

Minutes of a meeting of the Environment and Transport Overview and Scrutiny Committee held at County Hall, Glenfield on Thursday, 3 June 2021.

PRESENT

Mr. R. G. Allen CC
Mr. T. Barkley CC
Mr. D. C. Bill MBE CC
Mr. T. Gillard CC

Mr. Max Hunt CC
Mr. K. Merrie MBE CC
Mr. C. A. Smith CC

In attendance.

Mr. B. Pain CC, Cabinet Lead Member for Environment and the Green Agenda

Mrs. M. Wright CC, Cabinet Support Member

1. Appointment of Chairman.

RESOLVED:

That it be noted that Mr. T. Gillard CC has been appointed Chairman of the Environment and Transport Overview and Scrutiny Committee for the period ending with the Annual Meeting of the County Council in 2022.

2. Election of Deputy Chairman.

RESOLVED:

That Mr. K. Merrie MBE CC be elected Deputy Chairman of the Environment and Transport Overview and Scrutiny Committee for the period ending with the date of the Annual Meeting of the County Council in 2022.

3. Minutes.

The minutes of the meeting held on 4 March 2021 were taken as read, confirmed and signed.

Mr. A. Pearson

Members noted the valuable contributions from Mr. A. Pearson who had chaired the Environment and Transport Overview and Scrutiny Committee since 2018 and requested that a letter of thanks be sent from the Committee.

4. Question Time.

Question by Mr Blake - Home to School Transport:

To give the question context it is in view of the Home To School Transport, with the question deriving, in one example, no council attainment or monitoring of 'risk assessments' from operators that are transporting school children with which the council has a duty of care.

In view of the fact that legally the Council must ensure it procures transport from passenger transport operators, that is safe and legally compliant, will the Council ensure it only awards contracts to those operators that can evidence that they are safety and legally compliant and have not been called to a Public Inquiry for road safety critical offences?"

Response by the Chairman

The Council undertakes checks on transport providers at the point when they apply for a place on the Council's Dynamic Purchasing System (DPS) and this includes their agreement to adhering to the DPS conditions of contract which includes all legal requirements and service standards relating to operating public service vehicles and home to school transport.

In addition, the Council's Contracts & Compliance team monitor transport service providers through vehicle and contract inspections throughout the year. The Council also undertakes Company audits to ensure that the companies have all the relevant documents and licences to operate legally and compliant.

The team also monitors the DVSA Notices of Bus Operator Public Enquiries and investigate when a DPS operator is called to an enquiry and on occasion will attend hearings. They also work alongside local taxi licencing authorities in monitoring taxi companies and sharing information and compliance issues.

5. Questions asked by members.

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

1. **Funding for road maintenance**

At our last meeting we were told that our present level of funding from Government was not adequate to maintain our road network and from 2009/10 we have had no inflationary increases leading, in effect, to an notional reduction of £10million a year for maintenance funding. To what extent as this been mitigated by risk-based asset management?"

Response by the Chairman:

An increased focus on risk-based asset management has allowed us to better prioritise the available funding on both reactive safety maintenance and longer-term preventative maintenance but spend is still skewed towards reactive short-term maintenance. The reduction in funding over the years has meant we have had to modify the types of treatments that we carry out, to minimise the increasing severity of the road defects, to ensure that roads are in a safe condition for motorists. However, this is not sufficient to address the deteriorating condition of the assets and a substantial increase in capital investment is still needed to address the decline.

2. **"The Passenger Transport Policy & Strategy Oct 2018**

For two years I have been trying to get a bus shelter for residents of Shapley Road, Loughborough which is a deprived area of the town with low access to private cars and consequent high dependence on buses for trips to essential services.

Having no Parish Council, the District Council previously supplied bus shelters under the local Agency agreement with the County Council but can no longer provide these. In their reply I was quoted the County [Passenger Transport Policy & Strategy](#) (Oct 2018) which states that (11.1) *Leicestershire County Council will continue to provide and maintain infrastructure that facilitates passenger transport use, in cooperation with operators where appropriate. This includes bus stop poles/flags and shelters, information display case sat stops, and interchange facilities. Selection of locations for any new bus stops and shelters will follow good practice and will particularly consider accessibility for people with impaired mobility.*

On application to the County Council it appears that there are no consistent criteria and the application was duly rejected, despite the additional need required by nearby accommodation being completed for sheltered LCC accommodation for adults. On further enquiry it appears that the County Council receives very few applications all of which are refused or put on a list for indefinite review. On further investigation, other good county transport authorities appear to recognise a corporate responsibility to provide bus shelters rather than lower tier authorities

i. What are the criteria, if any, for approving applications for bus shelters and what is the relevant appeal procedure?

Response by the Chairman:

Where there is no third-party funding, requests for bus shelters are considered on a case by case basis, taking in to account factors such as frequency, usage and locality. Currently, the County Council does not have a defined criteria for the level of usage, and use officer's knowledge and experience to determine such requests. Officers recognise this approach requires a review and going forward it is intended to work towards developing a clear policy for bus shelter requests. Staff resources permitting this work will be underway soon. If new or additional information is provided relating to a previous shelter request, then this can be reassessed.

ii. What reviews take place to remove shelters that are no longer on bus routes or do not meet the criteria?

Response by the Chairman:

Once shelters are installed, we do not monitor usage and we would only look to remove them in extenuating circumstances as the cost to remove shelters is far greater than the ongoing cleaning and maintenance costs. In addition to this, the bus network is subject to change and where operators reinstate services, a stop may once again come back in to use.

iii. What Section 106 applications for public transport infrastructure (notably bus stops and shelters) were made for the Sustainable Urban Extensions at Lubbers Thorpe, Thorpebury/NE Leicester and West of Loughborough?

Response by the Chairman:

West of Loughborough SUE – There is an obligation on the developer to submit a Public Transport Strategy that would contain the detail of public transport provision. The planning application requires the applicant to ensure that within the development, dwellings are generally within 400 metres of a stop and that these are to be comprised of raised kerbs, timetable information, shelters, and Real Time Information. There is also

written in to the S106 agreement a requirement for a contribution of £15,896 towards bus stop improvements at the two nearest stops on the A512.

Thorpebury/NE Leicester – A condition on the Outline Planning Permission application requires each Reserved Matters applications for this site, to include details of bus stops (at a maximum walking distance of 400m from each dwelling), and each to comprise of shelters, RTPI, raised kerbs, timetable information, lighting.

Lubbesthorpe - The Public Transport conditions attached to the public transport element stated that there should be bus stops located within the development , however, the public transport strategy was revised in November 2018 to reflect a new demand led service and therefore fixed stops were not required. This service is known as 'Arriva Click' and operates using virtual stopping points with no fixed route.

iv. What bus services are planned for these SUEs?

Response by the Chairman:

West of Loughborough SUE – see response for Q3 – however, Highways comments submitted in response to the planning application, referenced phased provision of a bus service from first occupation at a 30 minute frequency between the site and the town centre between 07:00 and 19:00 Monday to Saturday; hourly Sundays and evenings.

Thorpebury/NE Leicester – The S106 agreement stipulates that a Bus Service Scheme must be submitted and approved in consultation with the County and City Councils. The agreement also references a Bus Strategy, with proposals on how the bus service might be delivered diverting existing services.

Lubbesthorpe - Arriva Click was launched in April 2019, providing a demand led public transport solution covering the site as well a wider geographic area.

v. Basic Public transport infrastructure requires little investment in comparison to roads. Why is this not given the priority of other assets under this authority?"

Response by the Chairman:

Leicestershire County Council assesses and reviews requests for bus shelters as they are submitted and also secures public transport infrastructure through the planning process. Through the recently launched National Bus Strategy, public transport infrastructure will be central to improving and enhancing bus travel, therefore going forward consideration and prioritisation will be given to this area.

The following supplementary questions were received from Mr. M Hunt CC

Can the Chairman clarify whether the determining factors in awarding a community a bus shelter include the following in regards to the 'frequency, usage and locality' set out within the answer;

- i. the level of car ownership in an area,
- ii. usage and whether this is measured by peak usage, or averaged across a week, or per bus;
- iii. frequency of service demand such that a shelter is more likely to be provided for say a half hour service than an hourly service;
- iv. the knowledge of the particular officer. and whether the relevant scores for these determining factors are recorded?"

Response by the Chairman:

- i) This factor is not currently considered. However, in areas of lower car ownership we would expect to see increased bus usage which is taken in to account.
- ii) Analysis of usage is based on an average. The changing passenger numbers during the pandemic have been considered and where appropriate pre-pandemic data is reviewed too
- iii) This factor is taken into account as a higher frequency would point to there being higher usage.
- iv) Experienced officers make the assessment and use their knowledge of the network and carefully consider requests based on frequency, usage and locality. As there is no defined scoring criteria to determine shelter requests, it is recognised that this approach requires a review and going forward it is intended to work towards developing a clear policy for bus shelter requests which could include a scoring framework which would see outcomes recorded.

6. Urgent Items.

There were no urgent items for consideration.

7. 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.

8. Declarations of the Party Whip.

There were no declarations of the party whip.

9. Presentation of Petitions.

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

10. Action for Nature - Strategic Approach to Biodiversity, Habitat and the Local Environment and Delivery Plan.

The Committee considered a report of the Director of Environment and Transport which sought its views on the Action for Nature, Strategic Approach to Biodiversity, Habitat and the Local Environment and Delivery Plan. A copy of the report marked 'Agenda Item 10' is filed with these minutes.

Arising from the discussion the following points arose:-

- i. The Committee recognised the importance of the document, however questioned the impact of proposed warehousing and logistics development across the county. The Director assured Members that the approach would allow further weight to be given by the County Council to environmental considerations as part of its comments on planning applications to district authorities.

- ii. The Lead Member informed the Committee that while the National Planning Policy Framework (NPPF) included some environmental considerations it was not as strong as it could be. Through discussions with UK100 he was aware of the intention to work with Government to strengthen protection provisions within the framework and to ensure they had enough weight versus other material planning considerations.
- iii. It was further questioned whether the report was at dissonance with the County Council's Major Roads Programme which invariably had a cost to the environment, such as the 20 mature trees that were felled as part of the widening of the A512.
- iv. A Member suggested further consideration be given to the inclusion of lagging indicators to indicate past performance to allow scrutiny of the baseline compared to improvement. Officers welcomed such suggestions and informed Members that the Department was open to discussions on the indicators as the Action Plan was a live document and expected to evolve over time.
- v. Members were pleased to discuss their own community experiences regarding wildlife verges and the Council's Blue Heart campaign. It was felt such measures were a low-cost solution which looked great, was beneficial to the environment and supported by communities. However, it was pointed out that while communities seemed to embrace the wildlife verges residents often preferred their own lawns be kept closely maintained.
- vi. The Committee supported the work undertaken by the 'Wombles' in litter picking across the county and the benefits it held for biodiversity. In response to a query asking what further actions the Council could take to support them, the Director informed Members that litter picking was a district function and would involve partnership work with the districts if the Authority wished to further its support to the groups.
- vii. The districts and other relevant organisations had been consulted as part of the consultation process, as it was recognised that not one organisation alone was in control or could deliver on the key aims to improve biodiversity, habitat and the local environment across Leicestershire.
- viii. In relation to tree planting it was queried whether any proposals had been considered regarding expansion of the boundary of the National Forest to deeper within the County as had previously been discussed as part of the Tree Management Strategy. Members were assured that once the plan to plant 700,000 trees in Leicestershire was further developed a report would be brought to the relevant scrutiny committee.

Mr Pain, Lead Member for Environment and the Green Agenda, thanked the Committee for their positive contributions and feedback on the report. Members were reminded that this report was only one component of the Council's wider Environment Strategy and its Climate Emergency Declaration. It was recognised that the Authority had hugely challenging targets to reach such as net zero by 2030, however, it was hoped that the identified practical measures would keep the Authority on track to improve factors within its control, and influence factors outside of its remit.

RESOLVED:

That the Action for Nature – Strategic Approach to Biodiversity, Habitat and the Local Environment and Delivery Plan be supported.

11. A5 Watling Street Bridge Strikes, Hinckley.

The Committee considered a report of the Director and Environment and Transport and a presentation from representatives of Highways England bridge strikes at the A5 Watling Street rail bridge near Hinckley. A copy of the presentation and supporting papers, marked 'Agenda Item 11' are filed with these minutes.

The Committee welcomed Mark Woodward from Network Rail, Malcolm Dangerfield from Highways England, Ryan Buckland from Leicestershire Police and Neal Westward from Warwickshire Police to the meeting for the item.

Arising from the presentation the following points were noted:

- i. Responsibility for the bridge lies with Network Rail however they work closely with Highways England given the impact any bridge strike has on the A5 trunk road which comes under Highways England's remit. Any bridge strikes also had an impact on the County and the surrounding area due to the road closure and diversion route that had to be put in place.
- ii. Since the end of 2019 the Vehicle Activated Signs, warning of the low bridge, had been maintained. Members were pleased to note the reduction in bridge strikes from 19 in 2019 to seven in 2020. While COVID-19 has resulted in a reduction in traffic, Highways England advised that traffic levels had recovered on the A5 faster than other routes and that Heavy Goods Vehicle numbers had remained relatively comparable to pre-pandemic levels. Members were assured that incidents would continue to be monitored closely.
- iii. A Bridge Strike Group met regularly which looked to resolve the long-standing issue of the strikes. Most recently it had looked at the signing strategy, last reviewed in 2014, and found there were issues with signing on the west approach. It was hoped construction of the new signs would be finalised in the current financial year and introduced to the route.
- iv. Signs set out both metric and imperial measures. There was no observable pattern with bridge strikes with regard to country of origin or vehicle type. The only determinable pattern was that there were fewer owner operators strikes in comparison to the larger haulier companies.
- v. There was a pipeline of possible future improvement schemes across Highway England's network which included the A5 Hinckley to Tamworth that was undergoing initial feasibility testing. Members recognised there was no current commitment by Highways England and that the organisation would look to present options to Government in 2022/23 for prioritisation in the Road Improvement Strategy 3.
- vi. Highways England were aware of warehousing and industrial development within the vicinity of the bridge. The developer concerned had indicated its desire to lower the section under the bridge, however no planning permission had been sought as yet.

Highways England and Network Rail would be supportive of such a solution if it were to receive approval from the relevant planning authority.

- vii. It was further queried how proposed development within Warwickshire may increase vehicles at peak times and impact tailbacks to Dodwells roundabout. Highways England advised that the development awaited due planning process and were unable to comment on the specific points raised.
- viii. Members queried why there was not an automatic stop arrangement, such as traffic lights or chains for physical prevention. It was recognised such a solution would not stop congestion as there was no turn around space. Furthermore, drivers were still required to act in response, as they should to the Vehicle Activated Signs.
- ix. Any solution required a cost benefit analysis based on the accident statistics. However, as there were rarely safety implications as issues related to congestion, the problem did not fit into normal funding mechanisms. For example, funding for the Vehicle Activated Signage was found from the limited resilience fund.
- x. Highways England confirmed that all diversion routes were set out and agreed with local authorities. However, work was ongoing to ensure diversion signage was clear to what route traffic should follow, as drivers would inevitably follow an electronic mapping device re-route.

Members thanked Highways England for such a thorough presentation and update on the subject.

RESOLVED:

That the report and presentation be noted.

12. Cycling and Walking Strategy.

The Committee considered a report of the Director of Environment and Transport which presented the draft Cycling and Walking Strategy for comment. A copy of the report, marked 'Agenda Item 12' is filed with these minutes.

Arising from the discussion the following points arose: -

- i. The Cycling and Walking Strategy would look to increase the Council's resource to enable development programmes and incentives across the county to build on previous localised programmes such as the ACCESS fund initiative in Blaby. In turn it was hoped that the Strategy would increase the demand for walking and cycling across the county through the identified action plan.
- ii. The Committee was pleased to note that the Strategy would place the Authority in a positive position to work with local planning authorities to ensure that they can obligate the right infrastructure is delivered in the right places. Furthermore, the Strategy would facilitate the future bids for funding from Government in line with the Gear Change policy document.
- iii. The Strategy would further enable the Authority's work with schools, recognising specific concerns regarding parking and the issues they presented to residents and

children. Initiatives involved working with individual schools to curate specific travel plans that worked for a local area.

- iv. It was questioned whether the targets set were challenging enough to enact adequate change to be worthwhile. In response the Director assured Members that where the Authority met its target it would review and renew them. Furthermore, as part of the Strategy the Council would further look to improve the evidence and statistics available regarding cycling and walking uptake across the county.
- v. Members remained sceptical regarding reference to developer support to deliver or contribute towards projects and associated programmes within the Strategy. It was felt previous experience had evidenced the difficulty to rely on developers to take on additional considerations, due to cost. It was hoped expected changes to the National Planning Policy Framework by Government and the County Council's revision of the Highways Design Guide would give further weight to the matter.
- vi. A Member commented that resolutions to improve Cycling and Walking did not always have to involve infrastructure. It was felt that sometimes low-cost solutions, such as school streets to close roads outside of schools during pick up and drop off times, could work well in the right area.
- vii. A further suggestion was made to work with partners such as Loughborough University to provide comprehensive schemes of bike hire or purchase which was a further positive alternative to infrastructure.
- viii. Officers agreed to include further information on traffic forecasts for future reports where relevant.

In conclusion Members fully endorsed the draft policy and recognised the requirement by Government on the Council to have a Cycling and Walking Strategy in place to be in the best possible position for future bidding from Government.

RESOVLED:

That the Committee support the draft Environment and Transport Overview and Scrutiny Committee and that its comments are further considered by Cabinet on 22 July 2021.

13. Community Transport Annual Report.

The Committee considered a report of the Director of Environment and Transport on the Annual Report on Funding and Performance of Community Transport operators. A copy of the report, marked 'Agenda Item 13', is filed with these minutes.

Arising from the discussion the following points were noted:-

- i. The County Council continued to pay the full grant to its Community Transport operators despite COVID-19 in line with Government guidance.
- ii. Members welcomed the expansion of services by many operators to include food delivery, prescriptions, vaccine transport and other demands in response to the pandemic.

- iii. There remained uncertainty regarding the future of the Clinical Commissioning Group's long-term grant agreements to support the Section 256 trips.
- iv. The County's joint operation with the City Council regarding the Dial-A-Ride was coming to an end. This presented an opportunity to review how the service was delivered and to consider whether it could continue via the Community Transport operators in the area of the service.

RESOLVED:

That the report be noted.

14. Date of next meeting.

It was noted that the next meeting of the Committee would be held on 2 September 2021.

3.30 pm
03 June 2021

CHAIRMAN