for the railway line to be extended from Lye Junction to Brierley Hill using the Dasher Train as a possible solution in view of insufficient funding to extend the tramway to Stourbridge. Councillor Borley agreed that there was an absence of train stations within the Halesowen area and considered that the Black Country Museum together with the Dudley Zoo and Castle would generate trade coming into the Dudley Town Centre.

Councillor H Bills was of the view that although the tramway would allow customers to travel outside of the Borough it would also attract custom into Dudley to visit local attractions such as the Black Country Museum.

Councillor N Neale referred to the 2-hour free parking currently in place within Dudley Borough car parks.

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#### 40 **Update on Food Waste Collection and Anaerobic Digestion**

The Committee received a presentation from the Head of Waste and Fleet Operations regarding an update on Food Waste Collections and Anaerobic Digestion. In presenting the information it was reported that under new legislation, waste collection authorities must provide weekly collections of food waste for recycling or composting from households by 31<sup>st</sup> March, 2026. Non-household properties must arrange separate food waste collections by 31<sup>st</sup> March, 2025 and it was considered that the prevention of food waste would be significant in playing a key role for tackling climate change.

The Head of Waste and Fleet Operations outlined the benefits of food waste collections and provided a summary of the definitions of food waste that would be suitable or unsuitable for collection as set out in the presentation submitted.

It was noted that further guidance and decisions were yet to be made in regard to caddy liners and it was considered that residents preferred to use liners in view of cleanliness. It was advised that the caddy liners available were made of cornstarch, potato starch or polyethylene and were designed to break down digestion, however, polyethylene liners could only be used should the Anaerobic Digestion Processors agree to their use together with assurances that the liners would meet appropriate standards. It was unknown whether funding would be available to residents for the supply of caddy liners from the Council or whether residents would need to fund their own supply.

The Head of Waste and Fleet Operations referred Members to the new Burden Funding that would be received from the Department for Environment, Food and Rural Affairs (DEFRA) for capital transitional funding and outlined how the funding would be allocated towards supplies and suitable vehicles, however, it was noted that there was some uncertainty of amount of funding that would be allocated towards operating revenue costs.

The preferred method of recycling food waste would be through anaerobic digestion, which generated biogas and digestate. It was noted that Members had attended a site visit to the Kinver Anaerobic Digestion Waste Plant and the Head of Waste and Fleet Operations suggested that a further visit could be arranged for Members.

Members were advised that there would be challenges with regard to public perception and it was vital that clear communication would need to be implemented. It was considered that communication would need to be clear, easily understood and engaging to ensure residents understood the benefits of food waste collection.

Arising from the presentation, Members asked questions and made comments. Responses were provided where appropriate as follows:-

- a) The Chair commented positively on the site visit to Kinver Anaerobic Digestion Plant and encouraged members to visit and view the site.
- b) In response to questions raised by the Chair, the Head of Waste and Fleet Operations assured Members that information and best practice would be sought from other Local Authorities who were carrying out food waste collection schemes in particular the importance of communication to residents.

The Head of Waste and Fleet Operations further responded on the funding of communal caddies for flat residents and whether these would need to be funded by Management Companies, and it was advised that it was unknown how funding would be provided, however, further information would be available from DEFRA throughout the year.

- c) Councillor S Henley raised a query in regard to the cost of using the Kinver Anaerobic Digestion Plant and whether Dudley would receive any benefits from the plant such as energy or funding and enquired as to whether it would be viable to put in place a digestion plant within the Dudley Borough, such as the Lister Road Depot, in the future.

In response the Head of Waste and Fleet Operations explained that consultations had been carried out with Severn Trent whereby it was explained that there would be a gate fee, however, there was potential for the gate fee to be reduced. It was noted that the cost to manage the service together with revenue costs would be clarified further throughout the year.

The Waste Strategy Manager clarified that the infrastructure for the installation of an Anaerobic Digester would consist of approximately six to eight 120,000 tonne Digestion tanks and that there was no capacity within the Dudley Borough to install Anaerobic Digesters. It was considered that, from a commercial point of view, the installation of Digestion tanks would not be a viable investment and that the Waste Infrastructure Development Programme through DEFRA were exploring the availability of Anaerobic Digestion Plants nationally and were of the view that the West Midlands area contained sufficient amount for capacity.

- d) In response to a question raised by Councillor D Borley concerning saving costs by utilising containers already available to residents to collect general and food waste together, the Waste Strategy Manager clarified that due to potential liquids, food juice and smells that would be generated, food waste would need to be loaded onto a separate contained vehicle.
- e) In response to a query raised by Councillor T Russon regarding whether the Anaerobic Digester currently being used at Kinver would be able to cope with polyethylene liners, the Waste Strategy Manager clarified that starch bags were preferable for most Anaerobic Digesters, however, the Anaerobic Digester situated at the Kinver Anaerobic Digestion plant would accept polyethylene liners.

- f) In response to a query raised by Councillor C Barnett regarding funding for the supply of suitable vehicles, the Head of Waste and Fleet Operations advised that modelling would have to be investigated and factored into the scheme.
- g) Councillor C Barnett requested that assurances be made in that waste stream from residents was provided to Kinver Anaerobic Digestion Waste Plant to ensure the contract was successful and beneficial to Dudley. He suggested that residents should be encouraged not to use plastic caddy liners.

In response the Waste Strategy Manager acknowledged that a constant waste stream would be required to supply the waste plant at Kinver, however, further discussions and information would need to be held before entering into a contract. It was advised that information and guidance would be provided from the Government in terms of caddy liners and that communication to residents regarding the recycling of food waste would be significant in ensuring food waste was provided.

- h) Councillor K Denning commented that schemes within other Local Authorities had been established for several years and were successful and advised that other Local Authorities would steam clean caddies or were cleaned by residents rather than using caddy liners, which would save costs. On account of the amount of carbon emissions, petrol and chemicals that would be generated from vehicles going to the Kinver Anaerobic Digestion it was suggested that further consideration would need to be given to recycling food waste within the Dudley Borough and to make use of the energy generated.
- i) Councillor K Denning considered that there was a noticeable deficiency of composting within Dudley and considered that this would be beneficial for residents as well as reducing CO<sub>2</sub> emissions and suggested that residents be subsidised for obtaining composters to encourage them to carry out composting.

In response the Waste Operations Manager clarified that there was currently an offer in place to subsidise residents to supply composters and that residents could request composters through the Dudley website.

- j) Councillor K Denning considered that that the information regarding composting was not easily accessible to residents on the Dudley website.

The Head of Waste and Fleet Operations acknowledged comments made and agreed to consider the accessibility of composting information available to residents further.

- k) In regard to composting, the Cabinet Member for Climate Change suggested that communication was essential in educating residents on recycling schemes as well as composting and considered that information would need to be provided for larger households in view of the waste generated for composting.
- l) In response to a question raised by Councillor A Tromans regarding the reasons as to why Dudley had not previously created a food waste collection scheme considering that respective Local Authorities had established schemes for several years, the Cabinet Member for Climate Change assumed that funding had not been available previously, however, the Government would now be providing funds to help establish the food waste collection scheme.
- m) In regard to food waste caddies and liners, Councillor H Bills considered that larger containers would be more beneficial to residents and was of the view that residents should be responsible for cleaning their own caddies rather than use liners.
- n) In responding to a question raised by Councillor H Bills, the Head of Waste and Fleet Operations confirmed that collections would be carried out on a weekly basis.
- o) Councillor N Neale raised a number of concerns from the presentation regarding costings; the cost to residents; the use of plastic liners; what type of vehicles would be used to collect waste and how waste would be identified should residents general and food waste be mixed.

In response the Chair advised that the presentation had been brought to the Committee as an overview and follow up from the site visit to the Kinver Anaerobic Digestion plant and that further updates and information would be submitted to a future meeting of the Climate Change Select Committee in the next municipal year.

The Director of Environment responded further and advised that the presentation was for information; that waste was a significant part of climate change; that ongoing work was being carried out and acknowledged that further details would need to be brought to a future meeting of the Climate Change Select Committee. It was advised that once decisions had been made from the Government, information regarding costs and processes would be brought to the Committee in due course.

- p) In response to a question raised by Councillor J Elliot with regard to the costings presented and how much would be used for communications together with what lessons had been learnt from other Local Authorities, the Head of Waste and Fleet Operations clarified that the costings related to funding that would be received from Government for the purchase of capital investments; that further work would need to be carried out regarding communications and that information would be sought regarding best practices from other Local Authorities that were operating food waste collection schemes.

### **Resolved**

- a) That the information contained in the presentation submitted, and as reported at the meeting, on the update on Food Waste Collections and Anaerobic Digestion, be noted.
- b) That an update of Food Waste Collections and Anaerobic Digestion, be included as a future agenda item on the work programme for the 2024/2025 municipal year.

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#### **41 Planning Policies in relation to Renewable Energy and Climate Change**

A report of the Director of Regeneration and Enterprise was submitted together with a presentation to provide information regarding the current and future planning policies in relation to renewable energy and climate change and to provide an overview regarding the responses received from Developers to the emerging Planning Policies following the recent draft Dudley Local Plan consultation.



The Principal Planning Officer outlined in detail the information in the report and presentation submitted and in doing so provided a summary of the current local plan policy requirements. It was explained that Policy ENV7 required all major developments to provide 10% of the energy from renewable sources; that Policy ENV7 was also included within the Renewable Energy Supplementary Planning Document (SPD) and that the SPD set out further details relating to viability assessments and how they would be considered against planning requirements.

The Principal Planning Officer outlined the Dudley Borough Development Strategy (DBDS) and in doing so advised that the DBDS set out the planning policy framework for sustainable development within Dudley together with the Core Strategy and further outlined the Policies set out within the DBDS.

It was noted that a consultation in regard to the Draft Dudley Local Plan (DLP) was undertaken in November, 2023, which included a number of new Policies that had been reconsidered from the initial Core Strategy, the DBDS and the Area Action Plans. The Policies included issues concerning Climate Change and energy efficiencies.

It was advised that the new Policy DLP 47 regarding renewable and low carbon energy and Building Research Establishment Environmental Assessment Method (BREEAM) Standards required 10% of residual energy from developments of 1 to 9 homes or that were less than 1000 square meters and 20% residual energy of over 10 units for development.

The Principal Planning Officer advised that information had been requested to provide the Committee with responses from Developers in regard to the emerging Local Plan Policies and it was reported that feedback received included concerns regarding viability; objections to decentralised energy/scheme feasibility; specific methods of reducing carbon emissions and queries raised regarding the decarbonisation of the national grid.

Arising from the presentation, Members asked questions and made comments. Responses were provided where appropriate as follows:-

- a) In response to a query raised by Councillor C Barnett regarding Dudley's additional requirements within the Policies and the concerns raised by the Developers, the Principal Planning Officer advised that Dudley were in line with other Local Authority Policies that were also requesting Developers to provide additional requirements in regard to renewable energy; that it was expected that some resistance from Developers would be received surrounding viability assessments and that Developers would have the option to prove their case through financial viability assessments, which were independently assessed.
- b) In responding to concerns raised by Councillor C Barnett regarding whether the National Planning Policy would support Dudley's ambitions, the Planning Policy Manager clarified that viability work together with consultations and plan work would need to be carried out to look into Dudley's Policies. It was advised that Dudley's Policies were in accordance with the National Planning Policy framework and that it would need to be demonstrated that any Local Plans would be feasible and amended accordingly should there be any issues. The Draft Dudley Local Plan would be considered by the Planning Inspector at the forthcoming Examination in Public to ensure that they were in line with National Planning Policies.

The Principal Planning Officer further explained that Dudley's Policies were in line with other Local Authorities nationally and that Dudley were continuing to respond to any consultations or papers produced by the Government.

The Planning Policy Manager emphasised that Policies in the Draft Plan were being implemented in accordance with the National Planning Policy Framework. In addition, Developers were already aware of the Future Homes and Building Standards which will apply to Building Regulations from 2025.

- c) The Chair raised a query regarding whether there had been more resistance from Developers than was expected, in response the Principal Planning Officer explained that there was an expectation for some resistance in regard to viability assessments, and that evidence work (Viability Study) had been carried out to review and test Policies and their cost implications. It was considered that all costs were viable within Dudley, however, it was noted that Developments would be considered on an individual basis at a planning application stage.

- d) Councillor K Denning considered that it was essential for Dudley to lead by example in order to demonstrate to Developers that the Policies set out in regard to Climate Change and energy efficiencies were viable, that Dudley could demonstrate this by installing Photovoltaic (PV) Solar Panels to energy rich Council buildings, and queried whether Developers could be encouraged to ensure renewable energy sources were included within new builds.

In response the Planning Policy Manager explained that the Policies adopted within Local Plans together with the Future Homes Standards Building Regulations would be applicable to all developments regardless of whether it would be Council led or by independent Developers.

- e) Councillor D Borley raised concerns in regard to the installation of mandatory heat pumps and the implications this would create on the quality of heat pumps installed in comparison to boilers, the cost implications for Developers and whether assurances could be made to prevent residents from changing heat pumps to boilers.

In response the Planning Policy Manager advised that the standards were set out in the Future Homes and Building Standards Plan as a requirement for all new homes built from 2025. However, it was understood that guidance regarding heat pumps was still to be confirmed.

### **Resolved**

That the information contained in the report submitted, and as reported at the meeting, on the future planning policy position in relation to renewable energy and climate change, be noted.

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42 **Climate Change Select Committee Progress Tracker and Future Business**

### **Resolved**

That the Climate Change Select Committee Progress Tracker and Future Business, as outlined in the report, be noted.

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43 **Questions Under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

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The meeting ended at 7.20pm

CHAIR