Leicestershire County Council

Meeting: **Environment and Climate Change Overview and Scrutiny Committee.**

Date/Time: **Thursday, 2 March 2023 at 2.00 pm**

Location: **Sparkenhoe Committee Room, County Hall, Glenfield**

Contact: **Mr E. Walters (tel: 0116 305 2583)**

Email: **euan.walters@leics.gov.uk**

Membership

Mr. T. J. Pendleton CC (Chairman)

Mr. G. A. Boulter CC
Mr. N. Chapman CC
Mr. M. Frisby CC
Mr. B. Harrison-Rushton CC
Mr. Max Hunt CC
Mrs. R. Page CC

Please note: this meeting will be filmed for live or subsequent broadcast via the Council's web site at http://www.leicestershire.gov.uk

AGENDA

Item		Report by
1.	Election of Chairman for the meeting. Apologies have been received from the Chairman Mr. T. J. Pendleton CC and the Deputy Chairman Mr. M. Frisby CC therefore a Chairman will need to be elected for this meeting only as per Standing Order 31(7) of the Council's Meeting Procedure Rules.	
2.	Minutes of the meeting held on 19 March 2023.	(Pages 5 - 16)
3.	Question Time.	
4.	Questions asked by members under Standing Order 7(3) and 7(5).	
5.	To advise of any other items which the Chairman has decided to take as urgent elsewhere on the agenda.	

6.	Declarations of interest in respect of items on the agenda.		
7.	Declarations of the Party Whip in accordance with Overview and Scrutiny Procedure Rule 16.		
8.	Presentation of Petitions under Standing Order 35.		
9.	Value of Trees on the Highway Toolkit.	Director of Environment and Transport	(Pages 17 - 22)
10.	Persistent Organic Pollutants in Waste Upholstered Seating.	Director of Environment and Transport	(Pages 23 - 32)
11.	Environment and Climate Change Performance Report to December 2022.	Chief Executive and Director of Environment and Transport	(Pages 33 - 48)
12.	Date of next meeting. The next meeting of the Committee is scheduled to take place on Wednesday 7 June 2023 at 2.00pm.		
13.	Any other items which the Chairman has decided to take as urgent.		

QUESTIONING BY MEMBERS OF OVERVIEW AND SCRUTINY

The ability to ask good, pertinent questions lies at the heart of successful and effective scrutiny. To support members with this, a range of resources, including guides to questioning, are available via the Centre for Governance and Scrutiny website www.cfgs.org.uk. The following questions have been agreed by Scrutiny members as a good starting point for developing questions:

- Who was consulted and what were they consulted on? What is the process for and quality of the consultation?
- How have the voices of local people and frontline staff been heard?
- What does success look like?
- What is the history of the service and what will be different this time?
- What happens once the money is spent?
- If the service model is changing, has the previous service model been evaluated?
- What evaluation arrangements are in place – will there be an annual review?

Members are reminded that, to ensure questioning during meetings remains appropriately focused that:

(a) they can use the officer contact details at the bottom of each report to ask questions of clarification or raise any related patch issues which might not be best addressed through the formal meeting;

(b) they must speak only as a County Councillor and not on behalf of any other local authority when considering matters which also affect district or parish/town councils (see Articles 2.03(b) of the Council's Constitution).

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Agenda Item 2

Leicestershire County Council

Minutes of a meeting of the Environment and Climate Change Overview and Scrutiny Committee held at County Hall, Glenfield on Thursday, 19 January 2023.

PRESENT

Mr. M. Frisby CC (in the Chair)

Mr. G. A. Boulter CC
Mr. N. Chapman CC
Mr. D. Harrison CC
Mr. Max Hunt CC
Mrs. R. Page CC

In attendance

Mr. B. L. Pain CC – Cabinet Lead Member for Environment and Climate Change
Jason Rogers, Head of Water Quality and Environment, Severn Trent Water (minute 41 refers).
Matt Lewis, Wastewater Networks Operations Lead, Severn Trent Water (minute 41 refers).
Russell Clarke, Water Networks Operations Lead, Severn Trent Water (minute 41 refers).
Dr Robin Price, Director of Quality and Environment, Anglian Water (minute 41 refers).
Linda Elliott, Regional Engagement Programme Lead, Anglian Water (minute 41 refers).
Natasha Kenny, Head of Quality Regulation and Enforcement, Anglian Water (minute 41 refers).

34. Minutes of the previous meeting.

The minutes of the meeting held on 10 November 2022 were taken as read, confirmed and signed.

35. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 34.

36. Questions asked by members.

The Chief Executive reported that the following questions had been received under Standing Order 7(3) and 7(5):

Questions asked by Mr Max Hunt CC

Incineration

1. The MTFS Report indicates that savings include £985,000 from improved options for the treatment of residual waste. How are these savings to be achieved and what part of that is reduced landfill tax?

2. What was the cost of treating residual waste in 2021/22 and anticipated in 2022/23, excluding the amount of landfill tax involved?

3. According to Biffa's latest Waste Net Zero Report , current research estimates that, on average across the UK, net carbon emissions from energy recovery facilities were 0.34 tCO_2e per tonne of waste, lower than the alternative of landfill (0.452 tCO_2e per tonne of waste) but only where this excludes waste that can be recycled or minimised. In addition the Shepshed Newhurst EFW Incinerator to be used by LCC, anticipates a general reduction in burning plastic waste (calorific value currently calculated at 10.4 CV), is the County Council committed to minimise the burning of plastics?

4. The contract for residual waste covers all "black bag" waste, will the LA monitor the composition of our black bag waste sent to incineration under the new residual contract so that we understand the level of recyclates, food waste and plastics going to incineration?

Recycling

5. According to Biffa's Net-Zero Report, too much waste for recycling is shipped abroad. Do we have an estimate of the proportion of waste we receive for recycling goes abroad?

6. Of waste processed for recycling, what is the current proportion of contaminated waste from each Collection authority?

Reply by the Chairman

1. Projected savings arise from the use of the new energy from waste facility at Newhurst. The saving figure is made up of landfill tax, haulage and transfer elements which are often blended costs within contract prices and therefore we are unable to breakdown these costs into individual values with confidence. The savings also arise from the use of the new in-house operated waste transfer station at Bardon.

2. The estimated cost for treating and landfilling (excluding landfill tax) residual waste in 2021/22 was £11,200,000.

   The estimated cost for treating and landfilling (excluding landfill tax) residual waste in 2022/23 is forecast to be £11,500,000.

   The 'treatment' element of both of the above figures will inevitably include some elements of landfill tax, haulage and transfer which as stated above are often blended costs within contract prices and therefore we are unable to breakdown these costs into individual values with confidence.

3. The County Council is committed to maximising the prevention, reuse and recycling of plastics to minimise these materials being present in residual waste. We deliver a wide range of initiatives to encourage these behaviours such as ongoing social media campaigns; up to date and relevant content on the Less Waste website including information on the recycling of plastic containers; the provision of grants for prevention, reuse and recycling activities, and working with schools and local communities; delivering talks and workshops to encourage positive behavioural

change. There are many options for the reuse and recycling of plastics available, but these do require active participation by residents.

The draft Leicestershire Resources and Waste Strategy contains a number of pledges, one of which supports the increased recycling of plastics; Strategy Pledge no. 8: The Partnership shall ensure that the full range of recyclables (as specified by Government and subject to funding) are collected from residents (and businesses where applicable) across Leicestershire by 2025, or as soon as possible when contracts and circumstances allow. This mirrors the Government's intention to have a standardised set of materials collected for recycling from each house and business across the Country. This will include plastics such plastic film, bottles, trays, pots, and tubs.

4. The contract does not include a formal requirement to monitor composition of black bag waste other than ensuring non-conforming items (such as mattresses/engine blocks) do not get sent to the energy from waste facility. Visual inspections are undertaken to prevent non-conforming wastes from being sent to the energy from waste facility.

   The County Council has undertaken waste compositional analysis at appropriate points in time. The forthcoming statutory requirements of the collection and packaging reforms remain unconfirmed, once these requirements are clear, the County Council will be in a better position to consider future waste composition analysis work.

5. In 2020/21, 46% of Leicestershire's waste collection authority dry recyclable material was sent abroad. In 2021/22, 53% of Leicestershire's waste collection authority dry recyclable material was sent abroad.

6. In 2020/21, 9.8% of Leicestershire's waste collection authority dry recyclable material sent to Casepak was contaminated. In 2021/22, 9.5% of Leicestershire's waste collection authority dry recyclable material sent to Casepak was contaminated.

   Dry recyclable waste in North West Leicestershire is sorted at the kerbside by collection operatives prior to delivery to the Council depot for further sorting and baling. Any contamination found in receptacles are left in receptacles at the kerbside therefore the percentage of contamination for this area is not known.

   The average contamination for each waste collection authority delivering dry recyclable waste to Casepak during 2020/21 and 2021/22 combined is shown below.

BDC	**11.1%**
CBC	**13.0%**
HDC	**6.5%**
HBBC	**8.5%**
MBC	**9.3%**
OWBC	**10.0%**

37. Urgent items.

There were no urgent items for consideration.

38. 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.

39. Declarations of the Party Whip.

There were no declarations of the party whip in accordance with Overview and Scrutiny Procedure Rule 16.

40. Presentation of Petitions under Standing Order 35.

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

41. Water Quality - Anglian Water and Severn Trent Water.

The Committee considered briefing documents from Severn Trent Water and Anglian Water which set out responses to questions that had previously been asked by the Committee. Copies of the briefing documents, marked 'Agenda Item 8', are filed with these minutes.

The Chairman welcomed to the meeting for this item the following representatives from the water companies:

- Jason Rogers, Head of Water Quality and Environment, Severn Trent Water.
- Matt Lewis, Wastewater Networks Operations Lead, Severn Trent Water.
- Russell Clarke, Water Networks Operations Lead, Severn Trent Water.
- Dr Robin Price, Director of Quality and Environment, Anglian Water.
- Linda Elliott, Regional Engagement Programme Lead, Anglian Water.
- Natasha Kenny, Head of Quality Regulation and Enforcement, Anglian Water.

Arising from discussions the following points were noted:

(i) There needed to be better partnership working between local authorities and the water companies, and inviting the water companies to attend local authority scrutiny meetings was the first step towards this.

(ii) The Environment Act 2021 introduced opportunities for the water companies to work with farmers. Severn Trent Water engaged with farmers to help improve management of water on their land and in particular improve runoff from a pollution perspective. Severn Trent ran a Grant programme where farmers could bid for up to £30,000 to be used to alter their farming practices such as introducing regenerative crop rotation, using alternative pesticides and creating buffer zones on river banks to help reduce flooding.

(iii) The water industry had inherited a legacy waste sewar network that combined drainage systems which carried both sewage and rain-water, however Severn Trent now held the view that it was better to deal with the rain water at the point where it fell rather than transporting it elsewhere. The Flood and Water Management Act

2010 introduced Sustainable Drainage Systems (SuDS) which managed stormwater locally and mimicked natural water drainage. There was no standard design for SuDS but Severn Trent Water would welcome the introduction of regulations around the design of SuDS. Anglian Water would welcome the opportunity to be able to adopt SuDS and to be involved in the design early on. In its role as the Lead Local Flood Authority the County Council would comment on planning applications and request that SuDS met a certain standard. Planning permission usually included monitoring requirements and the monitoring would be carried out by the local authority. Members welcomed the use of nature based solutions for water drainage.

(iv) Alterations homeowners were making to their gardens and driveways were having an impact on drainage and measures needed to be taken to ensure that any changes to properties took into account best drainage practice.

(v) In response to concerns about how existing sewage and drainage systems would be able to cope with all the new housing being built, Anglian Water referred to its long term Drainage and Wastewater Management Plan (DWMP). This contained an inventory of the capacity across the sewerage and drainage network and projections of future demand compiled using local authority growth plans and climate change estimates. Severn Trent explained that there were plans to increase capacity in some places, for example, in the Hinckley and Melton areas. However, the main aim was to reduce the amount of rainwater going into the system to ease capacity issues. The system was designed to be able to cope with 6 times the normal levels of water.

(vi) Severn Trent Water aimed to respond to flooding caused by leakage from a sewer within 4 hours and to respond to leaks causing pollution into a river within 2 hours.

(vii) In response to a question from a member about who was responsible for drainage systems on housing estates once the developers had left the site it was explained that this was not the responsibility of water companies. Instead the developer would have to set up a management company to manage the site on behalf of residents. Concerns were raised by a member that if developers did not put roads forward for adoption and the management company was forced to close, the highway drainage system on those housing estates would not be maintained. The Highway Authority would not take responsibility for the drainage systems in these circumstances. It was suggested that this issue required government regulation. Severn Trent Water noted that these roads were not the responsibility of the water companies but if the government did hand over the responsibility to water companies they would have to take this into account in their funding mechanisms. Home buyers would have to be aware of the risks when purchasing properties.

(viii) The main causes of blockages in the sewage and wastewater system was fats, oils and grease and objects such as wet-wipes. Public information campaigns were taking place to warn of the consequences of doing this and deter people from blocking drains and causing pollution.

(ix) The Environment Agency (EA) was the environmental regulator for the water companies. The EA measured each water company against 6 metrics and published a performance report for each company on an annual basis. Severn Trent Water had been awarded a 4-star rating which was the highest that could be obtained. However, it was emphasised that instead of comparing the performance of different water companies against each other it was more important for the water

companies to collaborate with each other and improve the water network as a whole.

(x) The finances of water companies were regulated by Ofwat and the water companies had to present to Ofwat how they wished to spend funding. Spending would be directed towards measures that both Ofwat and customers considered to be a priority and operated in 5 yearly cycles.

(xi) Anglian Water was investing £811 million in their Water Industry National Environment Programme. This money was coming from customers' bills and examples of investment included installing more storm tanks, removing nutrients such as phosphate and nitrate, and making water abstraction sustainable. A proportion of the money would be spent on monitoring the environment including water quality so it could be ascertained when and where action needed taking.

(xii) The water companies carried out monitoring of their storm overflows and the sewer network which included measuring the levels within the pipes. This information gave advance notice of when a blockage was about to occur so action could be taken early.

(xiii) Concerns were raised by a member that repairs of water pipes caused disruption to communities, including road closures, whilst they were being carried out and it was asked whether local authorities and the water companies could work more closely together regarding the timing of the repairs. In response some reassurance was given that Seven Trent Water were investing in innovative technologies so that repairs took less time to be carried out and caused less disruption.

(xiv) Concerns were raised that whilst the water companies had set out their plans for improving rivers, recent data showed that the water quality of the River Soar had not improved. In response it was explained that in partnership with Anglian Water, Severn Trent had agreed a set of objectives for rivers - Get River Positive. Severn Trent were responsible for 130 rivers that were classified as Rivers Not Achieving Good Status (RNAGS) and Severn Trent had committed that by 2030 none of those rivers would be classified as RNAGS. It was agreed that further information would be provided after the meeting as to how that target would be achieved.

(xv) In response to a question from a member regarding how Councillors could contact the water companies in an emergency and have their concerns prioritised it was explained that Anglian Water had the Public.Affairs@anglianwater.co.uk email address which could be used and the email addresses of individual officers at Anglian Water would also be provided to members. Severn Trent Water had a political affairs team and the contact details for them would be provided after the meeting.

(xvi) Both Severn Trent Water and Anglian Water had committed to reducing their carbon emissions and become net zero by 2030. One of the biggest challenges in meeting their carbon targets was the changing scientific evidence around the carbon impacts of wastewater treatment processes which affected the offsetting strategies of the water companies. Severn Trent was aiming to produce 100% of its electricity utilising internal resources such as energy generation from sludge and other green technologies.

RESOLVED:

(a) That the contents of the presentation be noted;

(b) That Severn Trent Water and Anglian Water be thanked for attending the meeting and the information that they provided;

42. Medium Term Financial Strategy 2023/24-2026/27.

The Committee considered a joint report of the Director of Environment and Transport and the Director of Corporate Resources which provided information on the proposed 2023/24 to 2026/27 Medium Term Financial Strategy (MTFS) as it related to the Environment and Waste Management Services within the Council's Environment and Transport Department. A copy of the report, marked 'Agenda Item 9', is filed with these minutes.

The Chairman welcomed Mr. B.L. Pain CC, Cabinet Lead Member for Environment and Climate Change, to the meeting for this and other items.

Arising from discussions the following points were made:

(i) Mr. G. A. Boulter CC raised concerns about the proposals to cease all SHIRE environment grants with effect from April 2023 and he asked whether this could be reconsidered. In response it was explained that due to the County Council's financial situation the department was required to make significant savings and there was only so much capital to spend. It was also noted that SHIRE grants sat under the communities portfolio which sat with the Chief Executive's Department therefore they were not entirely under the control of the Environment and Transport department.

(ii) The County Council gave recycling credits to incentivise third parties/charity sector and district councils to recycle certain types of household waste. A member raised concerns that these credits would be reduced in 2023/24.

(iii) Savings were projected to arise from increasing the use of an existing waste treatment facility and switching use of third-party (contracted) "waste to transfer" to the in-house operated site at Bardon. In response to a question about the risks of these savings not being delivered it was explained that government changes to the regulations were expected which could have an impact but the contracts had been designed to be flexible so they could adapt to changes in the regulations.

(iv) Whilst £47,000 had been allocated for tree planting in the year 2023/24, the tree planting allocation for the remaining years of the MTFS was zero. It was explained that this was because the County Council had been successful in obtaining funding from the Forestry Commission for tree planting and would be bidding to the Forestry Commission for further funding to cover the whole MTFS period. There was a target to plant 700,000 trees over a 10 year period and other organisations were contributing to the target as well as the County Council. Currently all of the organisations involved were ahead of the trajectory to meet this target.

(v) A query was raised as to why spending on the Ashby Canal formed such a large part of the capital programme when it only related to one part of Leicestershire. In response it was explained that this was a historic issue dating back many years, details of which were set out in a report considered by Cabinet on 25 November 2022. The canal needed constant replenishing with water and some of it was

sourced from a former coal mine. Leicestershire County Council had a responsibility to make sure the water was cleaned before it was deposited in the canal. An application had been submitted to the Secretary of State for the Environment, Food and Rural Affairs for consent to transfer powers under the Transport and Works Act Order 2005 to the Ashby Canal Association which if successful would reduce the financial burden on the County Council.

RESOLVED:

(a) That the report and information now provided be noted;

(b) That the comments now made be forwarded to the Scrutiny Commission for consideration at its meeting on 30 January 2023.

43. Leicestershire Resources and Waste Strategy 2022-2050.

The Committee considered a report of the Director of Environment and Transport which provided an update on the review of and public consultation on the Leicestershire Resources and Waste Strategy and asked for the Committee's comments before the Strategy was presented to Cabinet for approval. A copy of the report, marked 'Agenda Item 10', is filed with these minutes for approval.

Arising from discussions the following points were noted:

(i) The Waste and Emissions Trading Act 2003 required areas with two-tier authorities to have a joint strategy for the management of waste. The Leicestershire Resources and Waste Strategy had been produced in partnership with the seven District Councils in Leicestershire. Leicester City Council were kept informed of progress as associate members of the partnership. The work that had taken place so far had been led by officers with input from members but once the Strategy was approved consideration would be given to member engagement in implementing the Strategy. Whilst a position on the Strategy had been informally reached by the officers there was still an opportunity for comments to be made as the Strategy went through the Scrutiny and Cabinet process at each of the participating authorities. It was hoped that were there any changes suggested during the final approval process these could be taken on board by way of action plans rather than amending the Strategy document.

(ii) A member suggested that there would be advantages to the waste collection and disposal all being carried out by one unitary authority. It was noted that this was not being proposed in the Strategy.

(iii) The Strategy included 12 pledges and Pledge 2 was to tackle environmental crime including fly-tipping. Whilst the responsibility for enforcing fly-tipping sat with District Councils the costs of disposing of the waste was borne by the County Council therefore partnership working needed to take place to tackle the problem.

(iv) Pledge 11 stated that the Partnership would allocate a communications budget to help promote good recycling behaviour. However, the Strategy did not specify how much each partner would contribute. It was expected that the County and District Councils would continue to carry out this work from their own existing budgets and it would depend on the nature of the individual campaign as to which authorities carried out the work.

(v) Paragraph 35(i) of the report referred to residents preferring a fortnightly collection to a collection every 3 weeks. Mr. G. A. Boulter CC pointed out that Oadby and Wigston carried out a weekly waste collection which was the preference of most Oadby and Wigston residents and Mr Boulter CC asked for this to be included in the Strategy document. In response it was noted that the Strategy would be considered by Oadby and Wigston Borough Council and it was suggested that as Mr Boulter CC was also a member of that Council he should raise his comments when the Borough Council come to approve the Strategy. It would then be for Oadby and Wigston Borough Council to decide whether they wished to approve the Strategy or not.

(vi) The Government was proposing that weekly food waste collections begin at some point in the future but no further detail was known on exactly when this would start and how funding would be allocated between the local authorities involved.

(vii) Members welcomed the Strategy and the partnership working which had taken place to produce it.

RESOLVED:

That the Leicestershire Resources and Waste Strategy be supported and the comments now made be forwarded to the Cabinet for consideration at its meeting on 10 February 2023.

44. Environmental Performance Report 2021-22.

The Committee considered a report of the Director of Environment and Transport which set out the Council's environmental performance for 2021-22 including progress in delivering the targets in the Council's Environmental Strategy 2018-2030. A copy of the report, marked 'Agenda Item 11', is filed with these minutes.

Arising from discussions the following points were noted:

(i) Members commended the County Council for retaining its ISO14001 Environmental Management System certification.

(ii) One of the Key Performance Indicators (KPI) related to electricity consumption in County Council buildings. A member questioned whether this KPI took into account the fact that many Council employees were now working from home and whilst they were not using as much electricity on Council premises they would still be using electricity in their own homes for work purposes. It was also queried whether the fact that not as many employees were commuting to work was taken into account with carbon offsetting. In response it was explained that employees working from home was not taken into account in these specific performance indicators however it was factored into the Leicestershire wide emissions targets (assuming the home working happened in Leicestershire). Estimates were made of the impact of employees not travelling into the office as much. On average an employee would have to travel 100km a day in order to offset the emissions from their home. It was therefore important for the County Council to have a better understanding of where its employees resided, and this was a piece of work planned for the future.

(iii) Members welcomed the progress the County Council was making towards its environmental targets. However, a member stated that the percentage of

Leicestershire's waste collection authority dry recyclable material sent to Casepak that was contaminated was too high particularly in the Charnwood area and further work needed to be done to tackle this issue.

(iv) With regards to the County Council's 2045 Net Zero Strategy and Action Plan a member stated that there were too many actions which made it difficult to follow and it would be easier to read if it focused on the key actions.

RESOLVED:

That the Council's environmental performance for 2021-22 be welcomed.

45. Greenhouse Gas Emissions Report 2021-22.

The Committee considered a report of the Director of Environment and Transport which provided an update on progress against the net zero carbon emissions target for Leicestershire County Council in 2021-22. A copy of the report, marked 'Agenda Item 12', is filed with these minutes.

Members welcomed the progress made towards the target and the decrease in some emissions.

Reassurance was provided that the County Council's infrastructure such as solar panels was regularly checked and a maintenance contract was in place to ensure equipment remained efficient and where it was no longer efficient the equipment was replaced or new parts were installed.

It was noted that Council emissions from office waste had increased by 103% since 2020-21 and this was associated with the return of Council services and operations, including the use of Council buildings and facilities. A member questioned this figure given that many Council employees were still working from home.

RESOLVED:

That the update on progress against the net zero carbon emissions target for Leicestershire County Council in 2021-22 be noted.

46. Leicestershire County Council Country Parks Byelaws.

The Committee considered a report of the Director of Corporate Resources which sought the Committee's views on the proposal to update the byelaws for each of the Country Parks managed by the County Council. A copy of the report, marked 'Agenda Item 13', is filed with these minutes.

It was noted that the consultation ran until the end of February 2023 therefore if members had any comments they wished to submit after the meeting they could still do so via the consultation webpage.

Members emphasised the importance of updating the byelaws in relation to electrically powered cycles, drones and sky lanterns as these were currently causing problems in the local area.

In response to a question from a member it was explained that the approach towards enforcing the byelaws in Leicestershire had traditionally been one of collaborating with Leicestershire Police and raising awareness amongst the public in a non-threatening manner rather than taking a strict approach. Members suggested that the byelaws should be posted at the entrances to the country parks to increase public awareness of them.

RESOLVED:

(a) That the proposal to update the byelaws for each of the Country Parks be welcomed;

(b) That officers be requested to consider the comments now made as part of the consultation.

47. Date of next meeting.

RESOLVED:

That the next meeting of the Committee be held on Thursday 2 March 2023 at 2.00pm.

1.00 - 3.37 pm CHAIRMAN
19 January 2023

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Agenda Item 9

Leicestershire County Council

ENVIRONMENT AND CLIMATE CHANGE OVERVIEW AND SCRUTINY COMMITTEE - 2 MARCH 2023

VALUE OF TREES ON THE HIGHWAY TOOLKIT

REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT

Purpose of report

1. The purpose of this report is to seek the views of the Committee on:

   i. The Value of Trees (VoT) on the Highway Toolkit.

   ii. The proposal to consider how the toolkit can be integrated into the future Leicestershire Highway Design Guide (LHDG), which is currently under review, to facilitate future tree planting within the highway.

   iii. The proposal for the Council to work in partnership with the National Forest Company to develop a Tree Charter action plan that encourages take up of the toolkit by third parties.

Policy Framework and Previous Decisions

2. The Council's Strategic Plan (adopted in March 2022) outlines the five key outcomes for 2022 to 2026. As a toolkit that provides guidance to ensure that trees thrive within and adjacent to the highway and has the potential to influence the design of future highway development, VoT helps to support these outcomes, and particularly that of a "Clean and Green" Leicestershire.

3. On 15 May 2019, the County Council declared a Climate Emergency, with a commitment to achieve carbon net zero by 2030 for its own emissions and 2045 for Leicestershire emissions. The application of the VoT toolkit would enable trees along the highway to thrive, thereby maximising their carbon storage potential and contributing to the aims of the Net Zero Leicestershire Strategy and Action Plan.

4. In addition to supporting the Council's Tree Management Strategy and Tree Charter, the toolkit can help ensure the design and delivery of high-quality planting schemes as part of the vision to plant 700,000 trees across Leicestershire.

5. The Council's Environment Strategy sets out how it will reduce the environmental impacts of travel and transport. VoT would help to deliver key aims of the Strategy including those relating to enhancement of biodiversity and adapting to climate change.

Background

6. The invaluable contribution of trees to communities and wildlife is well documented but there are also significant challenges in ensuring their continued presence and resilience along our highway network. Trees are suffering from an increased prevalence of pests and diseases such as ash dieback and the impacts of climate change, and there are additional concerns over highway safety and the question of responsibility for carrying out and paying for their future maintenance.

7. Following an approach from the Association of Directors of Environment, Economy, Planning and Transport (ADEPT), the Council agreed to undertake the work to develop an approach that would help local authorities to re-establish trees as a prominent feature along the highway network. With funding available from Rees Jeffreys Road Fund, the Council engaged specialist consultants from Treeconomics to develop a bespoke toolkit for Leicestershire that could be adapted for use nationally.

8. Using the species selection tool and valuation matrix, the toolkit monetises the value of trees to communities in terms of the ecosystem services they provide (carbon storage and sequestration, reduced air pollution and flooding). It also provides a method of calculating the lifetime cost of planting and maintaining trees within the highway, alongside guidance on best practice around tree species selection and planting specification.

9. The outputs can be used by third parties and the Council's own internal services during the design of tree planting schemes that form part of new development. The information can be used to provide a robust case for investing in the planting and maintenance of trees in communities.

10. There are considerable benefits to be gained from the application of the VoT approach, including:

    i. **The right tree in the right place** - Trees that are resilient and appropriate for a variety of locations. The assessment and consideration of the impacts on adjacent infrastructure (damage to highway and nearby buildings by tree roots) will be undertaken on a site-by-site basis, using best practice as set out in the report.

    ii. **A blueprint for tree planting and management.** Consistent and convincing guidance for future third party development and in-house design that also considers local variation.

    iii. **A sound understanding of the costs and benefits of trees** - A tool to help engage with a wider audience and a solid foundation from which to obtain funding for tree procurement and management and make a financial case for trees in communities.

    iv. **Reflecting current policy and guidance** – including changes to the National Planning Policy Framework and the National Design Code, which expect that local policies and plans reflect an aspiration for places to be "beautiful, healthy, greener, enduring and successful" and that new streets should be tree-lined.

    v. **Green infrastructure (ecosystem services)** – In addition to their attractiveness in the landscape, trees can deliver multiple benefits as a part of

green infrastructure including the carbon sequestration and storage, reduced flooding and providing habitat for wildlife. They can also provide health benefits by cooling urban areas, improving mental health and wellbeing and reducing fine particulate matter air pollution.

11. Officer concerns have been raised regarding the standard of some of the tree planting undertaken by third parties within new highway that is subsequently adopted for maintenance by the Council. Ensuring early engagement with developers, the selection of good quality and appropriate tree stock, and a high quality of planting design and delivery will help minimise the future maintenance burden.

12. It is proposed that the integration of the VoT approach is considered as part of the LHDG refresh to ensure that the appropriate tree species are planted at chosen locations and that schemes are designed and delivered to a high standard. The potential opportunities are:

    i. Encouraging the use of the species selection and valuation matrices to ensure the right tree for the development location.

    ii. The integration of the VoT best practice into the LHDG.

    iii. Using the toolkit as part of the calculation of future commuted sums.

13. The project has identified the need to broaden the scope of the Council's Tree Charter, developed in partnership with the National Forest Company, to include an action plan which would include the VoT approach.

14. The project is now in the process of piloting the toolkit on the ground. The intention is to apply the toolkit to an active externally led development site within the County. This will require discussions with both the appropriate developer and planning authority. There is an additional opportunity to apply the toolkit to highway planting schemes under development by the Council's Forestry team.

15. The report and related species matrix and ecosystem services valuation spreadsheet are available on the Council's and ADEPT's websites, and any feedback received will be assessed.

16. ADEPT is keen to publicise the toolkit nationally with the hope that it will be adopted by other authorities and organisations.

17. To ensure that a holistic view is taken of the natural environment, links into the developing Local Nature Recovery Strategy (LNRS) are being explored. The production of an LNRS is a new statutory duty established by the Environment Bill. This duty will require higher tier authorities to develop spatial strategies that will establish priorities and map proposals for specific actions to drive nature's recovery and provide wider environmental benefits.

18. The development of a software package that incorporates the VoT matrix and spreadsheets into a user-friendly format for third parties is also being considered.

Consultation

19. A series of consultation exercises were undertaken to gain views on key issues from internal and external stakeholders including Council ecology, forestry and economic growth teams, developers, environmental organisations and local planning authorities. This work has helped the team to understand some of the potential opportunities and problems in delivery of the approach and where gaps in information exist.

20. This engagement work will continue over the coming year, and it is proposed to engage with local groups such as Tree Wardens to help future delivery on the ground.

Resource Implications

21. The consultant fees to develop the toolkit and associated report were funded by the Rees Jeffreys Road Fund, which supports research, education and roadside improvement projects that promote advances in road related UK transport policy, design, management and practice.

22. The application of the VoT approach can help to positively manage the financial implications of adopting trees within the highway by ensuring best practice is followed during the design phase of a scheme and that they are maintained using best practice, particularly during the key early years following planting. Equally, through the use of the valuation matrix, the toolkit can help decision making in terms of an investment in trees and an understanding of the monetary value of the ecosystem services they provide for communities.

23. Staff time is required to assess and further develop the toolkit. This work will be undertaken within the Environment Policy and Strategy Team and LCC Forestry Team, with project management support provided by Transport Strategy and Policy. Work to integrate VoT into the LHDG will require input from various highways teams from across the Department.

24. The development of a software package is under consideration. It is not anticipated that this work could be undertaken in-house and two options are currently being explored:

    i. Working in partnership with an appropriately resourced academic institution; and

    ii. Engaging a specialist consultant.

25. A funding stream for engagement of a consultant has not yet been identified and further work to understand the potential cost is required. Discussions are taking place with ADEPT about the potential for corporate sponsorship of the development work. The corporate Commercial Team have been involved in the initial discussions.

26. The Director of Corporate Resources and the Director of Law and Governance were consulted on the content of the report.

Next Steps in developing VoT

Action	**When**

Software package – agree approach and initial investigation, development and costing Pilot planting scheme development Research and links to Council corporate priorities	September 2022 to May 2023
Tree Charter engagement and development	September 2022 to August 2023
Pilot scheme delivery	Autumn / Winter 2023
Pilot and toolkit analysis	Winter 2023/24
Software development (subject to approval)	Spring / Winter 2024

27. Following the further development and pilot work it is proposed to bring an update report to the Environment and Climate Change Overview and Scrutiny Committee in early 2024. This will be an opportunity to present the findings of the pilot, the development of the Tree Charter work and any proposals to modify the toolkit.

Background papers

Tree Charter and the Tree Management Strategy webpage
https://www.leicestershire.gov.uk/environment-and-planning/conservation-and-sustainability/tree-for-every-person/tree-charter-and-our-tree-management-strategy

Circulation under the Local Issues Alert Procedure

None

Equality Implications

28. An Equality Impact Assessment is not needed as there are no equality implications arising from the recommendations in this report. If adopted, the VoT toolkit is not a change in policy or service but an alternative delivery mechanism, developed to improve current services.

Human Rights Implications

29. There are no human rights implications arising from the recommendations in this report. If adopted, the VoT toolkit is not a change in policy or service but an alternative delivery mechanism, developed to improve current services.

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Leicestershire County Council

ENVIRONMENT AND CLIMATE CHANGE OVERVIEW AND SCRUTINY COMMITTEE - 2 MARCH 2023

PERSISTENT ORGANIC POLLUTANTS IN WASTE UPHOLSTERED DOMESTIC SEATING

REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT

Purpose of report

1. The purpose of this report is to inform the Committee of the recently emerging issue of Persistent Organic Pollutants (POPs) in Waste Upholstered Domestic Seating (WUDS) and the implications for the Council.

Policy Framework and Previous Decisions

2. As a waste disposal authority, the County Council is required, under the Environmental Protection Act 1990, to provide places for residents to deposit household waste and to dispose of the waste deposited. The Council is also required to arrange for the disposal of waste collected by the waste collection authorities (i.e., district authorities).

3. The Council's Strategic Plan outlines the five key outcomes for 2022 to 2026. The 'Safe and Well' outcome aims to ensure that people are safe and protected from harm and live in a healthy environment and the 'Clean and Green' outcome aims to protect the environment. Ensuring that WUDS containing POPs are treated in a compliant manner will support these outcomes.

Background

4. POPs are chemicals that remain intact in the environment for long periods, become widely distributed geographically, accumulate in the fatty tissues of humans and wildlife, and have harmful impacts on human health and on the environment. There is an international agreement, The Stockholm Convention, under which the UK has committed to manage waste containing POPs in a way that prevents these impacts from occurring.

5. In 2007 the Department for Environment, Food and Rural Affairs published a plan on how the UK Government would implement the Convention[1].

6. UK law regulates the disposal of POPs using the Persistent Organic Pollutants Regulations 2007 (as amended). Under the 2007 Regulations it is an offence to

[1] http://chm.pops.int/Implementation/NIPs/NIPTransmission/tabid/253/Default.aspx

dispose of POPs otherwise than in accordance with Article 7 of Regulation (EU) 2019/1091. Materially, Regulation (EU) 2019/1091 requires that producers and holders of waste shall undertake all reasonable efforts to avoid, where feasible, contamination of this waste with identified POP substances.

7. The Environment Agency (EA) issued a letter to all waste collection and disposal authorities in England on 8 August 2022. In this letter, the EA stated that they had undertaken an investigation and confirmed the widespread presence of very large quantities of POPs and other hazardous chemicals in both the textiles and foam of upholstered domestic seating, such as in flame retardant covers. It was not known that POPs were present in WUDS until the EA undertook their investigation

8. WUDS includes any item of upholstered seating of a household type from households or businesses that is waste, for example sofas, armchairs, and sofa cushions. Items that are not upholstered (e.g., other types of domestic seating or other furniture) are out of scope as they should not contain POPs. Further details have been appended to this report.

9. The law requires that POPs in waste are destroyed to prevent lasting environmental harm and impacts on the food chain. A limited number of options for the permitted disposal of POPs are set out in Part 1 of Annex 5 of Regulation (EU) 2019/1091. Waste containing POPs must be incinerated or used as a fuel in, for example, a cement kiln and cannot be disposed of to landfill.

10. The EA also indicated in their letter of 8 August that they were planning to enforce this position from 1 January 2023. All local authorities were instructed to write to the EA to confirm that their waste management activities were compliant and that all the WUDS they are responsible for is being sent for incineration by 31 January 2023.

11. The EA issued regulatory position statements relating to the storage, segregation at Household Waste Recycling Centres (known locally as Recycling and Household Waste Sites) and shredding of WUDS on 19 December 2022.

12. The majority of bulky waste collected at the local Recycling and Household Waste Sites (RHWS) and by the district authorities was previously sent to landfill in mixed loads (sofas, mattresses, carpets etc). The remaining mixed bulky loads were transferred for shredding and incineration.

13. In practice, the regulatory position statements mean that WUDS should be collected separately at the RHWS (and in bulky waste collections). With limited exception, should items of WUDS be mixed with other bulky waste, the entire load would need to be treated as if it contained POPs. Restrictions have also been placed on the ability to compact WUDS before transportation. Transporting uncompacted waste is less cost efficient (i.e., lower tonnages transported per load).

Current Position / Impact on Services

14. The short notice from the EA of the change in the regulatory position, coupled with a lack of availability of suitable shredding/processing and treatment capacity has meant that it has been challenging to put in place suitable arrangements in the time available.

15. Temporary arrangements have been put in place with the Council's existing bulky waste treatment contractor to dispose of WUDS. There is an annual tonnage limit and the contractor has advised that due to the ongoing uncertainty regarding the regulatory position, that they could cease acceptance with little or no notice. The treatment price is significantly higher than previously. Nationally, the capacity and number of outlets is limited however, the Council is continuing to engage with the contractors to explore further options for treatment of WUDS.

16. It is unclear if this capacity will be sufficient as WUDS was previously collected mixed with other bulky waste and the percentage of this that consisted of WUDS is not known.

17. As requested, a letter was issued to the EA on 31 January 2023 which stated that all reasonable steps have been taken to ensure that the Council's waste disposal activities are compliant as far as possible in the limited time available.

18. At present, the Council is only able to offer a reduced service compared to that provided previously. WUDS containers have been provided at all RHWS except for Bottesford, Somerby and Lutterworth where there is insufficient space to provide a separate container. The compaction of WUDS at the RHWS has temporarily ceased due to the lack of clarity around the application of compaction.

19. Bulking of WUDS from the RHWS at Waste Transfer Stations has also been temporarily ceased as the contractor cannot accept bulk deliveries. Deliveries of WUDS from charities and trade waste customers has also been suspended.

20. Most of the districts have adjusted their collection methods to allow for WUDS to be collected through kerbside bulky waste collections. However, Charnwood Borough Council has temporarily ceased the collection of WUDS items.

21. Operational teams have been briefed on the new requirements and new safe systems of work have been produced.

22. The public has been informed via social media about the new requirement to separate WUDS from other waste. In addition, the Council's website has been updated. New signage for the RHWS has been ordered and is being installed.

23. Items of upholstered domestic seating that are undamaged (i.e., structurally sound and in working condition) or only require minor repair can still be sent for reuse.

Resource Implications

24. It is estimated that the cost of separating and treating WUDS in accordance with the new guidance will be up to three times the previous cost per tonne. This could equate to additional ongoing costs of £0.5m to £1.25m each year, primarily linked to increased haulage and treatment costs. It is not anticipated that the Government will make funding available to cover increased costs.

25. This additional cost is not built into the current Medium Term Financial Strategy (MTFS). However, this issue was identified as an emerging cost pressure in the MTFS 2023-27 report to this Committee on 19 January 2023. Work is ongoing to provide more accurate cost estimates.

26. It is difficult to provide an accurate cost estimate due to limited data availability. As WUDS was previously collected in mixed loads with other bulky waste, it is unclear exactly how much material of this type is produced each year. Separate collections started on 1 January 2023, and therefore it will take some time before accurate data is available.

27. Initial indications suggest there is also a loss of trade waste customers at the Whetstone Waste Transfer Station linked to ceasing accepting WUDS; this could adversely affect income levels next financial year. The ambition is to restart taking this material once additional treatment outlets are secured.

28. There is a risk that, due to the increased costs of disposal, retailers will stop or significantly increase the price of 'take back' schemes meaning that the tonnage of WUDS coming into the RHWS and through district bulky waste collections could increase.

29. The Director of Corporate Resources and Director of Law and Governance have been consulted on this report.

Conclusions

30. Members are asked to note the content of the report.

Background papers

Report to the Environment and Climate Change Overview and Scrutiny Committee, 19 January 2023, Medium Term Financial Strategy 2023/24-2026/27 https://politics.leics.gov.uk/ieListDocuments.aspx?CId=1292&MId=7147&Ver=4 (item 42)

Circulation under the Local Issues Alert Procedure

None.

Equality Implications

31. There are no equality implications arising from the recommendations in this report.

Human Rights Implications

32. There are no human rights implications arising from the recommendations in this report.

Other Relevant Impact Assessments

33. The report sets out the steps that the Council is taking to ensure compliance.

Appendix

List of Waste Upholstered Domestic Seating.

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Appendix

Commonly found items at the Recycling and Household Waste Sites (RHWS) and if they are Waste Upholstered Domestic Seating (WUDS)

WUDS Items

WUDS Items are any upholstered domestic seating or associated items and can include:

- Sofas, sofa beds, settees
- Armchairs
- Home office, dining and kitchen chairs
- Futons and pouffes
- Stools and footstools
- Bean bags
- Floor cushions

Examples of WUDS

Item	Correct Bin/Container	Comment
Sofa	WUDS	Whole or any part that contains any leather, synthetic leather, fabric, foam, padding or cushioning
Armchair	WUDS	Whole or any part that contains any leather, synthetic leather, fabric, foam, padding or cushioning
Sofa bed	WUDS	Whole or any part that contains any leather, synthetic leather, fabric, foam, padding or cushioning
Floor cushion (large cushion designed for seating)	WUDS	Whole or any part that contains any leather, synthetic leather, fabric, foam, padding or cushioning
Bean bag (small or large)	WUDS	Whole or any part that contains any leather, synthetic leather, fabric, foam, padding or cushioning
Padded stool	WUDS	Whole or any part that contains any leather, synthetic leather, fabric, foam, padding or cushioning

Padded footstool	WUDS	Whole or any part that contains any leather, synthetic leather, fabric, foam, padding or cushioning
Futon	WUDS	Whole or any part that contains any leather, synthetic leather, fabric, foam, padding or cushioning
Pouffe	WUDS	Whole or any part that contains any leather, synthetic leather, fabric, foam, padding or cushioning
Highchair	WUDS	Whole or any part that contains any leather, synthetic leather, fabric, foam, padding or cushioning
Upholstered dining chair	WUDS	Whole or any part that contains any leather, synthetic leather, fabric, foam, padding or cushioning
Office chair	WUDS	Whole or any part that contains any leather, synthetic leather, fabric, foam, padding or cushioning
Electric recliners	Small Domestic Appliances container	Whole or any part that contains any leather, synthetic leather, fabric, foam, padding or cushioning

Non-WUDS Items

If an above listed item contains **NO** fabric or padding/cushioning **AT ALL**, then it should go in its usual container e.g., a chair made solely of wood with no fabric or padding would go in the wood container. If in doubt, ask the site staff or take to the WUDS container.

The following items are not considered to be WUDS and should be disposed of in their usual container.

- A solely wooden chair or stool
- A solely metal chair or stool
- A solely plastic chair or stool
- A chair made of plastic and metal only
- Mattresses
- Carpets
- Pillows and cushions
- Curtains
- Beds including frames and headboards

Examples of non WUDS

Item	Correct Bin/Container	Comment
Wooden chair/ stool/bed frame/ bed headboard	Wood	If partially upholstered or unsure, ask a member of staff
Metal chair/stool/bed frame	Scrap Metal	If partially upholstered or unsure, ask a member of staff
Plastic chair/stool/bed frame	Bulky	If partially upholstered or unsure, ask a member of staff
Mattress	Bulky	Mattresses are excluded as not domestic seating
Pillow/duvet/scatter cushions	Non-Recyclable Waste	Not domestic seating
Car seat	Bulky	Not domestic seating
Fabric/leather headboard	Bulky	Beds and associated parts are excluded
Metal bed headboard	Scrap metal	Beds and associated parts are excluded
Non-Electrical Exercise equipment (includes exercise bikes)	Bulky or Scrap metal	Not domestic seating - If partially upholstered or unsure, ask a member of staff
Electrical exercise equipment e.g. treadmill or exercise bike	Small Electrical Goods container	Not domestic seating
Carpet/rugs - Off cuts and small mats	Non-Recyclable Waste.	Not domestic seating
Carpet/rugs - Rolls and large mats/rugs	Bulky	Not domestic seating

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Leicestershire County Council

ENVIRONMENT AND CLIMATE CHANGE OVERVIEW AND SCRUTINY COMMITTEE – 2 MARCH 2023

ENVIRONMENT AND CLIMATE CHANGE PERFORMANCE REPORT TO DECEMBER 2022

JOINT REPORT OF THE CHIEF EXECUTIVE AND DIRECTOR OF ENVIRONMENT AND TRANSPORT

Purpose of the Report

1. The purpose of this report is to provide the Environment and Climate Change Overview and Scrutiny Committee with the latest performance update on the key performance indicators that the Council is solely or partly responsible for delivering against the recently refreshed and adopted Council Strategic Plan (2022-26).

Policy Framework and Previous Decisions

2. The updates in this report reflect progress against the Council's Strategic Outcomes Framework within the Strategic Plan up to 2026, as well as the Environment and Waste performance framework and related high-level plans and strategies which inform the current performance framework and indicators in this report.

Background

3. This report highlights how a variety of Environment and Climate Change performance indicators are performing against the Council's new key outcomes: 'Clean & Green' and 'Strong Economy, Transport & Infrastructure'.

4. The performance dashboards, appended to this report, include several indicators where the Council does not have direct control of delivery, such as air quality and river quality. The latter examples are pillars within the Environment Strategy but are not directly delivered by the Council. They have been included to provide a greater oversight of the environment and inform policy making and help understand what life is like in Leicestershire. They include a mix of national and locally developed performance indicators. Measuring these may highlight areas for scrutiny of delivery by other Council departments, other agencies or the need for lobbying to influence Government policy and funding. It is expected that action by a range of agencies will improve a number of these metrics over time. Internal indicators, where the Council has the most control, are identified with an 'L' within the performance dashboards.

5. The Council monitors and assesses its performance by mainly considering its direction of travel (DOT), the RAG rating, and quartile position when compared to other English Counties (where applicable).

6. The direction of travel (DOT) arrows indicates an improvement or deterioration in performance compared to the previous result in the performance dashboards that have been appended to this report. Up arrows show an improvement in performance, down arrows show a decline in performance and horizontal arrows show no change. Grey empty circles mean there is no update. Where there is no DOT arrow, this is because no update is available. This may be due to the time taken to obtain data from third parties and calculate the results or because some indicators are updated less frequently e.g., annually.

7. The performance dashboards include information on the latest data against target (where relevant) which generates a RAG rating (Red, Amber or Green) if applicable. Red indicates that close monitoring or significant action is required as the target isn't or may not be achieved. Amber indicates that light touch monitoring is required as performance is currently not meeting the target or set to miss the target by a narrow margin. Green indicates no additional action is required as the indicator is currently meeting the target or on track to meet the target.

8. The Council's performance is benchmarked against 33 English county authorities which covers large, principally non-urban geographical areas. Where it is available, the performance dashboards within the Appendix indicate which quartile Leicestershire's performance falls into. The Council's quartile position provides insight into how this indicator compares to other county councils in England. The first quartile is defined as performance that falls within the top 25% of county councils. The fourth quartile is defined as performance that falls within the bottom 25% of county councils. The comparison quartiles are updated annually.

9. The frequency in which the indicators are reported varies: some are quarterly, others are annual, and some less frequent. Quarterly updates tend to have a data lag of one quarter or more. For clarity, the time-periods the data covers are contained in the performance dashboards in the Appendix.

Performance Update – latest data to December 2022

10. The quarterly performance dashboard shows Environment and Climate Change performance up to December 2022. Overall, there are 27 performance indicators included in this report which are aligned with the Council's Strategic Plan Outcomes. They are presented in the Environment and Climate Change performance dashboards (Appendix). This report focuses on the indicators that have been updated, which is 20 for quarter 3 (up to December 2022). Where a DOT is available: seven show performance improvements, seven had declined and six remained the same as the previous update.

11. The latest position shows that eight Key Performance Indicators (KPIs) that have met target or are on track (green), two are amber (performance is currently not meeting the target or is set to miss the target by a narrow margin) and two KPIs are rated red (where performance is currently not meeting the target or is set to miss the target).

12. Across all KPIs, the Council had notably good performance for: 'Percentage of domestic properties with Energy Performance Certificate rating C+ (new)' buildings, 'Total Business miles claimed' and 'NO_2 exceedances for Leicestershire' during quarter 3.

13. When compared to other English county councils, the Council has three indicators performing above average in the first or second quartiles. The Council performs below average for nine indicators listed within the third and fourth quartiles in the Appendix.

14. The following updates focus on indicators that have been updated in quarter 3.

Clean & Green

People act now to tackle climate change

15. The Council monitors the energy efficiency of new and existing homes within the County in the 'Percentage of domestic properties with Energy Performance Certificate rating C+' indicators. The latest data shows that 97% of new homes are energy efficient (energy performance certificate rating C+) compared to older homes of which 46% were rated as energy efficient in quarter 2 (2022/23). New homes had remained static in performance since the previous update whilst existing homes saw a slight improvement in performance. Comparisons (2021/22) with other English county councils show that the 'Percentage of domestic properties with Energy Performance certificate rating C+ (new homes)' falls within the first (top) quartile and the 'Percentage of domestic properties with Energy Performance certificate rating C+ (existing homes)' falls within the third quartile (below average), indicating that existing homes in the County would still benefit from more energy efficient incentives. The Authority does not have direct control over this, and further improvements will be contingent on national programmes such as grant schemes to improve insulation and energy efficiency. The Council, in partnership with YES Energy Solutions and the district councils, launched the Green Living Leicestershire scheme in 2022. The scheme was designed to help prioritise Leicestershire residents with low incomes to go green, reduce costs and tackle climate change through fully funded home improvements including loft and wall insulation, solar panels, heat pumps and more efficient windows and doors. It follows on from previous successful funding bids, including the Green Homes Grant and Warm Homes Fund.

16. The latest results for the 'Percentage of LCC staff who say the Council is doing enough to reduce its environmental impact (post-training survey)', remained similar to the previous update at 92% in quarter 1 2022/23 and has met it's 80% target showing good performance.

17. The Council's Community Insight Survey aims to understand public perceptions across areas of importance to the Council. It is a telephone survey of 1,600 respondents annually. The quarterly reporting uses rolling 12-month results. The latest results, show that 97% of respondents agreed that 'Protecting the environment is important' in the 12 months to quarter 2 (rolling average) (2022/23), which is a very slight decrease in results since the previous update. In the same period, 65% of respondents think that 'The Council should do more to help protect the environment' (including carbon reduction and helping tackle climate change). This is slightly more than the previous update of 62%.

Nature and local environment are valued, protected, and enhanced

18. Two new KPIs were added this quarter that cover the extent to which the Council's land is in better management for nature. These indicators include 'Hectares of LCC

land in better management for nature' and 'Percentage of suitable LCC land in better management for nature'. They include only available data on the Council's sites that the Council considers suitable to be managed to improve nature. The type of land typically includes Authority owned County Parks, County farms and suitable highway verges. Better management means the Authority has made a conscious choice to consider nature in its design and maintenance and implemented best practice where possible. This new data provides base data from which future performance will be compared.

19. The latest tree planting provisional update shows that 104,279 trees have been planted by the Authority and its partners up to December 2022 and has exceeded its 70,000-planting cumulative target (2022/23), showing excellent performance. A detailed Tree Management Strategy update was provided to this Committee in November 2022.

Resources are used in an environmentally sustainable way

20. The 'Percentage of household waste sent by local authorities across Leicestershire for reuse, recycling or composting' declined in performance slightly from 43% in quarter 1 2022/23 to 42% in quarter 2 2022/23 and missed its refreshed 45% target resulting in an amber rating. This indicator has remained fairly static over the past year. It lies within the third quartile position (2020/21) in comparison with other English county councils. The Council is working with the Leicestershire Waste Partnership to develop the Leicestershire Resources and Waste Strategy which includes a draft pledge to put in place collection systems to contribute towards the future national target of 65% recycling by 2035.

21. The 'Annual percentage of municipal waste sent to landfill (former NI 193)' met its target of 30% (rated green). Its performance has remained steady at 24% in quarter 2 2022/23 since the previous quarter. Since the same time last year this indicator has seen a steady decline in waste sent to landfill. This is due to the Authority having negotiated an increase in the amount of waste delivered to alternative disposal points. Performance against this indicator was in the fourth quartile in 2020/21, which will be updated in March 2023.

22. The 'Total household waste per household (kg)' slightly improved in performance as waste decreased from 1,014kg in quarter 4 2021/22 to 1,000kg in quarter 1 2022/23 (data is two quarters in arrears) with waste levels declining steadily over the past year. This indicator was in the third quartile for 2020/21 when compared to other English county councils. The Covid-19 pandemic impacted waste patterns and more home working and lockdowns were likely to have led to more household waste during those periods. The recent improvement in performance could be due to people returning to their pre-pandemic routines.

23. The 'Tonnes of waste produced from LCC sites' saw a 12% decline in performance as waste increased from 263 tonnes in quarter 4 2021/22 to 295 tonnes in quarter 1 2022/23. This may be due to more office-based staff returning to their office in contrast to earlier 2020/21 when many officers worked at home because of the Covid-19 pandemic. Despite this decline in performance this indicator has met its 387 tonnes target and performs better than its pre-pandemic rate, which was typically 482 tonnes between January 2015 and December 2019.

24. The ‘Percentage of waste recycled from LCC sites (non-operational)’ remained relatively static in performance having changed only slightly from 60% in quarter 4 2021/22 to 61% in quarter 1 2022/23, although it missed its target of 64%. Since quarter 1 2021/22, the recycling rate has increased every quarter as more staff returned to their usual workplace. This also coincides with greater levels of total waste in offices compared to the same time last year. However, the latest data performs slightly better than the pre-pandemic rate which was typically 58% between January 2015 and December 2019.

The economy and infrastructure are low carbon and environmentally friendly

25. The ‘Electric vehicle charging locations per 100,000 population’ indicator improved in performance by 15%, from 33 in quarter 1 2022/23 to 38 in quarter 2 2022/23. This represents a 20% increase since the same period last year, when the figure was 31 per 100,000 population which indicates an improvement in the sectors infrastructure supporting greater renewable solutions over the year. However, in terms of comparison with other counties, Leicestershire is in the fourth quartile (bottom) for 2022 (from third quartile in 2021). Whilst the Government currently expects the transition to EVs to be led by industry and consumers, the Authority has played an active role in supporting residents in switching to electric vehicles. The Authority has installed electric vehicle charge points at our Park and Ride sites. The Authority has also secured almost £1million of Government’s first portion of Local electric vehicle infrastructure (LEVI) funding along with four other local authorities and Midlands Connect. It's expected that this support from Government will attract additional private sector investment, with cumulative funds being used to deliver around 100 public charging points across the county over the next 12-18 months. The Council also: supports emerging district and borough council planning policies, which encourage developers to consider EV infrastructure as part of new housing or employment developments; takes opportunities to press the Government to set out a national approach and standards for EV charging infrastructure, which is appropriately funded; review what trial schemes other authorities have introduced, or are currently piloting, to learn from their experiences; and explore with partners, options for encouraging the take up of Ultra Low Emissions Vehicles (ULEVs) in the County.

26. The ‘Electric vehicle ownership – Ultra Low Emission Vehicles (ULEVs) rate/10,000 population’ improved in performance by 11% as ownership increased from 109/10,000 in quarter 1 2022/23 to 121/10,000 in quarter 2 2022/23. This has increased by 57% since the same period last year, which was 76/10,000. This continues to demonstrate a significant momentum of people moving from fossil fuelled vehicles to more sustainable electric alternatives. However, Leicestershire remains in the third quartile (below average) when compared to other counties for 2022 (the percentage of licensed ULEVs of all licensed vehicles in the County is approximately 1.5%). Whilst there appears to be growing consumer interest to run an electric car there remains several barriers that deter them from switching in the short term that are not within the authority’s control. Though they are cheaper to run, EVs are more expensive to buy than other vehicles. Their higher upfront cost, battery range and concerns about access to reliable charging infrastructure and perceived complexity of transitioning remain barriers for many. The rising cost of living is also likely to be a factor in slowing the uptake of ULEVs this year.

27. The ‘Renewable energy (electricity) generated in the area (MWh)’ indicator has declined by 11% from 365,411 MWh in 2020 to 326,437 MWh in 2021. This indicator has been affected by changes in the Regional Renewable National Statistics for the years 2019 and 2020. This has resulted in the suppression of generated results for Leicestershire districts and a corresponding drop in generation (due to small number of companies generating renewable electricity). The energy types suppressed were; Anaerobic Digestion, Landfill Gas, Inshore wind, Plant Biomass and Sewage gas. So it could be that the data could still be as high as 528,302 MWh, which was the last figure available prior to suppression of that data, but we are unable to report this. When compared to other English county councils in 2020 this indicator was in the third quartile.

28. The ‘Renewable energy (electricity) capacity in the area (MW)’ has improved in performance from 329 MW in 2020 to 333 MW in 2021. Since 2018 this capacity has begun to plateau. In 2020, this indicator performs below average when compared to other English county councils (third quartile). The Council has limited influence over countywide renewable energy capacity, which tends to change in response to the Government incentive schemes and the wider energy market. Although this indicator is not within the Council's control, progress is monitored in line with the objectives outlined in the Council’s Environment Strategy 2018-30.

29. The ‘Amount of renewable energy generated as a % of consumption’ for the Authority had static performance at 11% in quarter 1 2022/23 since the previous update. It has not yet met its target of 27.8% resulting in a red RAG rating. The largest contributor to renewable energy generation is the biomass boiler at County Hall, which provides approximately three-quarters of the total renewable energy generated. This result has been influenced by the fact that during 2021-22, work took place as part of the Public Sector Decarbonisation Scheme to expand the biomass network and install a thermal heat store, alongside the replacement of a safety component to the boiler. As a result, the biomass boiler was out of commission for a significant part of the year, resulting in less renewable energy generated. The work on the biomass boiler and the installation of additional solar panels on County Hall and other corporate Council buildings have increased the potential renewable energy generation by over 1,000,000 kWh per year, which is expected to lead to a significant improvement in this KPI in future.

30. Particulate matter is everything that is in the air that is not a gas. Some particulates can be toxic and due to their small size can enter the bloodstream and be transported around the body, causing serious impacts to health. Around half of UK concentrations of particulate matter come from anthropogenic sources (i.e. originating in human activity) such as domestic wood burning and tyre and brake wear from vehicles. ‘PM2.5 Air pollution fine particulate matter (micrograms per cubic metre, ($\mu g/m^3$))’ increased from 7 $\mu g/m^3$ in 2020 to 7.7 $\mu g/m^3$ in 2021 showing a slight decline in performance. This compares to the England rate of at 7.35 $\mu g/m^3$ (2021). However, Leicestershire still performs above average when compared to other English county councils (second quartile) in 2020. This recent change is likely to be due to the bounce back effect as the economy and society has opened up following the Covid-19 pandemic restrictions. Exceedances of the national annual average concentration levels for particulate matter are found mostly around the perimeter of the city boundary as well as routes north to Loughborough, Coalville, Ashby-de-la-

Zouch, East Midlands Airport, Melton Mowbray, Market Harborough, Lutterworth, East Shilton and Hinckley, equating to 22% of the total land area of Leicestershire.[1] Although this indicator is not within the Council's control, progress is monitored in line with the objectives outlined in the Council's Environment Strategy 2018-30 and the Improving Air Quality and Health plan across Leicestershire 2020-24: a multiagency partnership for joint action, which has identified a range of partnership actions to help improve air quality in the County.

31. 'Total LCC greenhouse gas (GHG) emissions' (gross) have increased during 2021/22 by 8% since the previous year, up to 10,152 tCO_2e (tonnes of carbon dioxide equivalent) in 2021/22, showing a decline in performance over the year. However, it has met its target as the latest results are fewer than 12,797 tCO_2e. This indicator was greatly influenced by the Covid-19 pandemic and the removal of restrictions has directly affected emission levels. The rise in Council emissions was expected following the return of many Council services and operations post-Covid-19, particularly with fleet and business travel emissions. Streetlighting, traffic signals and building electricity emissions continued to reduce. Overall, emissions remain 13% lower than 2019-20 (pre-Covid-19 pandemic) and Council emissions have now reduced by 71.7% since the 2008-09 baseline year. The Council's Greenhouse Gas Report 2021-22, presented to this Committee in January 2023, provided a comprehensive update on emissions and progress against the Council's net zero targets.

32. The 'Total business miles claimed ('000s of miles)' indicator improved in performance in quarter 2 2022/23 as claims fell by about 3% since the previous quarter to 3.9m miles claimed. It is currently much better than its target (5.5m) and has improved in performance since the same time last year (4m miles claimed) but it is expected to rise over the year as business returns to normal levels of activity.

Strong Economy, Transport & Infrastructure

33. The 'NO_2 exceedances for Leicestershire' indicator covers the number of times NO_2 has exceeded 40 $\mu g/m^3$ (micrograms per cubic metre). NO_2 is a gas that is mainly produced during the combustion of fossil fuels. The data is published by district councils in their Air Quality Annual Status Reports. The Air Quality Standards Regulations 2010 require that the annual mean concentration of NO_2 must not exceed 40 $\mu g/m^3$ and that there should be no more than 18 exceedances of the hourly mean limit value (concentrations above 200 $\mu g/m^3$) in a single year. 'NO_2 exceedances for Leicestershire' reduced from two in 2020 to none in 2021 suggesting good NO_2 air quality. The previously reported two exceedances that were reported in the previous quarter update that arose in North West Leicestershire have fallen below 40 (µg/m3). The Council does not have direct control over this indicator but it does form part of the Improving Air Quality and Health plan partnership that aims to address these air quality issues.

Background papers

Leicestershire County Council's Strategic Outcomes Framework and Strategic Plan 2022-2026

[1] Earth sense report 2022 commissioned by Public Health

http://cexmodgov1/documents/s168909/Appendix%20A%20-%20LCC%20Strategic%20Plan%202022-26.pdf

Leicestershire Insight Survey results
https://public.tableau.com/app/profile/r.i.team.leicestershire.county.council/viz/LeicestershireInsightSurvey/Introduction

Tree Management Strategy 2020-2025
https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2021/2/16/Tree-Management-Strategy-2020-2025.pdf

Tree Management Strategy update 2022
https://politics.leics.gov.uk/documents/s172042/Tree%20Management%20Strategy.pdf

Leicestershire Resources & Waste Strategy 2022-50
https://politics.leics.gov.uk/documents/s174244/Appendix%20A%20Leicestershire%20Resources%20And%20Waste%20Strategy%202022%20-%202050%20FINAL.pdf

Environment Strategy 2018-30
https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2020/7/13/Environment-Strategy-2018-2030-delivering-a-better-future.pdf

Earth sense report 2022 commissioned by Public Health, available on request from Public Health.

Improving Air Quality and Health across Leicestershire 2020-24: a multiagency partnership for joint action
https://politics.leics.gov.uk/documents/s157169/Appendix%20A%20Air%20Quality%20and%20Health%20Action%20Plan.pdf

Greenhouse Gas Emissions report 2021-22
https://politics.leics.gov.uk/documents/s174203/GHG%20Report%202021-22%20-%20E%20Scrutiny%20-%20190123.pdf

Circulation under Local Issues Alert Procedure

None.

Equality Implications

34. There are no specific equality implications to note as part of this performance report.

Human Rights Implications

35. There are no human rights implications arising from the recommendations in this report.

Appendix

Strategic Plan Performance Dashboards by Outcomes (Environment and Climate Change Performance) to December 2022

Officers to Contact

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Clean & Green

Environment & Transport KPI Performance Dashboard

Info

Leicestershire County Council

DOT Arrow Summary			RAG Rating Summary		Quartile Summary		
UP	NO CHANGE	DOWN	G	NA	1st	3rd	NA
1	2	2	1	4	1	1	3

Outcome Clean & Green

Sub Outcome People act now to tackle clima..

Branch Environment & Waste

Countywide/LCC All

Search Indicator

All

Indicator (* = Statutory Returns)	Latest Data	Period	Prev. Data	Perform. DOT	Target (Yearly)	RAG	Quartiles	Previous Updates	C/L
% domestic properties with Energy Performance Certificate rating C+ (new)	**97.1**	Q2 2022/23	97.4	→		NA	1st 2021/22		C
% domestic properties with Energy Performance Certificate rating C+ (existing)	**45.9**	Q2 2022/23	44	↑		NA	3rd 2021/22		C
% of LCC staff who say LCC is doing enough to reduce its environmental impact (post-training survey)	**91.7**	Q1 2022/23	91.2	→	80	G	NA		L
% feel protecting the environment is important (Community Insight Survey)	**96.6**	Q2 2022/23	98.2	↓		NA	NA		C
% think the Council should do more to help protect the environment (Community Insight Survey)	**65.2**	Q2 2022/23	62	↓		NA	NA		C

Environment & Transport KPI Performance Dashboard

Info

Leicestershire County Council

DOT Arrow Summary		RAG Rating Summary		Quartile Summary
NO CHANGE	NO UPDATE	G	NA	NA
1	4	1	4	5

Outcome Clean & Green

Sub Outcome Nature and local environment ..

Branch Environment & Waste

Countywide/LCC All

Search Indicator

All

Indicator (* = Statutory Returns)	Latest Data	Period	Prev. Data	Perform. DOT	Target (Yearly)	RAG	Quartiles	Previous Updates	C/L
Leicestershire rivers (excluding Leicester) are in good ecological status (%)	**9.4**	2019	0.67			NA	NA		C
Leicestershire rivers (excluding Leicester) are in good chemical status (%)	**0**	2019	99.6			NA	NA		C
Hectares of LCC land in better management for nature	**3,844**	2021/22				NA	NA		L
Percentage of suitable LCC land in better management for nature	**97**	2021/22				NA	NA		L
Tree planting	**104,279**	Up to Dec 2022	104,275	→	70,000	G	NA		L

Environment & Transport KPI Performance Dashboard

Info

Leicestershire County Council

DOT Arrow Summary				RAG Rating Summary				Quartile Summary			
UP	NO CHANGE	DOWN	NO UPDATE	G	A	R	NA	2nd	3rd	4th	NA
1	2	2	2	3	2	1	1	1	2	1	3

Outcome Clean & Green

Sub Outcome Resources are used in an envir..

Branch Environment & Waste

Countywide/LCC All

Search Indicator

All

Indicator (* = Statutory Returns)	Latest Data	Period	Prev. Data	Perform. DOT	Target (Yearly)	RAG	Quartiles	Previous Updates	C/L
* % of household waste sent by local authorities across Leicestershire for reuse, recycling, composting etc. (former NI192)	**42.1**	Q2 2022/23	43.19	↓	45	A	3rd 2020/21		C
* Annual percentage of municipal waste sent to landfill (former NI 193)	**23.8**	Q2 2022/23	23.95	→	30	G	4th 2020/21		C
* Total household waste per household (kg)	**1,000**	Q1 2022/23	1,014	↑		G	3rd 2020/21		C
Tonnes of waste produced from LCC sites	**294.6**	Q1 2022/23	263.2	↓	387.3	G	NA		L
% waste recycled from LCC sites (non-operational)	**60.7**	Q1 2022/23	59.7	→	64	R	NA		L
Total fly-tipping incidents per 1,000 population	**8.6**	2020/21	5.5	○		NA	2nd 2020/21		C
LCC Environmental risks managed	**3**	2021/22	5	○	0	A	NA		L

Environment & Transport KPI Performance Dashboard

Info

Leicestershire County Council

DOT Arrow Summary				RAG Rating Summary			Quartile Summary			
UP	NO CHANGE	DOWN	NO UPDATE	G	R	NA	2nd	3rd	4th	NA
4	1	3	1	3	1	5	1	4	1	3

Outcome Clean & Green

Sub Outcome The economy and infrastructur..

Branch Environment & Waste

Countywide/LCC All

Search Indicator

All

Indicator (* = Statutory Returns)	Latest Data	Period	Prev. Data	Perform. DOT	Target (Yearly)	RAG	Quartiles	Previous Updates	C/L
Electric vehicle charging location per 100,000 population	**37.6**	Q2 2022/23	32.7	↑		NA	4th 2022		C
Electric vehicle ownership - Ultra low emission vehicles (ULEVs) rate/10,000 population	**120.5**	Q2 2022/23	108.9	↑		NA	3rd 2022		C
Renewable energy generated in the area (MWh)	**326,437**	2021	365,411	↓		NA	3rd 2020		C
Renewable energy capacity in the area (MW)	**333.4**	2021	328.6	↑		NA	3rd 2020		C
Amount of renewable energy generated as a % of consumption	**10.7**	Q1 2022/23	11.5	→	27.8	R	NA		L
PM2.5 Air pollution fine particulate matter (µg/m³)	**7.7**	2021	7	↓		NA	2nd 2020		C
Carbon emissions per capita (in LA influence)	**4.2**	2020	4.7	○	4.8	G	3rd 2020		C
Total LCC GHG emissions	**10,152**	2021/22	9,446	↓	12,797	G	NA		L
Total Business miles claimed ('000s of miles)	**3,962**	Q2 2022/23	4,091	↑	5,518	G	NA		L

Environment & Transport KPI Performance Dashboard

Info

Leicestershire County Council

DOT Arrow Summary	RAG Rating Summary	Quartile Summary
UP	NA	NA
1	1	1

Outcome Strong Economy, Transport an..

Sub Outcome All

Branch Environment & Waste

Countywide/LCC All

Search Indicator

All

Indicator (* = Statutory Returns)	Latest Data	Period	Prev. Data	Perform. DOT	Target (Yearly)	RAG	Quartiles	Previous Updates	C/L
NO2 exceedances for Leicestershire	**0**	2021	2	↑		NA	NA		C

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