

***Delegated Decisions by Deputy Leader of the Council
with Responsibility for Climate Change, Environment &
Future Generations***

***Thursday, 10 October 2024 at 2.30 pm
Room 3 - County Hall, New Road, Oxford OX1 1ND***

If you wish to view proceedings, please click on this [Live Stream Link](#).
However, that will not allow you to participate in the meeting.

Items for Decision

The items for decision under individual Cabinet Members' delegated powers are listed overleaf, with indicative timings, and the related reports are attached. Decisions taken will become effective at the end of the working day on Thursday 17 October unless called in by that date for review by the appropriate Scrutiny Committee.

Copies of the reports are circulated (by e-mail) to all members of the County Council.

These proceedings are open to the public



Martin Reeves
Chief Executive

September 2024

Committee Officer: **Committee Services**
email: committeesdemocraticservices@oxfordshire.gov.uk

Note: *Date of next meeting: 14 November 2024*

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.

Items for Decision

1. Declarations of Interest

See guidance below.

2. Questions from County Councillors

Any county councillor may, by giving notice to the Proper Officer by 9 am two working days before the meeting, ask a question on any matter in respect of the Cabinet Member's delegated powers.

The number of questions which may be asked by any councillor at any one meeting is limited to two (or one question with notice and a supplementary question at the meeting) and the time for questions will be limited to 30 minutes in total. As with questions at Council, any questions which remain unanswered at the end of this item will receive a written response.

Questions submitted prior to the agenda being despatched are shown below and will be the subject of a response from the appropriate Cabinet Member or such other councillor or officer as is determined by the Cabinet Member, and shall not be the subject of further debate at this meeting. Questions received after the despatch of the agenda, but before the deadline, will be shown on the Schedule of Addenda circulated at the meeting, together with any written response which is available at that time.

3. Petitions and Public Address

Members of the public who wish to speak at this meeting can attend the meeting in person or 'virtually' through an online connection. To facilitate 'hybrid' meetings we are asking that requests to speak are submitted by no later than 9.00 a.m. four working days before the meeting. Requests to speak should be sent to committeesdemocraticservices@oxfordshire.gov.uk

If you are speaking 'virtually', you may submit a written statement of your presentation to ensure that, if the technology fails, your views can still be taken into account. A written copy of your statement can be provided no later than 9.00 a.m. two working days before the meeting. Written submissions should be no longer than one A4 sheet.

4. Minutes of the Previous Meeting (Pages 1 - 2)

To confirm the minutes of the meeting held on 5 September 2024 to be signed by the Chair as a correct record.

EXEMPT ITEM

In the event that any Member or Officer wishes to discuss the information set out in the **annex** to Agenda Item **5**, the Committee will be invited to resolve to exclude the public for the consideration of the **annex** by passing a resolution in relation in the following terms:

"that the public be excluded during the consideration of the **annex** since it is likely that if they were present during that discussion there would be a disclosure of "exempt" information as described in Part I of Schedule 12A to the Local Government Act, 1972 and specified below the item in the Agenda".

NOTE: The report does not contain exempt information and is available to the public

THE **ANNEX** TO THE ITEM NAMED HAS NOT BEEN MADE PUBLIC AND SHOULD BE REGARDED AS 'CONFIDENTIAL' BY MEMBERS AND OFFICERS ENTITLED TO RECEIVE THEM.

5. Incineration of Waste Upholstered Domestic Seating Containing Persistent Organic Pollutants - Contract Variation (Pages 3 - 28)

Cabinet Member: Deputy Leader of the Council, with Responsibility for Climate Change, Environment and Future Generations

Forward Plan Ref: 2024/254

Contact: Frankie Upton, Technical Lead – Waste Contracts

(Frankie.Upton@oxfordshire.gov.uk)

Report by Director of Environment and Highways (**CMDDL5**).

The information in this case is exempt in that it falls within the following prescribed categories:

3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)

and since it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

The **annex** containing exempt information under the above paragraph is attached.

The Cabinet Member is RECOMMENDED to:

- a) **Approve the utilisation of the residual waste treatment contract for the treatment of Waste Upholstered Domestic Seating containing Persistent Organic Pollutants and,**
- b) **Delegate authority to the Director of Environment and Highways in Consultation with the Head of Legal Services and Deputy Monitoring Officer to enter into any necessary documentation with Viridor Oxfordshire Limited to secure such utilisation.**

Councillors declaring interests

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed 'Declarations of Interest' or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your employment; sponsorship (i.e. payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest. If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member 'must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself' and that 'you must not place yourself in situations where your honesty and integrity may be questioned'.

Members Code – Other registrable interests

Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your other registerable interests then you must declare an interest. You must not participate in discussion or voting on the item and you must withdraw from the meeting whilst the matter is discussed.

Wellbeing can be described as a condition of contentedness, healthiness and happiness; anything that could be said to affect a person's quality of life, either positively or negatively, is likely to affect their wellbeing.

Other registrable interests include:

- a) Any unpaid directorships

- b) Any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority.
- c) Any body (i) exercising functions of a public nature (ii) directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management.

Members Code – Non-registrable interests

Where a matter arises at a meeting which directly relates to your financial interest or wellbeing (and does not fall under disclosable pecuniary interests), or the financial interest or wellbeing of a relative or close associate, you must declare the interest.

Where a matter arises at a meeting which affects your own financial interest or wellbeing, a financial interest or wellbeing of a relative or close associate or a financial interest or wellbeing of a body included under other registrable interests, then you must declare the interest.

In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied:

Where a matter affects the financial interest or well-being:

- a) to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

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Agenda Item 4

DELEGATED DECISIONS BY DEPUTY LEADER OF THE COUNCIL WITH RESPONSIBILITY FOR CLIMATE CHANGE, ENVIRONMENT & FUTURE GENERATIONS

MINUTES of the meeting held on Thursday, 5 September 2024 commencing at 2.30 pm and finishing at 2.35 pm

Present:

Voting Members: Councillor Dr Pete Sudbury– in the Chair

Officers: Jack Ahier (Democratic Services Officer), Caroline Coyne (Project Manager), Teresa Kirkham (Head of Environment and Circular Economy), Lewis Purbrick (Flood Mitigation Officer).

The Deputy Leader of the Council considered the matters, reports and recommendations contained or referred to in the agenda for the meeting [, together with a schedule of addenda tabled at the meeting/the following additional documents:] and agreed as set out below. Copies of the agenda and reports [agenda, reports and schedule/additional documents] are attached to the signed Minutes.

10 DECLARATIONS OF INTEREST

(Agenda No. 1)

There were none.

11 QUESTIONS FROM COUNTY COUNCILLORS

(Agenda No. 2)

There were none.

12 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 3)

There were none.

13 MINUTES FROM THE PREVIOUS MEETING

(Agenda No. 4)

The Chair approved the minutes of the meeting held on 18 July 2024 and signed them as a correct record.

14 REDBRIDGE HWRC SITE LEASE

(Agenda No. 5)

The Chair introduced the item to the meeting.

The Chair noted that this proposal was part of a refurbishment programme and that Redbridge HWRC was used regularly.

The Chair thanked officers for their work and agreed to the recommendations in the report.

RESOLVED to:

a) Approve the new Redbridge Household Waste & Recycling Centre (HWRC) lease terms and costs as negotiated with Oxford City Council.

b) Delegate to Director of Environment and Highways to finalise and enter into the lease.

15 PROPOSED NEW LEAD LOCAL AUTHORITY DRAINAGE AND MINOR GROUNDWORKS FRAMEWORK
(Agenda No. 6)

The Chair introduced the item to the meeting.

The Chair noted that this would allow the County Council, as the flood authority, to react faster and reflected further that it was a good example of joined-up working between different Councils and stakeholders.

The Chair thanked officers and approved the recommendations in the report.

RESOLVED to:

a) Approve the development and subsequent procurement of a new Lead Local Flood Authority drainage and minor groundworks framework contract.

b) Delegate the contract award and any contract extension award to Director of Environment and Highways.

..... in the Chair

Date of signing

Divisions Affected – All

DELEGATED DECISIONS BY DEPUTY LEADER OF THE COUNCIL WITH RESPONSIBILITY FOR CLIMATE CHANGE, ENVIRONMENT AND FUTURE GENERATIONS

10 OCTOBER 2024

Incineration of Waste Upholstered Domestic Seating containing Persistent Organic Pollutants at Ardley Energy Recovery Facility

Report by Director of Environment and Highways

RECOMMENDATION

The Cabinet Member is **RECOMMENDED** to:

- a) **Approve the utilisation of the residual waste treatment contract for the treatment of Waste Upholstered Domestic Seating containing Persistent Organic Pollutants and,**
- b) **Delegate authority to the Director of Environment and Highways in Consultation with the Head of Legal Services and Deputy Monitoring Officer to enter into any necessary documentation with Viridor Oxfordshire Limited to secure such utilisation.**

Executive Summary

1. From January 2023, The Environment Agency (EA) required all Waste Upholstered Domestic Seating containing Persistent Organic Pollutants to be treated in compliance with a series of Regulatory Position Statements.
2. Interim contract arrangements were secured for a 2-year period (expiring 31 December 2024) on the assumption that this would be a sufficient length of time for uncertainties around handling and treating Persistent Organic Pollutants and the Regulatory Position Statement to be resolved. These arrangements include the incineration of this waste at Ardley Energy Recovery Facility though a contract variation of the residual waste treatment contract.
3. A key decision is sought to approve utilisation of the residual waste treatment contract until new contracts are put in place following a procurement exercise for this and related services which is to be undertaken in 2025.

Exempt Information

4. The report contains information in Annex 1 that is exempt and confidential as it includes matters related to the spend on this service that if in the public domain could prejudice the outcome of future procurements for this service.
5. The public should therefore be excluded during consideration of Annex 1 because its discussion in public would be likely to lead to the disclosure to members of the public present of information in the following category prescribed by Part I of Schedule 12A to the Local Government Act 1972 (as amended): 3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).]; and since it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, in that such disclosure would prejudice the commercial position of the parties involved and would prejudice the position of the authority to the detriment of the Council's ability to discharge its fiduciary and other duties as a public authority.

Background

6. Since 1 January 2023 domestic soft seating containing Persistent Organic Pollutants (Persistent Organic Pollutants) has been banned from landfill in England and must be incinerated in accordance with Environment Agency guidance published in December 2022. The Persistent Organic Pollutants occur in upholstered furniture as they are contained in chemicals that were commonly used in fire retardants. Once released into the environment, Persistent Organic Pollutants persist for many years and can build up causing long term potential risks to the environment and health. Their use and disposal are governed by the Persistent Organic Pollutants (Amendment) (EU Exit) Regulations 2020.
7. Due to the short timescale between receiving the final guidance and the start of the landfill ban, temporary arrangements with our contractors were put in place for shredding and transport of Persistent Organic Pollutants waste collected by the district councils and at Household Waste Recycling Centres, and Viridor agreed to incinerate Persistent Organic Pollutants waste at Ardley Energy Recovery Facility under provisions in the residual waste treatment contract. At the time, Viridor indicated that they would be unable to accept whole Waste Upholstered Domestic Seating, requiring Oxfordshire County Council to shred them prior to delivery into the facility.
8. To utilise these provisions a contract variation was agreed with specific terms and conditions relating to the acceptance and treatment of upholstered seating. The variation includes provision for six-monthly reviews of the service and has flexibility to cease the service with one month's notice enabling the Council to enter other arrangements for the incineration of all or some of the waste should other appropriate suppliers become available at less cost.

9. In March 2024, a further Regulatory Position Statement was issued creating new and additional uncertainty and risk which was previously unforeseen and has the potential to create significant additional financial burdens in the handling and management of Persistent Organic Pollutants.
10. Following extensive Soft Market Testing earlier this year, potential suppliers raised significant financial risks if a tendering process is undertaken at the current time due the publication of a further Regulatory Position Statement. This may lead to additional requirements to control emissions from shredding operations, some of which appear undeliverable and may require considerable works, investment and cost from contractors to be compliant. This is unlikely to be definitively resolved until later in 2024 at the earliest. This is a shared risk as any costs incurred will be passed onto Oxfordshire County Council.
11. The temporary regulatory position statements issued by the Environment Agency about how Persistent Organic Pollutants waste is shredded also expire at the end of 2024, although currently it is uncertain whether there will be any changes to the guidance in light of the experience of handling this waste.
12. In addition to this, Defra has indicated that further materials/items (possibly including non-stick pans, carpets, mattresses, and tents) will be included within Persistent Organic Pollutants legislation, although a definitive date for this has yet to be published.
13. In light of this uncertainty and risk of significantly inflated costs due to the level of uncertainty, in discussion with legal and procurement colleagues the intention now is to delay procurement until 2025 (with new contracts to start in January 2026), and short-term arrangements will be extended to ensure compliant disposal until the Environment Agency can provide greater certainty on how site operators are required to manage the treatment of Persistent Organic Pollutants.
14. For incineration at Ardley Energy Recovery Facility under the residual waste treatment contract a key decision is required for spend under the contract variation until the end of December 2025.

Corporate Policies and Priorities

15. As well as being legally bound to manage Persistent Organic Pollutants in line with the EA's Regulatory Position Statements, the extension of current arrangements meet the following Corporate Priorities: Put action to address the climate emergency at the heart of our work; Prioritise the health and wellbeing of residents, and; Work with local businesses and partners for environmental, economic and social benefit. In addition to diverting waste from landfill that emits methane, a powerful greenhouse gas, incineration of waste containing Persistent Organic Pollutants prevents the escape of these chemicals into the environment.

Financial Implications

16. The cost of Persistent Organic Pollutants waste incineration is being met from the waste management budget. A £200k pressure was added to budget in 2023/24, with an additional £200k added this financial year – and for subsequent years – to help meet these costs. The additional costs of treating and incinerating are in part balanced by reduced landfill costs. Note that only 9 months of costs are included for 2025/26 as it is anticipated that a full tender exercise will be undertaken by this date for the service.

Table 1 Net Cost of Treating and Incinerating POPs

		Net additional cost	Additional budget in MTFP	Annual Financial Implications
		£'000	£'000	£'000
2022/23	3 Months	74.5	0	+74.5
2023/24	12 Months	346.7	200.0	+146.7
2024/25	12 Months	363.2	400.0	-36.8
2025/26	9 Months	£296.4	300.0	-3.6

Costs are based on average monthly tonnage using last two full years

As can be seen, the net cost for the treatment and incineration of POPs is forecast to be funded through the additional budget provided through the Medium-Term Financial Plan, for the current and future years. The net pressure on the budget prior to this was absorbed within the services' operational budgets.

17. More detailed information on current and future costs is contained in EXEMPT Annex 1.

Comments checked by:

Rob Finlayson, Strategic Finance Business Partner,
rob.finlayson@oxfordshire.gov.uk

Legal Implications

18. The Environmental Protection Act 1990 sets out the duties of Waste Disposal Authority as follows;
- Section 30 (2) (a) – county council is waste disposal authority

- Section 51 (1) (a) – Waste Disposal Authority duty to dispose of waste collected in its area by waste collection authorities
- Section 51 (1) (b) – Waste Disposal Authority duty to provide places for residents to deposit waste.

19. The Residual Waste Treatment Contract with Viridor was procured in compliance with the Public Contracts Regulations 2006 and there are no procurement law implications arising from the use of the contract for the treatment of Waste Upholstered Domestic Seating containing Persistent Organic Pollutants. The contract allows for amendments to the contract to be agreed in writing by the parties.

Comments checked by: Jayne Pringle

Head of Law & Legal Business Partner (Contracts & Conveyancing)
Jayne.pringle@oxfordshire.gov.uk

Procurement Implications

20. It is intended that market testing will commence in early 2025 in preparation for procurement to commence in accordance with the Procurement Act 2023 for pre-treatment, transport and incineration of Persistent Organic Pollutants waste.

The delay in the Procurement Act implementation to February 24th 2025 will not significantly impact the timeline.

Comments checked by: Katherine Booker

Category Manager Environmental Service
Katherine.booker@oxfordshire.gov.uk

Staff Implications

21. The disposal of Waste Upholstered Domestic Seating is being managed using existing resources in the Waste and Circular Economy Team. There are no additional resource implications.

Comments checked by: Jayne Pringle

Head of Law & Legal Business Partner (Contracts & Conveyancing)
Jayne.pringle@oxfordshire.gov.uk

Local Transport and Connectivity Plan Implications

22. The extension of current arrangements has no implications on the Local Transport and Connectivity Plan

Equality & Inclusion Implications

23. An Equalities Impact Assessment has been undertaken and is included as Annex 2

Sustainability Implications

24. A Climate Impact Assessment has been completed and is included as Annex 3

Risk Management

25. The following table shows the risks considered in planning for the extension of current arrangements:

<i>Risk</i>	<i>Impact</i>	<i>Likelihood</i>	<i>Mitigation</i>
Cost of Regulatory Position Statement compliance gets loaded-in to new contract if procured now	Additional cost	Medium	Continuation of existing arrangements gives extended time for the Regulatory Statement Positions to be costed and adopted by site operators
Addition of additional materials / items under Persistent Organic Pollutants regulation	Legislative requirement for OCC to treat these materials, therefore requiring contract negotiation and variation	Medium	Contract provisions and length to maximise flexibility to include additional items.
Change in law risk: further changes to Regulatory Position Statements that necessitate increased capital	Additional cost passed through to OCC as a result of necessary investment required by the contractor.	Medium	Appropriate provisions to provide flexibility for change and mitigate risk.

expenditure and/or increased operational costs for the contracted facility/facilities to remain compliant	Potential for contractor to become non-compliant and OCC to lose ability to comply with Persistent Organic Pollutants legislation		
Increase financial resources required to fund treatment of Persistent Organic Pollutants	Un-forecastable budgetary pressures	Medium	Changes to legislation may necessitate increased budget pressures. The short-term nature of the proposals means that a more cost-effective contract can be procured once any additional necessary handling or treatment changes become clear.
Legal challenge	Resource required, potential increase in budgetary pressures and the possibility of not being able to continue with the current arrangements	Very low. The use of the existing contract does not contravene procurement law and potential suppliers are agreed that the extent of legislative uncertainties makes this a high risk time to procure.	Advice from procurement and legal colleagues

Consultations

26. No public consultation is required. Both Procurement and Legal teams have been consulted and involved in the development of the approach.

Paul Fermer
Director of Environment and Highways

Annex: Annex 1: Equalities Impact Assessment
Annex 2: Climate Impact Assessment

Background papers: Nil

[Other Documents:] Nil

Contact Officer: Frankie Upton, Technical Lead, Waste Contracts

September 2024

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Oxfordshire County Council
Equalities Impact Assessment

Extension of Contract for Treatment of Waste Upholstered Domestic Seating Containing
Persistent Organic Pollutants

9th July 2024

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Section 1: Summary details

Directorate and Service Area	Environment and Highways - Waste and Circular Economy
What is being assessed (e.g. name of policy, procedure, project, service or proposed service change).	Continued utilisation of Residual Waste Treatment Contract with Viridor to treat Waste Upholstered Domestic Seating (WUDS) containing Persistent Organic Pollutants (POPs). Uncertainty around Environment Agency Regulatory Position Statement has created further uncertainty and means procuring new treatment options a financial risk to the authority. Continuation of current arrangements is therefore sought - which adds further cost to the existing Viridor contract to treat waste via Energy from Waste at the Ardley facility above the key decision threshold. A Cabinet Member Decision is therefore required.
Is this a new or existing function or policy?	Continuation of existing
Summary of assessment Briefly summarise the policy or proposed service change. Summarise possible impacts. Does the proposal bias, discriminate or unfairly disadvantage individuals or groups within the community? (following completion of the assessment).	Continued reduced levels of waste to landfill, and reduction in POPs escaping into the environment where they can cause harm. POPs destroyed by incineration process. Continuation of increase in waste to energy recovery, which although is better than landfill still produces carbon. Increase in diesel use as more handling of waste is required including loading shovels and shredders. There are no implications for disadvantaged individuals or groups.
Completed By	Owain Griffiths
Authorised By	

Date of Assessment

Section 2: Detail of proposal

<p>Context / Background</p> <p>Briefly summarise the background to the policy or proposed service change, including reasons for any changes from previous versions.</p>	<p>The treatment of WUDS containing POPs by incineration has been a statutory requirement since January 2023. The implementation of legislation was required within a very short timescale. In response, short-term solutions were initially sought to allow time for uncertainties about legislative requirements to become clearer. Since then, the EA has issued a number of Regulatory Position Statements; however, the most recent has actually caused greater uncertainty due to challenging monitoring regimes for site operators, as well as on-going uncertainty around the need for operators to invest in equipment to capture Fugitive Emissions. With the short-term arrangements expiring December 2024, it was planned to enter a procurement exercise to secure longer-term contracts but feedback from potential suppliers has indicated that procuring at this time means that some are unlikely to bid, while others may load-in potential financial risks, therefore exceeding affordability.</p>
<p>Proposals</p> <p>Explain the detail of the proposals, including why this has been decided as the best course of action.</p>	<p>The implementation of the initial legislation added additional budgetary pressures to the waste management budget. Securing new suppliers at this point is likely to incur further additional cost. Extending existing arrangements for a period of 12 months has therefore been identified by officers as the lowest risk option at this time.</p>
<p>Evidence / Intelligence</p> <p>List and explain any data, consultation outcomes, research</p>	<p>Extensive soft market testing was undertaken with potential suppliers. Feedback following the issue of the most recent RPS in April 2024 clearly indicates that there is considerable financial risk from procuring new arrangements at this time.</p>

<p>findings, feedback from service users and stakeholders etc, that supports your proposals and can help to inform the judgements you make about potential impact on different individuals, communities or groups and our ability to deliver our climate commitments.</p>	<p>Ardley ERF is a convenient location for the delivery of WUDs for treatment, either direct from some of the HWRCs or via transfer stations where it is pre-shredded and bulk hauled to the ERF. This provides an acceptable service for the district councils and HWRCs. Ardley ERF is the only incinerator in Oxfordshire, other energy from waste facilities would increase transport distances.</p> <p>There is a minor increase in the number of HGVs delivering waste to Ardley ERF, but the majority of WUDS is delivered in bulk haulage vehicles mixed with residual waste already delivering to the ERF.</p> <p>There are no implications for residents.</p>
<p>Alternatives considered / rejected</p> <p>Summarise any other approaches that have been considered in developing the policy or proposed service change, and the reasons why these were not adopted. This could include reasons why doing nothing is not an option.</p>	<p>The only alternative to extension is to procure, which carries considerable risk.</p>

Section 3: Impact Assessment - Protected Characteristics

Protected Characteristic	No Impact	Positive	Negative	Description of Impact	Any actions or mitigation to reduce negative impacts	Action owner* (*Job Title, Organisation)	Timescale and monitoring arrangements
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			Waste Management	On-going during life of contract
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			Waste Management	On-going during life of contract
Gender Reassignment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			Waste Management	On-going during life of contract
Marriage & Civil Partnership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			Waste Management	On-going during life of contract
Pregnancy & Maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			Waste Management	On-going during life of contract
Race	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			Waste Management	On-going during life of contract
Sex	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			Waste Management	On-going during life of contract
Sexual Orientation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			Waste Management	On-going during life of contract
Religion or Belief	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			Waste Management	On-going during life of contract

Section 3: Impact Assessment - Additional Community Impacts

Additional community impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner (*Job Title, Organisation)	Timescale and monitoring arrangements
Rural communities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Impact of additional HGV movements on rural communities was considered. However, the additional movements average out to approximately 1 per day. Given the level of existing traffic, this is felt to be an imperceptible increase and will not have any real impact		Waste Management	On-going during life of contract
Armed Forces	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			Waste Management	On-going during life of contract
Carers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			Waste Management	On-going during life of contract
Areas of deprivation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			Waste Management	On-going during life of contract

Section 3: Impact Assessment - Additional Wider Impacts

Additional Wider Impacts	No Impact	Positive	Negative	Description of Impact	Any actions or mitigation to reduce negative impacts	Action owner* (*Job Title, Organisation)	Timescale and monitoring arrangements
Staff	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			Waste Management	On-going during life of contract
Other Council Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			Waste Management	On-going during life of contract
Providers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			Waste Management	On-going during life of contract
Social Value ¹	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			Waste Management	On-going during life of contract

¹ If the Public Services (Social Value) Act 2012 applies to this proposal, please summarise here how you have considered how the contract might improve the economic, social, and environmental well-being of the relevant area

Section 4: Review

Where bias, negative impact or disadvantage is identified, the proposal and/or implementation can be adapted or changed; meaning there is a need for regular review. This review may also be needed to reflect additional data and evidence for a fuller assessment (proportionate to the decision in question). Please state the agreed review timescale for the identified impacts of the policy implementation or service change.

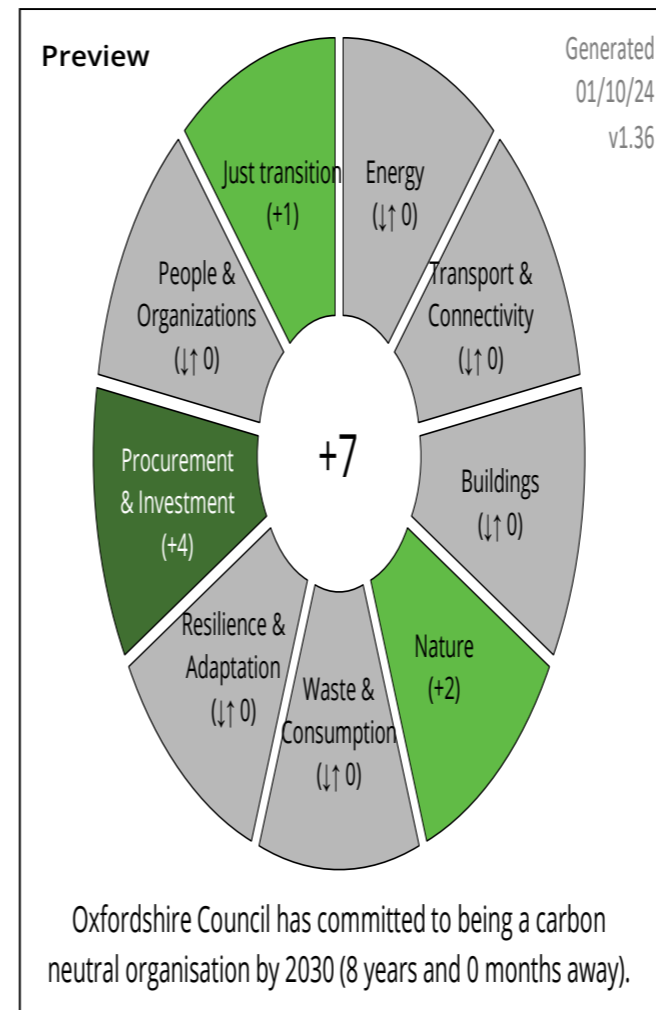
Review Date	
Person Responsible for Review	
Authorised By	

Climate Impact Assessment

Summary

Directorate and Service Area	Environment and Highways - Waste and Circular Economy
What is being assessed	Continued utilisation of Residual Waste Treatment Contract with Viridor Contract to treat Waste Upholstered Domestic Seating (WUDS) containing Persistent Organic Pollutants (POPs). Uncertainty around Environment Agency Regulatory Position Statement has created further uncertainty and means procuring new treatment options a financial risk to the authority. Continuation of current arrangements is therefore sought - which adds further cost to the existing Viridor contract to treat waste at Energy from Waste at the Ardley facility above the key decision threshold. A Cabinet Member Decision is therefore required.
Is this a new or existing function or policy?	Extension to existing
Summary of assessment	Continued reduced levels of waste to landfill, and reduction in POPs escaping into the environment where they can cause harm. POPs destroyed by incineration process. Continuation of increase in waste to energy recovery, which although is better than landfill still produces carbon. Increase in diesel use as more handling of waste is required including loading shovels and shredders.
Completed by	Owain Griffiths
Climate action sign off by	
Director sign off by	
Assessment date	

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Detail of proposal

Context / Background	The treatment of WUDS containing POPs by incineration has been a statutory requirement since January 2023. The implementation of legislation was required within a very short timescale. In response, short-term solutions were initially sought to allow time for uncertainties about legislative requirements to become clearer. Since then, the EA has issued a number of Regulatory Position Statements; however, the most recent has actually caused greater uncertainty due to challenging monitoring regimes for site operators, as well as on-going uncertainty around the need for operators to invest in equipment to capture Fugitive Emissions. With the short-term
Proposal	The implementation of the initial legislation added additional budgetary pressures to the waste management budget. Securing new suppliers at this point is likely to incur further additional cost. Extending existing arrangements for a period of 12 months has therefore been identified by officers as the lowest risk option at this point in time
Evidence / Intelligence	Extensive soft market testing was undertaken with potential suppliers. Feedback following the issue of the most recent RPS in April 2024 clearly indicates that there is considerable financial risk from procuring new arrangements at this time.
Alternatives considered / rejected	The only alternative to extension is to procure - which carries considerable risk

Category	Impact criteria	Score (-3 to +3)	Description of impact	Actions or mitigations to reduce negative impacts	Action owner	Timeline and monitoring arrangements
Energy	Increases energy efficiency	-1	Waste requires more processing and transport. Shredding requires use of large machine and loading shovel using diesel fuel, neither of which are used for landfilling waste.	none available	Waste management	On-going over contract period
Energy	Promotes a switch to low-carbon or renewable energy	1	Reduced methane emissions as waste is no longer landfilled. Incineration at Ardley ERF recovers energy, although still produces CO2.	None related to POPs waste. Longer term Viridor has plans to decarbonise the operation of the ERF overall.	Waste management	On-going over contract period
Energy	Promotes resilient, local, smart energy systems	N/A				
Transport & Connectivity	Reduces need to travel and/or the need for private car ownership	N/A				
Transport & Connectivity	Supports active travel	N/A				
Transport & Connectivity	Increases use of public transport	N/A				
Transport & Connectivity	Accelerates electrification of transport	N/A				
Buildings	Promotes net zero new builds and developments	N/A				
Buildings	Accelerates retrofitting of existing buildings	N/A				
Nature	Protects, restores or enhances biodiversity, landscape and ecosystems	2	POPs remain intact in the environment for long periods and if not disposed of properly become widely distributed geographically. They accumulate in the fatty tissue of humans and wildlife and have harmful impacts on human health and the environment. POPs were commonly used as fire retardants on soft furniture and are now banned. Destroying domestic soft seating containing POPs will ensure chemicals from this source do not escape into the environment.		Waste Management	On-going during contract term
Nature	Develops blue and green infrastructure	N/A				
Nature	Improves access to nature and green spaces	N/A				
Waste & Consumption	Reduces overall consumption	N/A				
Waste & Consumption	Supports waste prevention and drive reuse and recycling	N/A				
Resilience & Adaptation	Increases resilience to flooding	N/A				
Resilience & Adaptation	Increases resilience to other extreme weather events (e.g., storms, cold snaps, heatwaves, droughts)	N/A				
Resilience & Adaptation	Increases resilience of council services, communities, energy systems, transport infrastructure and/or supply chains	N/A				
Procurement & Investment	Procurement practices prioritise low-carbon options, circular economy and sustainability			Continues to eliminate emissions of 2 POPS from WUDS to wider environment		

Procurement & Investment	Investment being considered supports climate action/ is consistent with path to net zero		¹ Continues diversion of waste from landfill
People & Organizations	Drives behavioural change to address the climate and ecological emergency	N/A	
People & Organizations	Drives organizational and systemic change to address the climate and ecological emergency	N/A	
Just transition	Promotes green innovation and job creation	N/A	
Just transition	Promotes health and wellbeing		¹ POPs remain intact in the environment for long periods and if not disposed of properly become widely distributed geographically. They accumulate in the fatty tissue of humans and wildlife and have harmful impacts on human health and the environment. POPs were commonly used as fire retardants on soft furniture and are now banned. Destroying domestic soft seating containing POPs will ensure chemicals from this source do not escape into the environment and reduce the risks to health arising from them.
Just transition	Reduces poverty and inequality	N/A	

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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