



CABINET – TUESDAY 25 OCTOBER 2022

ORDER PAPER

ITEM DETAILS

APOLOGIES FOR ABSENCE

Mr. O. O'Shea CC

1. MINUTES (Pages 3 - 18)

Proposed motion

That the minutes of the meeting held on 23 September 2022 be taken as read, confirmed, and signed.

2. URGENT ITEMS

The Chairman has agreed to take one urgent item, a joint report of the Director of Law and Governance and Director of Adults and Communities titled "Local Government and Social Care Ombudsman Report Regarding Adult Social Care". This will be considered at item 9 on the agenda.

3. DECLARATIONS OF INTEREST

Members of the Cabinet are asked to declare any interests in the business to be discussed.

4. NET ZERO LEICESTERSHIRE STRATEGY AND ACTION PLAN (Pages 19 - 164 and Supplementary pages 3 - 36)

- *The full Net Zero Consultation Summary Report was circulated to the Environment and Climate Change Overview and Scrutiny Committee and has also been published alongside the Cabinet report and appendices for information.*
- *The Environment and Climate Change Overview and Scrutiny Committee considered this report at its meeting on 20 October and a draft minute is attached to this Order Paper, marked "4a".*
- *Comments have been received from Mr. Max Hunt CC on behalf of the Labour Group which are attached to this Order Paper, marked "4b".*

Proposed motion

- (a) That the findings of the public consultation on the draft Net Zero Leicestershire Strategy and Action Plan and comments of the Environment and Climate Change Overview and Scrutiny Committee be noted;
- (b) That the amendments made to the Net Zero Leicestershire Strategy and Action Plan in response to the consultation findings, as described in the table in paragraph 39 of the report be supported;
- (c) That the amended Net Zero Leicestershire Strategy and Action Plan, and the 2030 Net Zero Council Action Plan be submitted to the County Council for approval at its meeting on 7 December 2022;
- (d) That the Director of Environment and Transport, following consultation with the Lead Member for the Environment and Green Agenda, be authorised to make any further minor amendments to the Net Zero Leicestershire Strategy and Action Plan in the light of any feedback from Environment and Climate Change Overview and Scrutiny Committee and the Cabinet.

5. TREATMENT OF POST-2020 RESIDUAL WASTE PROCUREMENT (Pages 165 - 172)

- *Comments have been received from the Loughborough Air Quality Protection Group which are attached to this Order Paper, marked "5a".*
- *Comments have been received from Mr. Max Hunt CC on behalf of the Labour Group which are attached to this Order Paper, marked "5b".*

Proposed motion

That the award and anticipated signing of the contract with Biffa Waste Services Ltd. for the treatment of residual waste be noted.

6. HOUSEHOLD SUPPORT FUND (Pages 173 - 188)

Proposed motion

- (a) That the support for Leicestershire residents that has been provided through the Household Support Fund (HSF) from April 2022 to September 2022 be noted;
- (b) That the delivery approach of the HSF from October 2022 onwards as detailed in this report be approved;
- (c) That the HSF Policy, appended to the report, be approved;
- (d) That the Director of Corporate Resources, following consultation with the Cabinet Lead Member, be authorised to make minor amendments to the eligibility and payment values in the HSF Policy.

7. **EXCEPTION TO CONTRACT PROCEDURE RULES - URGENT ACTION TAKEN BY THE CHIEF EXECUTIVE TO APPOINT A SUPPLIER TO PROVIDE ENHANCED SUBSTANCE MISUSE PROJECTS IN LINE WITH THE SUPPLEMENTARY SUBSTANCE MISUSE TREATMENT AND RECOVERY GRANT** (Pages 189 - 192)

Proposed motion

That the urgent action taken by the Chief Executive to agree an exception to the Contract Procedure Rules to enable the appointment of Falcon Support Services to carry out the projects funded through the Supplementary Substance Misuse Treatment and Recovery grant provided by the Office for Health Improvement and Disparities for up to 3 years be noted.

8. **ITEMS REFERRED FROM OVERVIEW AND SCRUTINY**

None.

9. **ANY OTHER ITEMS WHICH THE CHAIRMAN HAS DECIDED TO TAKE AS URGENT -**

LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN REPORT REGARDING ADULT SOCIAL CARE (Pages 3 - 20)

- (a) The public report of the Local Government and Social Care Ombudsman (LGSCO) be noted;
- (b) The Director of Adults and Communities be required to implement the recommendations of the LGSCO as set out in paragraphs 59 to 62 of the LGSCO report.

Officer to contact

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**ENVIRONMENT AND CLIMATE CHANGE OVERVIEW AND
SCRUTINY COMMITTEE - 20 OCTOBER 2022**

NET ZERO LEICESTERSHIRE STRATEGY AND ACTION PLAN.

DRAFT MINUTE EXTRACT

The Committee considered a report of the Director of Environment and Transport which provided an overview of the findings of the public consultation on the draft Net Zero Leicestershire Strategy and Action Plan and set out the final versions of the Strategy and Action Plan, along with the 2030 Net Zero Council Action Plan.

The Committee also considered a supplementary report of the Director of Environment and Transport which provided a full summary of the consultation findings. A copy of the reports, marked 'Agenda Item 8', is filed with these minutes.

The Chairman explained that an enquiry had been received from a member of the public, asking how transport emissions would be reduced, given that they were amongst the biggest contributors to overall carbon emissions in the county but had low deliverability scores. The enquiry had not been received in time to be included under the agenda item 'Question Time', but he had asked officers to provide a response in their introduction to the report.

In response to the enquiry, the Director advised that tackling transport emissions in the UK was one of the most challenging areas to address in order to become net zero. Transport emissions were decarbonising at a much slower rate than other emissions sources. Actions to address this would be set out in the Local Transport Plan 4 (LTP4), which presented a vision for the future, and the Electric Vehicle Strategy, which had carbon reduction at its heart and was focused on accelerating changes and supporting the development of the charging infrastructure. The Council, as well as focusing on reducing its own carbon emissions, also intended to encourage and support partners to deliver reductions in their emissions.

Arising from discussion of the Strategy and Action Plan, the following points were raised:

- (i) The reserve funding pot of £450,000, allocated by the Cabinet in September 2019, had not been spent yet due to costs to date being covered by the overall departmental budget. This meant it would be available to fund delivery of some of the actions in the Net Zero Strategy. It was confirmed that the funding was still earmarked for this purpose, however, members were reminded of the challenging financial circumstances facing the Council and the upcoming budget process. Going forward, it was intended that the clean, green agenda would be business as usual and funded via departmental budgets rather than through a specific financial reserve.

- (ii) It was confirmed that 1400 was the cumulative response rate for the consultation, made up of several different consultation channels.
- (iii) The trial of hydrotreated vegetable oil (HVO) in large highways vehicles was ongoing. There were plans to extend the trial to the fleet of waste vehicles. Work was also ongoing to consider procurement issues and the capacity of the market. The Committee was pleased to learn that HVO achieved a 95% emissions reduction when compared to white diesel and supported the continuation of the trial.
- (iv) Electric vehicles within the County Council's fleet were both leased and owned by the Council. EV batteries are still a relatively new technology so end of life solutions which include recycling and reuse change rapidly.
- (v) The planning application for the solar farm at Quorn had recently been permitted. It was hoped that work would start onsite during the following year. The business case for the solar farm was robust and had been strengthened through the recent rises in energy prices. In addition, it would provide a stable source of energy for the County Council. It would generate sufficient energy to power 3000 homes.
- (vi) A member suggested that the Action Plan was lacking a trajectory for the actions and queried why such a difficult and long-term strategy had been attempted. In response, the Cabinet Lead Member acknowledged that the Strategy was difficult, and subject to political and economic volatility, but reminded members that the Council was largely working towards national targets or those identified through the Council's membership of particular groups. The Council would work in partnership with other organisations to deliver the targets. It was also confirmed that there would be five year planning cycles with an annual report on the delivery of the Action Plan.
- (vii) A member queried the meaning of a just and fair transition to net zero. The Director provided the example of domestic retrofitting; some people could afford to improve the insulation of their home and could access a collective purchasing scheme to enable them to do so. For those that could not afford it, Green Living Leicestershire was a scheme funded by Central Government which gave those most in need access to measure which would improve the energy efficiency of their homes.
- (viii) In response to criticism from a member that the actions, whilst praiseworthy, were not SMART, the Cabinet Lead Member advised that whilst some future actions would inform detailed business cases, each action was clearly defined and that timescales, costs, carbon savings and how deliverable each action was thought to be were all set out in the Action Plan. However, the County Council would not be able to deliver the actions alone. Its knowledge and evidence bases would be used to help others to deliver actions.

RESOLVED:

That the comments now made be submitted to the Cabinet for consideration at its meeting on 25 October 2022.

Submission to Cabinet
25th October 2022



From the Labour Group

Item 4: Net Zero Leicestershire Strategy and Action Plan

Two defensive themes run through this paper. One is that central government is holding us back from things we want to do, for example in our local plans. The other is that within the county at large we cannot do much alone. This rather questions whether the administration has confidence in the plan.

There are repeated references to “not being able to do it alone” but in the two years since the Tranche 2 policy was announced no partnerships have been forged with businesses or other public sector bodies.

Surely it would be far better to implement practical measures with local partners in the immediate term, following the five year carbon budgets.

Domestic energy use in Leicestershire. This is a case in point.

Only 41% of existing homes have an energy efficiency rating of C or higher. That would present a challenge, but sadly you won't find that in the report. Top of the list of actions should be a major campaign for better home insulation and revitalising the Solar Together programme.

Given soaring energy bills, there is a shocking gap in policy for better insulated homes. Government promised significant public spending in 2019 and committed to new policies last year, neither has yet occurred.
Climate Change Committee: June 2022

Transport is another urgent case, one in which you might think we had some control.

The plan wants to offer low carbon choices for all but there is no plan to ensure they are used. For many years the county council has encouraged us to leave the car at home and use alternatives for short journeys but mere encouragement has not, unfortunately, cut the mustard.

The Government has acknowledged the need to limit traffic growth, shifting travel to public transport and active travel, but action is now required to ensure this.
Climate Change Committee: June 2022

There are easy pickings like tree planting which are regularly trumpeted, but an unwillingness to address more difficult measures head on. As a predominantly rural county it also has much to say for farming.

Agriculture and land use have the weakest policies in the CCC's assessment. *Climate Change Committee: June 2022*

A successful action plan needs to focus on clear outcomes with SMARTⁱ actions. There are too many actions (163 so far!) Very few actions are specific or measurable. Many rely on further investigations and studies into question to which we already know the answers. There are copious good examples to follow, look no further than action being taken in other local authorities.

It's clear that the financial position the County faces, we need to challenge ourselves with an approach to Climate Change and Net Zero that is clear and concise, rather than spending scarce resources on the maintenance of a strategy which is unlikely to deliver change beyond our "our own operations" which represent little more than 2% of the county's emissions.

We recommend that the Action Plan is stripped down to a limited number of short term targets which are achievable and measurable. Base these on the five year cycle of Carbon Budgetsⁱⁱ and use those to track progress.

The Committee on Climate Change could not be clearer about what we must do to meet carbon budgets with cleaner energy, home insulation, less red meat, sustainable transport, better building and so on.

We need to make this task easier by working with others in practical and more focused ways, making the best use of the funds allocated

ⁱ SMART: *Specific, Measurable, Achievable, Relevant and Time bound.*

Comment – Understanding the implications of a decision to incinerate waste at Newhurst –

Part 1 PM2.5 emissions

The health impacts of incineration (EfW) are not completely understood. Information is advancing all the time. By contracting the County's residual Waste entirely to incineration, the County Council binds the Community to suffer consequences that are as yet not fully understood.

It would be prudent and responsible for Cabinet to defer a decision to contract with Biffa until the impacts of PM2.5 on those with higher activity levels are fully researched and appropriate air quality targets are set.

Presumably, if the Cabinet is content for Leicestershire's waste to be incinerated at Newhurst, Members will be making a conscious decision that this will **contribute to the amount of PM2.5 breathed by the Community**, including elite and endurance athletes and they are prepared to live with the consequences.

Fine particulate matter (PM2.5) has a complex impact on human health. Once inhaled, these elements and compounds may pass into the blood stream, scarring blood vessels. Others may become lodged in the deepest parts of the lungs. In fact preventable deaths due to PM2.5 is the 3rd leading cause of preventable deaths in Leicestershire and approximately 88 deaths in 2018 could be attributed to it. Cabinet Members will also be aware of statements made by The Director of Public Health about the dangers of PM2.5.

Waste Incineration at Newhurst will produce PM2.5 emissions-to-air. Emissions of PM2.5 emitted at the Flue are subject to limits specified in an Environmental Permit, these emissions will be monitored reported to the Environment Agency who will take action if/when limits are exceeded.

The levels of PM2.5 in the ambient air, especially downwind of the incinerator in Loughborough, will be monitored by the Environmental Protection Team from Charnwood Borough Council.

The permitted annual mean (AQO) levels of PM2.5 are currently set to 20 ug/m³ and will be reduced to an expected 10 ug/m³ when the Government next releases targets; the comparative World Health Organisation level is 5 ug/m³.

However these levels of PM2.5 in the air do not mean that it is safe for the Community to breath. The World Health Organisation states "even the new limits should not be considered safe, as there appears to be no level at which pollutants stop causing damage"

A further consideration is the location of the Newhurst incinerator in relation to Loughborough University's campus, where elite and endurance athletes train and compete. Data collected recently by the CBC Environmental Protection Team, using sophisticated monitoring equipment located between the incinerator site and the campus, show an annualised mean of PM2.5 of 11.50 ug/m³ – this is even before the incinerator becomes operational!

In her submission to the Environmental Targets Consultation (Maty 2022) Jane Hunt, MP for Loughborough, stated the following...

"...where we are lacking in research and data is the impact PM2.5 has on elite athletes. The University informs me that, while the average resting human breathes approximately 5 to 6 litres of air per minute, a typical endurance athlete may breathe around 150 litres a minute, and some world class athletes may breathe 300 litres a minute. This increased ventilation means that elite athletes are far more susceptible to respiratory problems such as asthma.

This is of particular concern in my constituency, given that the University is the UK's leading university for sport, playing host to international, Olympic and Paralympic teams who come to take advantage of its unique facilities, some of which are located in the vicinity of the new incinerator. I would, therefore, argue that before setting an air quality target, more work needs to be done into the impact of PM2.5 on those with higher activity levels"

"Particulate matter is understood to reduce life expectancy by 6 months on average, and most of the short-term acute exposures that contribute to the cumulative burden go unnoticed or forgotten"

Comment – Understanding the implications of a decision to incinerate waste at Newhurst –

Part 2 CO2 emissions

It is inescapable that man made CO2 is the main causal factor for climate change – worldwide. By contracting the County's residual Waste entirely to incineration, the County Council commits to the avoidable production of CO2. Incineration is in direct conflict with the Draft Waste & Resources Strategy 2022 – 2050 which states...

“How we view ‘waste’ has changed; it is no longer only something to get rid of, but is now considered a valuable resource, to be retained and reused, or avoided at all where possible...”

It would be prudent and responsible for Cabinet to defer a decision to contract with Biffa until alternative, proven waste disposal technologies that do not generate significant tonnages of CO2 are fully evaluated.

Presumably, if the Cabinet is content for Leicestershire’s waste to be incinerated at Newhurst, Members will be making a conscious decision that will result in **the production of circa 175,000 tonnes of CO2 annually** and they are prepared to live with the environmental consequences.

Incinerators emit large quantities of CO2, roughly one tonne* of CO2 for every tonne incinerated. About half of this CO2 derives from fossil sources such as plastic. For decades incinerators have been releasing harmful greenhouse gas (GHG) emissions without compensating society for the associated harm that this has caused.

Much of what is incinerated is not genuinely residual waste, but rather valuable material that could and should have been recycled or composted. Compositional analysis studies show that there are many instances where the majority (i.e. over 50%) of ‘waste’ collected at the kerbside could have been recycled or composted had it been put into the correct bin. And this does not even take account of the opportunities for Councils to extend the range of materials they accept for recycling at the kerbside.

When incinerators burn plastic they consume fossil fuel (most plastics are made from crude oil, a fossil fuel). The small amount of energy produced by incinerators is generated inefficiently and comes at a high climate cost.

Difficult-to-recycle materials are increasingly being redesigned or phased out, meaning incinerators are becoming increasingly reliant upon burning recyclable and compostable material.

It is important to note that carbon is sequestered within plastics; unless the plastic is burned the carbon is either not released or is released over many years as the plastic degrades. Conversely when plastic is incinerated the carbon is released in a ‘hit’ of CO2 thus overwhelming the ability of trees and plant-life to absorb it.

Proponents of incineration will refer to methane being produced from waste that is sent to landfill as being more potent than carbon dioxide at trapping heat in the atmosphere and that methane is not produced when waste is incinerated. What they won’t tell you is that only the biogenic component of waste in landfill produces methane as it decomposes over time, whereas the entire combustible component of incinerated waste produces CO2. Atmospheric methane is short-lived compared to CO2 and as the Global Methane Initiative states “There are many economically viable opportunities worldwide to reduce methane emissions”.

The bottom line is that incinerating Leicestershire’s waste will produce circa 175,000 tonnes of CO2 annually that **would not be produced** if alternative waste disposal technologies were to be used to the exclusion of incineration. Generating CO2 is wholly inconsistent with Objective 3 of the RWS, namely...

“Reduce carbon emissions from Leicestershire’s waste”

*When carbon (C) is incinerated it is combined with oxygen (O) which turns it into CO2. One can convert carbon content (% Carbon) to Fossil CO2 by multiplying by 44/12 (3.6667). Thus, to derive the CO2 released by the incineration of one tonne of Dense Plastic (which has a carbon content of 54.8%) one multiplies 0.548 by 3.6667 to get around 2.01 tonnes of Fossil CO2.

Submission to Cabinet
25th October 2022



From the Labour Group

Item 5: Treatment of Post-2020 Residual Waste Procurement

Several times Cabinet members promised to look at a range of ways to treat residual waste but have come up with only one –incineration.

To the three rules in the hierarchy of waste management, the county council has added a fourth – let it burn.

1. Experience across the country tells us that incineration means recycling will decrease, and residual waste is likely to increase as a proportion. What assurance do we have to the contrary?
2. Incinerators need to burn continually which creates a constant demand for waste to feed the furnace regardless. Hence pressure is created to create more waste.
3. The cost and terms of the contract have yet to be revealed inevitably includes the amortised capital cost of the multi-million EfW plant.
4. The majority of waste emissions will be directed in a westerly direction over the built up area of Loughborough, and at a time when the Government is calling for more relaxed regulations.
5. The report states that carbon emissions will be reduced, but no figures are provided to support this. Nothing is said about other greenhouse gases or particulates.
6. No costs or conditions are provided in the report. Nor is there any information on our waste requirements of the contractor.

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