

Minutes of a meeting of the Highways and Transport Overview and Scrutiny Committee. held at County Hall, Glenfield on Thursday, 6 June 2024.

PRESENT

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

Mr. B. Lovegrove CC
Mr. K. Merrie MBE CC
Mr. L. Phillimore CC
Mr. M. Hunt CC

In attendance

Mr Boulter CC (Spokesperson for the Environment and Climate Change Overview and Scrutiny Committee)
Mr Harrison CC (Vice Chairman of the Environment and Climate Change Overview and Scrutiny Committee)

1. Appointment of Chairman.

RESOLVED:

That Mr. T. Gillard CC be appointed Chairman for the period ending with the date of the Annual Meeting of the County Council in 2024.

Mr T. Gillard CC in the Chair

2. Appointment of Deputy Chairman

RESOLVED:

That Mr. K. Merrie MBE CC be elected Deputy Chairman for the period ending with the date of the Annual Meeting of the County Council in 2024.

3. Minutes of the meeting held on 7 March 2024.

The minutes of the meeting held on 7 March were taken as read, confirmed and signed.

4. Question Time.

The Chief Executive reported that 3 questions had been received under Standing Order 35.

Question asked by Ms Rachael Wigginton (Better Biking for Blaby District):

I write on behalf of Better Biking for Blaby District, a Cycling UK partner group that represents the interests of those in Blaby and many throughout Leicestershire who

wish to travel short distances by active means - cycling, walking or using mobility chairs.

We are very worried about the lack of concern for safety in the infrastructure being designed and developed in Leicestershire. We do not yet see safety being at the top of the agenda for the increasing numbers of those wishing to walk, wheel or cycle local journeys being fully addressed in new developments.

I recently visited the new marketplace development in Shepshed and was shocked to see how safety for those on bicycles or eBikes has been completely overlooked. I struggle to understand how this can have happened when these are local shops for local people who mostly live within an easy short walking or cycling distance.

There is zero provision for those shoppers using a bike to access the new marketplace, apart from a few token cycle stands, and no provision for a safe route through the marketplace.

Whilst I was there for a few minutes only, I observed a number of people using their bicycles. I talked to a father and son who highlighted the safety issues for those choosing to ride a bike there. Another cyclist had to use the pedestrian crossing.

This was a fantastic opportunity to create an environment that encourages more local active travel, so why have those people riding bikes been overlooked? It's a huge disappointment and frankly, dangerous.

This is a question for scrutiny regarding how we develop highways infrastructure in Leicestershire. This was a Charnwood led development, but this will have had Leicestershire Highways oversight and therefore the responsibility falls to Leicestershire County Council to scrutinize these developments effectively.

How will you ensure overlooking a key group of highways users never happens again in our county? What measures do you have in place to ensure the safety of all road users is considered and that we do not continue to consider car users as the only people that travel?

In this era of high vehicle transport costs, congestion, air quality, environmental and health concerns, Leicestershire should be doing everything it can to help people switch local journeys to active ones. I'm afraid this development has fallen far short of what is required in 2024 and beyond.

Reply by the Chairman:

The project was designed and implemented by Charnwood Borough Council, working alongside Shepshed Town Council, using funding obtained from various external sources.

The main driver for such projects is town centre regeneration as set out in Charnwood Borough Council's Shepshed Town Centre masterplan - https://www.charnwood.gov.uk/files/documents/shepshed_master_plan_and_delivery_framework/Shepshed%20Master%20Plan%20and%20Delivery%20Framework.pdf

In order to proceed with the project, Charnwood Borough Council was required to submit its design proposals to Leicestershire County Council for approval as all third parties looking to make amendments to the public highway are required to.

These designs were assessed against the relevant policies and design principles in place at the time the submissions were made. This scheme was developed prior to the LTN 1/20 guidance and was not contrary to the Council's adopted Highways Design Guide at the time of submission. In light of this it was not within the scope of the Leicestershire County Council's role to request additional cycle infrastructure. The proposal was supplemented by independent stage 1 and 2 road safety audits which are required to be provided as part of a design submission. These audits did not highlight any specific concerns regarding safety for cyclists.

When the project is complete and operational, Charnwood Borough Council will be required to undertake a stage 3 road safety audit which will assess the overall safety of the project and highlight any causes for concern. In the event that a serious safety issue is highlighted, the Council will require the works' promotor, Charnwood Borough Council, to address the matter and propose a satisfactory solution.

The Council is in the process of updating its Highways Design Guide to reflect national policy and design guidance. Schemes proposed in future will be assessed against this updated guidance subject to approval by the Cabinet which is scheduled for October 2024.

Question asked by Mr John Mclelland

"The underpass at the north end of Main Street, Lockington, where the road passes below the A50, was built during the construction of the new rail line to the Rail Freight Interchange, part of the East Midlands Gateway development.

The original access from Lockington to the A50 was closed, to make room for the new freight railway line, the road now links to Hemlock Way, north of the underpass, leading to the Hilton Hotel and Junction 24 of the M1.

The design of the underpass is built into the concrete casting of the underpass framework. The road dips below the underpass and is drained from a single drain point, leading to a pump system at the southwest corner of the underpass. From here the water is pumped to the north side of the A50 towards the M1.

The design was agreed between Roxhill (the developer at the time) and LCC Highways and we believe would not comply with the existing LCC highway design rules.

Since the implementation of the new road there have been annual, if not more frequent - incidents of flooding at the underpass. After regular requests by the Parish Council remedial work was completed in early 2023. Other actions were put in place to improve the management of the drain system. The frequency for routine cleaning of the gullies was changed from 20 months to 10 months. The pumps were put onto an annual maintenance schedule.

On 28 April 2024, the underpass flooded to such a depth that it became hazardous for vehicles to pass through it. This was reported online to Leicestershire County Council as Enquiry Reference 952218. On 9 May 2024, a complaint was submitted online to LCC because of the lack of update to the original report. On 10 May 2024, the Highway Control Manager replied, saying that a number of enquiries had been received and that works had been raised to resolve the issue.

Tankers attended the site on 16 May 2024; the water was cleared and road was finally re-opened some 19 days after the start of the incident.

As a Parish Council we are concerned that this latest issue did not receive the priority that it deserved. If the problem had been addressed sooner and more effectively, the road could've been cleared quickly and damage to vehicles and personal distress could have been avoided, as well as the obvious inconvenience to regular users of the route.

If flooding does occur in future and the road has to be closed, more effective measures should be put in place to prevent vehicles from attempting to drive through the underpass. We are also concerned that, despite the remedial work last year, this underpass remains vulnerable to flooding and we feel that more active measures could be put in place to address this.

Given the weakness of the design and the resulting regular flooding of this new road since constructed, what additional steps will LCC Highways take to further improve and resolve this situation and its impact on the amenity and safety of the local community?"

Reply by the Chairman

A combination of the drainage design and pump failure has led to flooding issues at this location. The 'gully' in question, which is located at the lowest point on the road, is not a conventional highway gully, as conventional highway gullies have a sump at the base of the pot which retains any silt and debris. This gully has been 'pipe formed' in the concrete structure of the under bridge and, as such, does not have a sump, therefore, due to the build-up of silt, is prone to blocking.

Currently, two pumps operate daily to manage the surface water and groundwater runoff from the surrounding area. The operation of the pumps and gully under the bridge are the main concerns at this location. When there is considerable and prolonged rainfall pump failure (overheating) can occur due to the sheer volume of water coming into the system. Therefore, when the pumps do fail (which happens occasionally) and the gully becomes blocked with silt, there is no way of clearing the blockage which then leads to flooding.

In 2023, the Council installed additional gullies on either side of the bridge with the purpose of collecting the silt, thus reducing the risk of blockages in the drainage system. At the same time, the Council investigated the pipe gully to determine if a sump or more gullies could be added at that location. Due to the concrete construction neither of these options were possible.

The frequency for servicing the two pumps has been increased from annually to a six-monthly service schedule to ensure they are fully operational. The gullies at this location are on the Priority 1 schedule, meaning they are attended every 10 months.

It is worth noting that this site did not flood during Storm Henk in January 2024 when many other areas across the county unfortunately did.

In conclusion, while further civils works are not feasible as a precautionary measure, the Council has installed advance flood warning signs and will further consider adding water depth gauges as it has at other locations.

Supplementary Question asked by Mr M. Hunt CC on behalf of Mr J. Mclelland:

'Given the known weakness in the highways design at this location, the understood mechanisms of failure, and the recently demonstrated consequences when failure occurs (as it has every year to date and even with the modifications) : Why can the gully not be cleared out more proactively than once every 10 months either routinely after Xmas or on say a 6 monthly cycle'

Response from the Director of Environment and Transport:

Priority 1 (10 months) is the most frequent routine cleansing priority in our gully cleansing programme, carried out under contract by external resources.

However, the Council does arrange additional ad-hoc cleansing using its internal reactive resources following adverse weather at another known flooding site. This approach of additional cleansing over and above the contracted routine cleansing programme will now be carried out at the Lockington site.

Question asked by Ms. Jackson and Ms. Perry on behalf of residents of Mountsorrel Cottages

"We are getting in touch regarding the number and severity of crashes along the B5118 Station Road, Stoney Stanton.

Please see attached graph, photos and a video of some of the crashes which have occurred in less than two years. Also attached is a statement prepared and presented to the Parish Council following the accident of 5th May 2024 by one of the residents of Mountsorrel Cottages.

This will help you to understand that not only the severity of the damage caused but also that the accident of 5th May 2024 was not an isolated incident.

In our opinion it is a miracle that to date no one has been killed.

From the information submitted you will understand the concerns of the residents of Mountsorrel Cottages.

The residents would like to know what immediate action Highways will take to resolve this situation before there is a fatality!"

Reply by the Chairman:

Following the most recent accident, a site visit was conducted to assess the existing highway conditions and the Council can confirm that there are village gateway signs, speed limit roundels and dragon teeth markings when entering into the village from Elmesthorpe. There is also a set of carriageway 'SLOW' markings and a junction warning sign opposite the private access road to Mountsorrel Cottages to make drivers aware of the change in surroundings and the start of village built up area. All these signs and road markings are in good and visible condition.

Appropriate records were checked which confirmed that a speed survey was conducted outside No. 9 Mountsorrel Cottages (Station Road) from 27th November to 4th December 2023. The survey results are as follows:

Direction	Mean Speed	85th Percentile
Both Directions	27.1mph	32.2mph
South East Bound	26.5mph	31.4mph
North West Bound	27.6mph	33.1mph

When assessing if a road would be considered an area of concern, the police would normally advise that the 85th percentile of speed should be above the National Police Chiefs Council (NPCC) threshold for prosecution which is 35mph (speed limit + 10% + 2mph) in a 30mph speed limit. The results of the survey confirm that the mean and 85th percentile speeds are within the threshold of speed enforcement and are in very good compliance of the speed limit.

Leicestershire County Council as the local Highway Authority is responsible for the implementation of speed limits; however, enforcement of speed limits remains a matter for Leicestershire Police to undertake if drivers are not travelling at the posted limit. Residents can raise their concerns direct to the police and request to add Station Road into their community concern site list for mobile speed camera enforcement. Further information is available at <https://www.speedorsafety.com/community>.

A review of the most recent traffic collision data for last five years shows that no personal injury collisions have been recorded within a 50m radius of this collision. Any collision which does not result in injury is not recorded by the police; consequently, these are not passed to the County Council. The reportable injury collisions are the nationally agreed criteria and is the only set of comparable data that can be used to prioritise resources for road safety improvements.

The recent serious collision on Station Road is currently being investigated by the police and the preliminary enquiries suggest that the vehicle was being driven at speed in the night whilst entering into the village and hit the parked cars outside Mountsorrel Cottages (Station Road). The police investigation is currently ongoing, therefore, it is too early to draw any definite conclusions surrounding this collision.

Observations on site noted that there is rear access to Mountsorrel Cottages through the private access road, which, if the residents are mindful, could be utilised to park their vehicles off-street behind their houses.

It is appreciated that this is a very emotive subject for the residents, however, in this case the Highway Authority is satisfied there is nothing further that would alleviate the anti-social behaviour of a minority of motorists on the County Roads.

Reports of speeding/racing/anti-social behaviour should all be reported to the police.

5. Questions asked by members under Standing Order 7(3) and 7(5).

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

6. To advise of any other items which the Chairman has decided to take as urgent elsewhere on the agenda.

- There were no urgent items for consideration.
7. Declarations of interest in respect of items on the agenda.

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 in accordance with Overview and Scrutiny Procedure Rule 16.

There were no declarations of the party whip.

9. Presentation of Petitions under Standing Order 35.

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

10. Leicestershire Highway Design Guide Refresh.

The Committee considered a report of the Director of Environment and Transport which provided a refresh on the Leicestershire Highways Design Guide. A copy of the report marked 'Agenda Item 10' is filed with these minutes.

The Chairman welcomed Mr Boulter CC and Mr Harrison CC, Members of the Environment and Climate Change Overview and Scrutiny Committee to the meeting for this item.

Arising from discussion the following points were raised:

- (i) Members of the Committee welcomed the report and looked forward to the response from the industry.
- (ii) In response to a query raised around the responsibility for air quality, it was noted that climate adaptation had been considered as part of the Guide and a flexible approach to the use of materials was the general ethos to drive better outcomes overall to decarbonise the highways operation. The materials used in constructing and maintaining highways also now could have a positive impact on air quality.
- (iii) It was noted that whilst the Highways Department could not control the specification for the garages being built, however the department would only count a garage as a parking space where it meets the minimum criteria.
- (iv) In response to a query about how Section 106 developer contributions could be leveraged, it was noted that this was governed by the National Planning Policy Framework and the need for compliance with Community Infrastructure Levy (CIL) which requires that contributions are directly related to the impact of the development. It was suggested that the potential local transport funding could provide scope for bridging the funding gap for infrastructure between the cost of what is required and what development can viably stand should this funding be confirmed after the national elections.

- (v) It was noted that pavement parking was mainly a behavioural issue. New developments provided adequate off road parking which encouraged appropriate parking and was part of the design considerations. Speed tables were installed for safety and speed reduction and there was continual learning to improve layouts and designs over time.
- (vi) It was noted that new public rights of way were a concern to communities and consideration had been given to where links needed to be made to and from new developments to the existing network. The equalities impact assessments carried out informed the Highways Design Guide with greater emphasis towards sustainable modes of transport and it was noted that the Design Guide provided guidance around laybys and clearways to ensure that developments did not severely impact the existing network.

RESOLVED:

That the report be noted and the comments now made be presented to the Cabinet for consideration at its meeting on 13 September.

11. Electric Vehicle Charging Strategy.

The Committee considered a report of the Director of Environment and Transport which provided an update on the Electric Vehicle (EV) Charging Strategy. A copy of the report marked 'Agenda Item 11' is filed with these minutes.

The Chairman again welcomed Mr Boulter and CC Mr Harrison CC, Members of the Environment and Climate Change Overview and Scrutiny Committee to the meeting for this item.

Arising from discussion the following points were raised:

- (i) It was noted that the EV Charging Strategy was one element of the Council's wider approach to become a net zero County by 2050 and would be reviewed in two years to take on the learning from the Local Electric Vehicle Infrastructure funded pilot which would launch in the autumn of 2024. The pilot which the Council had been allocated funding, would see up to 100 public chargepoints consisting of a mix of standard and rapid chargepoints for Leicestershire.
- (ii) It was suggested that capacity on the grid should be sufficient and that all pilot chargepoints would be subject to grid capacity checks with Distribution Network Operators and engagement with local communities during summer 2024. However, there would be a number of challenges as this was an entirely new area of work for local authorities and it would be dependent in part on changes in public behaviour. There would be a lot of learning to facilitate and manage delivery of the pilot, but there was an extensive data base that allowed for planning and prioritising of options.
- (iii) It was suggested that the home charging points policy was suitable and appropriate for the geographic area but that this should be kept under review to take in learning from other similar areas.
- (iv) It was noted that the standards for the length of driveway had been reduced and the stance for 90-degree parking from the road was there for safety

reasons and to avoid manoeuvring on footways to get parallel to the home on the drive. The Strategy was open to review at regular periods to take on learning from Pilots on various aspects. The dropped kerb policy was generous and for modern, larger vehicles this would be reviewed on a case by case basis.

- (v) It was noted that although hydrogen power was being used in some HGV's and buses, the technology was not in place for cars. However, it was suggested that there was scope for a potential market which could be considered in the future.
- (vi) It was suggested that there were growing needs for charging facilities in rural areas and that the prospect of village community powerpoint charging bases were options that would be welcomed to address the needs of those in rural areas where alternative options may not be appropriate.
- (vii) In response to a query around trailing cables, it was noted that local authorities had been pressing the DfT who were expected to provide further guidance.

RESOLVED:

That the report be noted and the comments now made be presented to the Cabinet for consideration at its meeting on 13 September.

12. Dates of future meetings.

RESOLVED:

That the dates of future meeting of the Committee would be held on the following dates starting at 2.00pm:

5 September 2024
7 November 2024
16 January 2025
6 March 2025
5 June 2025
4 September 2025
6 November 2025

13. Any other items which the Chairman has decided to take as urgent.

There were no other items which the Chairman decided that was of an urgent nature.

2.00 pm - 03.01pm
06 June 2024

CHAIRMAN