

Minutes of a meeting of the Environment and Transport Overview and Scrutiny Committee held at County Hall, Glenfield on Thursday, 7 November 2019.

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 J. Poland CC  
Mrs. J. Richards CC  
Mrs B. Seaton CC

In attendance.

Mr. B. Pain CC, Cabinet Lead Member for Environment and Transport.

Mr. O. O'Shea CC, Cabinet Support Member.

31. Election of Vice-Chairman.

It was moved by Mr. A. E. Pearson CC and seconded by Mr Harrison CC.

That Mrs J. Richards CC be elected Vice-Chairman of the Environment and Transport Overview and Scrutiny Committee.

There being no other nominations, the Chairman declared Mrs. J. Richards elected as Vice Chairman.

32. Minutes.

The minutes of the meeting held on 5 September 2019 were taken as read, confirmed and signed.

33. Question Time.

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

34. Questions asked by members.

The Chief Executive reported that questions had been received under Standing Order 7(3) and 7(5) from Mr Hunt as follows:-

**Questions from Mr. M. Hunt CC**

I am concerned that whilst local planning authorities have given great emphasis to the provision of public transport, cycling and walking, this may not always translate into related major highways works.

1. When making a case for major highways works to the Government Growth and Housing Fund or the Local Growth Fund, where housing developments are

involved, what priority in the process is given to improving public transport access (including bus lanes), safe cycleways and attractive pedestrian routes?

2. Where such housing developments are likely to take many years to complete and bearing in mind this may take 20 years for a Sustainable Urban Extension, what consideration is made to meet climate change targets and the policies being cited by the profession.
3. Do we need to plan our transport network differently to meet climate change targets and the necessary mitigation if we fail, if so where should members learn more about this?
4. Were public transport and active travel modes considered at a sufficiently early stage in the recent A512 widening programme and what developer funding was provided for the scheme and from which developers?
5. I have been told that tree planting replacement on the areas around the A512 project is not possible due to the gradients. Is this the case, and if so what other planting is possible?

**The Chairman replied as follows:-**

1. When developing any bids, such as the Local Growth Fund or the Growth and Housing Fund, Leicestershire County Council, as the local highway authority, will always look to see what transport improvements can be made against the funding stream criteria. If public transport access, cycle provision or pedestrian facilities are appropriate we will bid accordingly. However other funding streams such as the Access Fund or Local Sustainable Transport Fund are often more suitable for funding these types of measures. The County Council has a strong track record of bidding and securing funding, in a competitive environment, to improve sustainable transport infrastructure as can be seen through the Local Growth Funding scheme on the A50 and the Housing Growth Funding on the A46 and Anstey Lane. Whilst we always seek to secure such infrastructure, it is dependent on the criteria of the funding stream as well as what can be physically delivered.
2. In the main this is a consideration for the Local Planning Authority when the developments are first proposed. As highway authority the County Council feeds into the planning process and the on-going review of the Leicestershire Highways Design Guide is likely to provide guidelines on how developers can address these issues as far as highway construction and mitigation is concerned. In addition, the continued work undertaken with developers to put in place Travel Plans and promote sustainable modes of travel will also help to contribute to the climate change targets.
3. Regarding planning of the transport network, the County Council has to operate within the context of the national transport policy framework. For several years, the Government's emphasis for transport policy has been to support housing and economic growth with limited consideration of the environment and climate change. The Government have begun the groundwork on the first detailed plan to decarbonise the transport sector and we understand this will be launched next year. The climate action roadmap will be one of many new government climate proposals expected in 2020 to help meet the UK's legally binding target to [build a carbon neutral economy by 2050](#). It will set out in detail what Government, business and

society must do to deliver the emissions reductions needed from all modes of transport. The Transport Decarbonisation Plan will take a co-ordinated, cross-modal approach to deliver the transport sector's contribution to our decarbonisation targets.

The County Council will take account of this plan as it undertakes the work to review the Environment Strategy to reflect the Council's carbon neutral commitment and the emerging work programme in developing an updated Local Transport Plan building on the work of LTP3. Both the Environment Strategy and LTP4 will be subject to consideration by Members through the appropriate scrutiny processes and by the Cabinet and the full Council as appropriate.

In terms of delivery of highway projects, the department is currently reviewing the Council Climate Change Risk Register for Highways and this is likely to identify any gaps in terms of both mitigation and adaptation for Climate Change. The Leicestershire County Council Highways Design Guide is soon to be reviewed which will be an opportunity to consider how best to address issues around climate change related to new development standards. The Environment Group formed as part of the County Council, Morgan Sindall and Midlands Highway Alliance partnership will also be examining issues around climate change and the wider environment to ensure infrastructure delivery minimises carbon emission where we can.

4. The key criteria for securing funding for the A512 widening programme was to unlock housing and economic growth. As part of this, a non-motorised user audit on the proposed J23/A512 scheme identified the need to ensure the scheme tied in appropriately with the existing walking and cycling provision along the A512. In addition, where possible, improved facilities will be provided, for instance, the new toucan crossing points for pedestrian/cyclists on various legs of J23 and the new roundabout on A512.

Contributions relevant to the scheme have been sought from third parties. The exact details of these contributions are set out in commercially sensitive agreements. The position with regard to funding is that the Council has received (or are able to draw down) £5m Growth and Housing Fund from Highways England, £12m Local Growth Fund, administered by the Leicester and Leicestershire Enterprise Partnership (LLEP).

The scheme budget is £25m and whilst Leicestershire County Council is forward funding the remaining 3<sup>rd</sup> party contributions, provided the scheme is delivered within budget the County Council is not ultimately contributing to the scheme as the authority will be repaid via developer contributions.

5. The preparation of the landscape scheme is in the early stages but discussions on the proposals have taken place with Charnwood Borough Council and have fed into the public consultation exercise. The proposals are to be vegetation replacement including native trees, shrubs, hedgerows and grassland and to generally maximise opportunities for improving the biodiversity as far as possible along the road corridor. It is not possible to tree plant on slope profiles greater than 1 in 2 and these slopes would be limited to shrub planting, hedgerows and grassland establishment as appropriate.

**Mr . M. Hunt CC asked the following supplementary questions to which the Chairman invited the Director of Environment and Transport to respond:-**

1. "Is the priority implied in the answer to question 1 quite low when applying for these funding opportunities as far as active transport modes concerned?"

The Director of Environment and Transport replied as follows:-

"It is a priority. As Mr Hunt is aware the Leicestershire County Council's Local Transport Plan (LTP) clearly sets out how we will support all modes of transport, including walking, cycling and public transport.

However, the answer in terms of specific funding streams does depend on the criteria set out as many are about unlocking housing, so therefore that is how you tick the box to get funding, and to be frank, some of the Department for Transport's (DfT) evaluation processes don't always work in favour of things like walking, cycling and public transport.

Where a funding stream is available for sustainable travel the Council will bid for it and we have been successful in the past with things like the Local Sustainable Transport Fund (LSTF) and Access funding. We were successful in obtaining Access funding for North West Leicester amounting to £3.2million.

Where funding is not available the Council will continue to do its best to include walking, cycling and public transport provision within those wider schemes, however, we are often constrained by the requirements of the funding streams."

2. "My second supplementary question is about the cycle of building sustainable urban extensions, and at what point we consider climate change targets. The answer I received is that it is up to the local planning authority, but the local planning authority always includes the travel modes that we have mentioned, so what does the County Council do."

The Director of Environment and Transport replied as follows:-

"The County Council has to respond as the highway authority to planning applications when consulted, such as for these big sustainable urban extensions. The Council must respond based on government guidance and our own policies like our own LTP.

Obviously the climate change agenda has really accelerated over the last year, and as you are aware the Council has made a climate commitment to reduce carbon. As part of that we are reviewing the Council's Environment Strategy and that will begin to filter into anything different we need to do when we are responding to consultations, such as large sustainable urban developments.

One other factor that may be of interest to Mr. Hunt is that we have recently been talking to the DfT on how they evaluate and assess modelling so in future they could consider carbon as a factor, because at the moment it's not a factor that triggers any of the evaluations when it comes to assessing and awarding funding. I think probably the frustration is that the existing policies, guidance and practices are slower to change perhaps than public perception would want, and indeed we as individual officers would want, but there's certainly a lot of activity happening to better reflect where this Council is in terms of climate and carbon."

3. "Could officers confirm that when we are planning our transport network we wait for government to show us how we need to adapt in this 20-30-year cycle. My concern here is we are already planning for housing developments 20-30 years ahead now but

are having to rely on a steer from government, so how do we factor in the mitigation needed?”

The Cabinet Lead Member for Environment and Transport, replied as follows:

“The Environment Bill which had its second reading in Parliament is due to go through its committee stages, which will be after the general election. There are a huge swathe of measures that the previous Government were intending to bring forward which will really up our game nationally to address the climate emergency, that most of us have adopted, just incidentally I read the other day Friends of the Earth had done a climate assessment for each authority area within the county. I may be mistaken but it said only two of three of the authorities within this area have adopted a climate emergency stance, so when we are talking about obligations on the planning authorities to enshrine within their own planning measures to be able to address the climate challenges we face, I think we really do need to look beyond what we are doing and think more holistically across Leicestershire, and in time rely on the measures within the Environment Bill and the Waste and Resources Strategy to guide us towards an improved place.”

35. Urgent Items.

There were no urgent items for consideration.

36. 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.

37. Declarations of the Party Whip.

There were no declarations of the party whip.

38. Presentation of Petitions.

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

39. Major Road Network: A511

The Committee considered a report of the Director of Environment and Transport concerning the A511 Growth Corridor Proposals. A copy of the report, marked “Agenda Item 9” is filed with these minutes.

Members thanked officers for the detailed site visit which was provided and highlighted the current problems with congestion and the proposed schemes to improve the A511. It was agreed future site visits would be organised as appropriate.

Members noted the detailed comments provided by local member Dr. T. Eynon CC. In response the Director briefly addressed the following four points raised as follows:-

‘Assurance that the Junction 6, the Bardon Link Road was deliverable’ – Officers were already in the process of liaising with Network Rail (due to the long lead in time) and with landowner’s whose land would need to be acquired for the proposals.

‘Feasibility of a walk/cycle path into Coalville’ – While this will complement the Major Road Network (MRN) bid, the cycle path along the disused railway near the

link road would be added to the Coalville Cycle Strategy, officers would consider how it could be progressed.

'Assurance that the Stephenson's Way roundabout will have the capacity to cope with the traffic' – Members were assured that officers had undertaken simulations of the traffic into 2030 to ensure it would have the capacity to deal with future pressure.

'A harmonisation of the speed limits along the A511' – this issue had been the subject of long and detailed discussions. The County Council would always manage speeds as per the national criteria.

A more detailed response would be provided to Dr Eynon on this and the other points raised in her submission.

Arising from the wider discussion, the following points were raised:-

- i) Extensive engagement had been carried out. While responses received agreed with the need for improvement many wanted the proposals to go further. Members were informed that the County Council were only able to bid up to £50million as part of the Major Road Network (MRN) scheme. However, the County Council were in ongoing discussions with the Department for Transport (DfT) to see how the scheme could be developed to encourage sustainable travel, which had not been in the original specifications set out by DfT. Due to limited land along the A511 it was unlikely that a bus lane could be included in the scheme but officers were exploring other ways to promote sustainable travel along the route.
- ii) Members were pleased that the scheme would improve air quality by easing congestion and preventing stop start movements, especially through the Birch Tree Roundabout which was considered one of the worst areas in Leicestershire for air quality.
- iii) Concern was raised over shared cycle and walking paths, due to the increasing use of mobility scooters. Officers assured members their comments would be fed in as part of the design process.
- iv) The Director reported that the Council had recently received a "Planning for Natural Environment" award for the work undertaken on the Melton Mowbray bypass. Members were assured the good work would continue into the A511 proposals and that tree planting would include a mixture of coniferous and deciduous trees, where appropriate.
- v) Members were informed that the County Council were looking to conclude a risk sharing agreement with North West Leicestershire District Council to deal with the situation that if the £7.0m that the County Council had to forward fund was not repaid through Section 106 agreements. The risk was considered low as developments with planning agreement's already in place would be sufficient to cover the costs incurred.
- vi) While the Department had looked at alternative proposals which went further than the proposed scheme, this would significantly increase the cost of the project and that additional cost was unlikely to be funded by the Government given its strict funding formula.

The Lead Member for Environment and Transport thanked the members of the public, and local members who had engaged with the consultation and accepted that there was still work to do to demonstrate to the public that the proposals would address residents' concerns.

The Committee supported the A511 proposals and its aim to alleviate the current issues around air quality and congestion. Members urged the Department to continue with efforts to engage with the DfT to further encourage sustainable travel within the Scheme.

RESOLVED:

That the Cabinet be advised that the Committee supported the A511 Corridor proposals set out in the report.

#### 40. Environment and Transport Annual Performance Report 2018/19.

The Committee considered a joint report of the Chief Executive and Director of Environment and Transport on the Environment and Transport Annual Performance Report 2018/19. A copy of the report, marked "Agenda Item 10" is filed with these minutes.

In introducing the report, the Director reported the overall strong performance of the Highways, Transport and Environment performance comparators and the lower performance of the Waste indicators. However, as the Committee had previously been informed some of Waste indicators were expected to improve from 2020 following the new arrangements to divert additional waste from landfill to a treatment facility in Coventry.

From the discussion, the following points arose:

- i) The Committee were pleased to note Government's announcement for an additional £14.7million through the Housing Infrastructure Fund for the Melton Mowbray distributor road southern section.
- ii) 'Percentage of the unclassified road network where maintenance should be considered' had increased from 12% to 15%. While the Council remained in the top quartile for comparator councils, due to the funding pressures this indicator was likely to continue to decline.
- iii) There were three sections to the Future Recycling and Household Waste Site's (RHWS) workstream, firstly the insourcing of Whetstone, which was progressing. Secondly, the consultation on proposed change to RHWS summer opening hours, officers were in the process of reviewing the response received. The third area of focus was around increasing levels of re-use at RHWSs. With regard to the latter Members were assured that work was ongoing, and that procurement was being developed to improve current re-use contracts. A member of staff had also been recruited to train RHWS waste operatives to enable them to support customers with re-use. It was noted that infrastructure changes had/will take place across the RHWSs to provide covered areas to maintain material, so a critical mass could be collected, which could potentially enable the Council to create a re-use shop or auctions in future.

- iv) While the Council had been unsuccessful in lobbying the Government to fund the speed camera initiative through fines levied, it was clear speeding remained a key concern for communities across Leicestershire. The County Council would continue to consider how it could harness the speed camera scheme to the benefit of other communities.
- v) In response to concern raised over parking on grass verges the Director informed Members that it was legal to park on verges if there was no parking restriction on the road and the vehicle did not cause obstruction or a safety concern. Where parking did contravene the highway code by causing an obstruction or safety issue, that would be a matter for the Police to enforce. The Department was aware that other councils had lobbied government to seek powers that would enable them to act without the presence of a police officer, however nothing yet had come from it.
- vi) Unlike overgrown hedges, where responsibility was easily identifiable, it was difficult to evidence responsibility for damage to grass verges. Whilst there would be exceptions, in general it was hard and costly to take definitive action.
- vii) The funding pressure on the County Council meant the Department could only fund maintenance repairs where an asset posed a danger, not to improve its appearance. Where communities or residents wished to fund an improvement project, provided the proper processes were followed, the Council would help to facilitate the project.

The Committee thanked officers for the detailed report provided and were pleased to note the broad range of initiatives, as set out in the draft annual report, being undertaken within the Department.

RESOLVED:

That the report be noted.

#### 41. Review of Highway Gully Cleansing.

The Committee considered a report of the Director of Environment and Transport on the review of highway gully cleansing. A copy of the report, marked "Agenda Item 11" is filed with these minutes.

The Director addressed a concern raised that external contractors would in the long run pass further costs on to the Council. Members were assured that as the trial had shown external contractors typically out-performed County Council operatives due to the bonuses offered for gullies cleansed. Where more investigation into the drainage network, or intensive work was required these would be programmed in for the Council's in house gully team, as would have previously been the case.

The Lead Member for Environment and Transport, Mr Pain CC, added that the Department were looking to replicate the risk-based management approach with other highways assets and hoped it would provide further efficiencies for the Department.

RESOLVED:



That the report be noted.

42. Permit Scheme Update for Street Works and Road Works.

The Committee considered a report of the Director of Environment and Transport regarding the Permit Scheme update for street works and road works. A copy of the report, marked "Agenda Item 12" is filed with these minutes.

The Director reminded members that One.Network (formerly known as roadworks.org) had live up to date information on roadworks, road closures and diversions across the county.

RESOLVED:

That the report be noted.

43. Date of next meeting.

It was noted that the next meeting of the Committee would be held on 16<sup>th</sup> January 2020 at 2pm.

4.00 pm  
07 November 2019

CHAIRMAN