

Minutes of a meeting of the Environment and Transport Overview and Scrutiny Committee held at County Hall, Glenfield on Thursday, 5 November 2020.

PRESENT

Mr. A. E. Pearson CC (in the Chair)

Mr. D. C. Bill MBE CC  
Mr. G. A. Boulter CC  
Mr. D. Harrison CC  
Mr. Max Hunt CC

Mr. J. Morgan CC  
Mr. L. Phillimore CC  
Mr J. Poland CC  
Mrs. J. Richards CC

In attendance.

Mr. B. Pain CC, Deputy Leader of the Council  
Mr. T. Pendleton CC, Lead Member for Highways and Transportation  
Mr. O. O'Shea JP CC Cabinet Support Member.

15. Minutes.

That the minutes of the meeting held on 3 September were taken as read, confirmed and signed.

16. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 36.

17. Questions asked by members.

The Chief Executive reported that questions had been received from Mr Hunt CC under Standing Order 7(3) and 7(5).

Mr Hunt asked the following questions of the Chairman:-

**A. Wildflower Verges Schemes**

“How many schemes have been agreed under the Leicestershire County Council Wildflower Verges scheme so far, with which Parish and District Councils commencing on what dates?”

**The Chairman replied as follows:-**

The Wildflower Verges scheme last year proved very successful with 12 parishes taking part resulting in wildflower verges being produced in Broughton Astley, Sileby, Thurlaston, Sheepy Magna, Barkby & Barkbythorpe, Great Easton, Mountsorrel, Hallaton, Fleckney, Thurnby, Birstall and Kirby Muxloe.

This year's scheme is now open with the application deadline of 27<sup>th</sup> November 2020. We have already received expressions of interest from 12 parishes including Barlestone, East Goscote, Houghton on the Hill, Wymeswold, Glenfield, Countesthorpe, Hemington, Swinford, Glen Parva, Barrow upon Soar, Desford and Blaby. All locations will be assessed for suitability ready to be included in the grass cutting schedule starting March 2021.

## **B. "Resources and Waste Strategy & Recovery Standard (R1) for Energy from Waste Treatment**

1. A paper came to committee in March 2019 outlining the Government's Resources and Waste Strategy; has there been any significant development of the strategy since and if so, where should we look to update ourselves?

### **The Chairman replied as follows:-**

Government have taken forward commitments laid out in the Resources and Waste Strategy (released in December 2018). This includes consulting on major reforms to the way waste is managed, such as by introducing a deposit return scheme for drinks containers, extending producer responsibility for packaging and consistent recycling collections. The second round of consultations with further detail on these is expected in March 2021 but the date is yet to be confirmed. Leicestershire County Council responded to the first round in May 2019. Government are seeking new powers through the Environment Bill to provide the legislative framework to realise the proposals to reform the waste system. This Environment Bill is now being considered again by a Public Bill Committee which is scheduled to report by Tuesday 1 December 2020. Further information can be found here;

<https://services.parliament.uk/Bills/2019-21/environment.html>

2. Amongst other detail the paper referred to: "the Government's long term ambition is to maximise the amount of waste sent to recycling instead of incineration and landfill. They intend to drive greater efficiency of Energy from Waste (EfW) plants ..." (para 34); would this include the move to Recovery over Disposal characterised by so-called R1 operations as opposed to D10 operations for residual waste treatment?

### **The Chairman replied as follows:-**

The majority of recently constructed Energy from Waste facilities, for treating residual waste, are designed to achieve the standards required to be considered a Recovery (R1) operation. These modern facilities generally can achieve such status through solely generating electricity from the burning of the waste, but significant amounts of waste heat are also generated from the process. Further efficiencies, are being encouraged by the Government, through supporting the capture of this heat and utilising it for beneficial purposes. Examples of such Combined Heat and Power (CHP) facilities exist in Nottingham and Sheffield where the heat is utilised in "District Heating Networks".

3. I understand that to be classed as an R1 operation a waste treatment process (eg EfW/Incinerator) must meet the following criteria:
  - The combustion of waste must generate more energy than the consumption of energy by the process itself;
  - The greater part of the waste must be consumed during the operation;

- The greater amount of the energy generated must be recovered and used (either as heat or electricity);
- The waste must replace the use of a source of primary energy.

So where does Leicestershire County Council, which has been previously recorded as being technology neutral, stand on the move to R1, is this a standard we want our contractors to meet?

**The Chairman replied as follows:-**

Requiring all Contractors to meet R1 standards would move the Council away from the stated position of being 'technology neutral'. R1 specifically relates to using waste principally as a fuel, or other means, to generate energy. There are other waste treatment processes that exist, such as mechanical biological treatment, that can manage residual waste but that would not fall within this criteria. Requiring R1 status may not also be appropriate for all types of waste that might be managed by the Council due to its composition.

4. What are HM Government's current requirements to implement R1 standards and have they set a target for industry to move to R1 and away from Disposal standards?

**The Chairman replied as follows:-**

There is an obligation to consider and apply the Waste Hierarchy on any operator of a waste facility. As such, operators are required to move waste up the hierarchy where economically and technically feasible. There are no specific requirements on the operator to utilise R1 recovery processes over other disposal processes as this depends on the nature of the waste and, in some cases, disposal may be currently the only legally compliant method of managing such waste.

5. Are R1 standards a desirable or essential criteria of our present Residual Waste Procurement?

**The Chairman replied as follows:-**

For the residual waste procurement, it is set as a minimum requirement that any solution that burns or incinerates the waste (or a significant fraction of the waste) should utilise an R1 compliant facility as defined in the EU Waste Framework Directive 2008/98/EC.

6. Are R1 standards required or expressly desired within the Local Waste Plan or will that be something we need to address in the next revision?"

**The Chairman replied as follows:-**

Government guidance for strategic plan making in respect of waste management is set out in government policy: the National Planning Policy Framework (2019) and the National Planning Policy for Waste (2014). Neither of these documents refer to R1 standard.

The adopted Leicestershire Minerals and Waste Local Plan (2019) contains policy W7 (Facilities for Energy and Value Recovery from Waste). This requires that planning permission will be granted for facilities that provide for energy or value recovery, subject to certain criteria. This criteria includes pre-sorting of waste, value recovery from by-products being maximised, energy recovery being maximised and any residue of the process being managed or made use of. As there is no requirement in national planning policy for facilities to meet R1 standards, this does not form part of the policy.

Future revisions of the Minerals and Waste Local Plan will need to conform to the latest government guidance (and any associated legislative requirements) at the time the plan is produced.

The R1 standard is defined in the European Union Waste Framework Directive and is a tool used by the Environment Agency (EA) for assessing the level of energy recovery from waste. It is unclear whether the standard will continue to be used by the EA after the country's exit from the European Union.

Mr Hunt asked the following supplementary questions to Question B4 and B5:-

4. In your reply you state that "Requiring R1 status may not also be appropriate for all types of waste that might be managed by the Council due to its composition". Could you explain what it is about the composition of our waste that would suggest that Energy Recovery R1 might not be appropriate, please?

**The Chairman replied as follows:-**

"R1" treatment facilities require a suitable and relatively consistent feedstock to be able to meet and maintain the nationally recognised energy efficiency criteria. Not all of the types of waste the Council manages are suitable feedstocks due to either having too low calorific value and / or are classified as hazardous, hence requiring specialist treatment, such as through the use of high temperature incineration. Examples of such waste that the Council currently manage include construction and demolition waste and clinical waste respectively.

5. Where/how can I access the minimum requirements for the procurement.

**The Chairman replied as follows:-**

The contractual documents, including the minimum requirements, are only available to the bidders that expressed an interest in, and subsequently qualified for, the procurement.

18. Urgent Items.

There were no urgent items for consideration.

19. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

No declarations were made.

20. Declarations of the Party Whip.

There were no declarations of the party whip.

21. Presentation of Petitions.

The Chief Executive reported that no petitions had been received under Standing Order 35.

22. Environment and Transport Annual Performance Report 2019/2020.

The Committee considered a report of the Director of Environment and Transport and the Chief Executive on Environment and Transport's Annual Performance Report 2019/2020. A copy of the report, marked 'Agenda Item 8' is filed with these minutes.

Arising from the discussion the following points were noted:-

- i. The percentage of the 'unclassified road network requiring maintenance had increased from 15% in 2018/19 to 16% in 2019/20. Unclassified roads made up 56% of the Council's road network and the deterioration reflected the lack of investment over several years. Unclassified roads tended to have lower category function in the road network and were used for more local journeys. Despite this overall satisfaction with the condition of highways had improved from 29% to 35%.
- ii. Despite a small decrease in 'municipal waste sent to landfill' from 33.8% 2018/19 to 32.2% in 2019/20 the indicator remained in the fourth quartile of performance and missed its 30% target. The Department continued to see higher levels of waste in part due to the failure of the Cotesbach Mechanical Biological Treatment facility. It was anticipated that the position would improve in future years once procurement was completed for 60,000 tonnes of waste for a non-landfill solution, as well as from increased waste tonnages sent to the Coventry Energy from Waste Facility.
- iii. In regard to the speed camera scheme, the Department continued to lobby HM Treasury without success. Members were assured that the Council would continue to lobby Government to allow the County Council to retain fines to pay for the costs of camera roll out.
- iv. Leicester City Council had been awarded funding for air quality as data had identified to Government that it was an area of concern. The County Council however, had no funding as districts managed the air quality management areas. The Council would work with districts to look at areas where improvements could be made.
- v. Performance of 'footpaths and other rights of way that were signposted and easy to use' also fell from 77% to 74.5% below the 75% target. The Department only had a small budget for maintenance of such paths despite the size of the network, meaning it was challenging to address all problems.
- vi. Members welcomed the commitment to bring a report in 2021 to address concerns regarding natural capital and biodiversity.
- vii. As a result of Covid-19 the Council had created a booking system for Recycling and Household Waste Sites appointments. This had a marked benefit in allowing the sites to remain open and in managing the flow through sites. Since its introduction, the number of appointments residents could make had increased from once fortnightly to three per fortnight. The Council was also in the process of exploring the possibility of on the day booking.
- viii. 'Average speed on A roads' was an indicator set by the Department for Transport which allowed the Council to compare itself with other areas. It was acknowledged that it might not be the most ideal way of monitoring congestion in county towns.

Setting up a system to monitor roads, especially unclassified roads, would be an enormous resource intensive task.

RESOLVED:

That the Annual Report be noted.

23. Highway Capital Programme 2020/2021 Update.

The Committee considered a report of the Director of Environment and Transport regarding the Highway Capital Programme 2020/2021. A copy of the report, marked 'Agenda Item 9' is filed with these minutes.

Arising from the discussion the following points were noted:-

- i. There had been a pause in the delivery of the capital maintenance programme at the start of lockdown. Working methods had since been reviewed and all programmes had continued with the exception of surface dressing. Surface dressing funding was reallocated to alternative restorative treatments such as patching. It was recognised that members of the public were using footpaths more as a result of Covid-19 and it was important that the Council looked at what it could do to mitigate footpath deterioration.
- ii. The decade of underfunding for highway maintenance had resulted in deterioration of road lining and road studs across the county, the current allocation for lining and road studs totalled £1.545million (partly funded by the Department's allocation of £0.5million from the £10.2million DfT's Transport Infrastructure Fund issued to Leicestershire County Council). While demand remained several times the figure budgeted, Members were nevertheless encouraged to report any known issues to the Department which would be prioritised using the Council's risk based approach to asset management.
- iii. In response to concerns raised that major highway schemes seemingly did nothing to ease traffic for local residents the Director assured Members that improvements made to the road network, such as the A512, were to enable development of new business and houses, if the works had not been undertaken the impact on the existing network would have been severe.
- iv. In response to a query regarding the possible redevelopment of Junction 20 the Director informed the Committee that any improvements would only be made linked to the Lutterworth East development as the County Council had not identified any issues with local access. The Council were also aware that Highways England had no improvement plans at Junction 20 as they had higher priorities such as Junction 21.

RESOLVED:

That the Highway Capital Programme 2020/2021 update be noted.

24. Community Speed Enforcement Initiative.

The Committee considered a report of the Director of Environment and Transport regarding the Community Speed Enforcement Initiative. A copy of the report marked 'Agenda Item 10' is filed with these minutes.

The Director reported that Cabinet had adopted a formal position, on 20 October 2020, on the establishment of a Community Speed Enforcement Initiative following the successful trial of the seven average speed cameras in Leicestershire.

Arising from the discussion the following points were noted:-

- i. Only the Police could enforce speed limits, the County Council's role was in supplementing the police with equipment to allow them to undertake their enforcement role. Areas chosen were classified as 'community concern sites'. These sites required that at least 50% of all traffic recorded as travelling at 10% plus 2mph above the speed limit.
- ii. The County Council could only fund seven sites at any one time. Officers recognised that Members received many requests, like the ones submitted by Mrs Richards CC to Cabinet. The Director assured the Committee that the Department was developing robust communications about how sites would be selected and the process that would be undertaken., This would be issued to members and include details of areas already listed. It was hoped by Spring 2021 the data collection would be completed and the list of the next the seven sites identified.
- iii. The data would be gathered using radar units and the data already held by the County Council and the Police to see which areas had the worst problems. Members thanked the Director for the openness and were pleased that the process would be transparent. It was hoped such information would help especially in communities that had a perception of speeding which the evidence might not support.
- iv. In response to a query the Director informed the Committee that the use of camera enforcement was the last choice in the initiative. Prior to the enforcement other measures such as gateway treatments, community speed watch, vehicle activated signs and mobile vehicle activate signs would be considered before installation of speed cameras which were resource intensive and needed to be set up in very exacting ways.
- v. Existing sites would remain in the programme for the next year and the Council would continue to review all sites on a two-year basis and look to move sites where needed.
- vi. In response to comments made the Director informed Members that all road users should keep within the speed limit; it was a limit and not a target to aim for.

Members thanked officers for the document and welcomed further information from the Department regarding next steps.

**RESOLVED:**

That Members supported the Community Speed Enforcement Initiative and welcomed further information that could be shared with their communities.

25. Network Management Plan Refresh.

The Committee received a presentation from the Director of Environment and Transport regarding the Network Management Plan Refresh. A copy of the report and presentation is marked 'Agenda Item 11' and filed with these minutes.

Arising from the discussion the following points were noted:-

- i. The Department were considering a lane rental scheme, which would mean utility companies who wished to undertake roadworks had to book and pay for the road lane. This could generate income that could be invested back into the highways network and make utilities plan their maintenance and reduce the time taken. Further details of the scheme would be brought to Members for consideration.
- ii. Where Members saw temporary traffic lights where no works were ongoing, or poor patch work then it should be reported to the County Council as quickly as possible. The Council's permit and fine system allowed them to have more inspectors on the network, however they could not be everywhere, the more information the Council received the quicker it could react, including stepping in to make utilities re-do any poor patch works.
- iii. The Council were aware that traffic was one of biggest contributors to air quality within Leicestershire. Environment and Transport colleagues were working with the districts and Public Health to look at joint working and consider what measures could be planned for to mitigate air quality in the future.
- iv. Operating a transport network with Heavy Goods Vehicle's posed an endless challenge of enforcing weight restriction, which only the Police could do. The Council had seen previous success from community lorry watch schemes. Unfortunately the Council was constrained by the network and had to determine on appropriate diversions Where possible these would be kept to main roads however it was acknowledged that was not always possible.

RESOLVED:

- a) That the presentation received be noted
- b) That the draft network management plan documents be circulated to Members and that any comments are submitted to Cabinet.

26. Date of next meeting.

It was noted that the next meeting of the Committee would be held on 14 January 2021 at 2pm.

CHAIRMAN

05 November 2020