

**MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL**

**WEDNESDAY, 7 DECEMBER 2022 AT 2.00 P.M.**

**ORDER PAPER**

**EVACUATION PROCEDURE**

In the event of having to evacuate officers will be able to advise and be on hand to assist any people with disabilities.

**AGENDA ITEM NO. 1 – CHAIRMAN’S ANNOUNCEMENTS**

The CHAIRMAN will make his announcements.

**AGENDA ITEM NO. 2 – MINUTES**

(Pages 3 to 26)

The CHAIRMAN will move and the VICE-CHAIRMAN will second:

‘That the minutes of the meeting of the Council held on 6<sup>th</sup> July 2022 and the extraordinary Council meeting held on 13<sup>th</sup> September 2022, copies of which have been circulated to members, be taken as read, confirmed and signed.

**AGENDA ITEM NO. 3 – DECLARATIONS OF INTEREST**

The CHAIRMAN will invite members who wish to do so to make declarations of interest in respect of items on the agenda for this meeting.

**AGENDA ITEM NO. 4**

**QUESTIONS ASKED UNDER STANDING ORDER 7(1) (2) & (5)**

**(A) Question by MR HUNT**

“Green House Gases (GHG) and Contracts:

1. The Council has set a target to reach Net Zero for its own operations. Why is it then that we don’t know the carbon emitted from our own multi-million pound residual waste contract recently awarded to Biffa?
2. Why is this contract excluded when calculating GHG emissions from our own operations?
3. What is stopping the County Council requiring contracts to submit carbon and other GHG emissions figures as part of the procurement process in future?
4. According to the statutory Climate Change Committee, one of the greatest threats to climate change comes from GHG (notably methane) from ruminant

animals, mainly sheep and cattle. As a predominantly rural county is it time to count the cost of these emissions in Leicestershire?”

**Reply by MR PAIN**

- “1. The County Council did not require Biffa to submit carbon emission figures as part of the procurement process, so a specific carbon saving has not been calculated. However, we are confident that a carbon saving will be realised. The location of the new facility means that the total haulage miles will be reduced leading to a carbon saving. In addition, the Newhurst plant will be one of the most technologically advanced Energy from Waste facilities in the UK. The reported electrical efficiency of the plant means that carbon emissions per tonne of residual waste should be notably better than landfill.

Emissions from the disposal and treatment of household waste are currently outside of the scope of the County Council’s target to achieve net zero for its own operations by 2030.

2. I would draw Mr Hunt’s attention to the following statement from the Council’s annual greenhouse gas report:  
 ‘The council has excluded greenhouse gas emissions from schools (all scopes) and contracted services such as waste disposal and business travel by public transport (scope 3), due to the cost of data collection and/or its availability. The council has also excluded the emissions resulting from activities undertaken by contractors, due to the limited requirements for contractors to annually monitor energy and fuel usage within existing contracts.’

Despite the exclusions from the 2030 commitment, the Council commissioned consultants to calculate and analyse the Council’s scope 3 emissions during 2021 (an overview of the scope 3 emissions study is provided on pages 10 and 11 in the 2030 Net Zero Council Action Plan (which is at pages 171 to 172 of the Council Agenda pack) and is looking to improve its data availability and quality for scope 3 emissions reporting.

3. The Council does now ask suppliers, where proportionate, to support us in transitioning to net zero. The Government has a Carbon Reduction Plan template which has been created to collate the required information in one place for ease of use, and to minimise the burden placed upon suppliers. The Council is reviewing this template along with a Sustainable Procurement Policy and ways to measure greenhouse gas emissions from our suppliers in a way that is proportionate.
4. Agricultural emissions for Leicestershire are included within the baseline emissions in the 2045 Net Zero Leicestershire Strategy alongside actions to begin to address these emissions within the Nature and Land Use section of the Net Zero Leicestershire Action Plan.”

**(B) Question by MR HUNT**

“Charnwood Local Plan:

1. The Charnwood Local Plan to 2037 is now going to Examination in Public early next year. The Inspectors latest report has affirmed that the process should proceed without waiting for a Strategic Transport Assessment. When will the Strategic Transport Assessment be completed?
2. Will we, as the local highway authority, in spite of the latest financial strictures continue to support the current highways and transportation mitigation package as quoted in Cabinet last June?
3. Can the leader confirm that the County Council cannot be expected to commit to constructing new infrastructure in the Charnwood Local Plan unless the receipt of funds from developers or external sources are guaranteed to meet the full cost and, if so, how can these costs be assured over the lifetime of the plan?
4. On 24th June 2022 in response to the Charnwood Local Plan, the Cabinet agree that “unless significant changes occur in societal behaviours and expectations, there are significant limitations as to the extent to which the impacts of growth on the County’s transportation system can be mitigated in the future”. What societal changes is the Cabinet waiting for before mitigating the impacts of growth in the Borough and what would that mitigation look like?
5. Given that we cannot be reliant on the delivery on Road Investment Strategy Pipeline Projects, is it time to drop the plans to increase the speed and capacity of the A6 through Loughborough and focus on developing active travel solutions to peak traffic caused by short journeys to work and schools?
6. How does the County’s A6(n) pipeline project conform with the Net-Zero Carbon Strategy and how can its carbon emissions be offset?”

**Reply by MR O’SHEA**

- “1. As a point of clarification, the Examination in Public (EiP) commenced in June 2022, and the original hearing sessions then paused by the Inspectors as a result of a proposed change in the approach by Charnwood Borough Council to meeting the City of Leicester’s (the City) unmet housing need. New, additional hearing sessions relating to how the City’s unmet need had been established, were held by the Inspectors in October. It is now understood that the original hearing sessions should recommence in early 2023.

The Strategic Transport Assessment (STA) work is being undertaken in respect of the Leicester and Leicestershire Strategic Growth Plan and is not of direct relevance to the Charnwood Local Plan’s EiP, hence the Inspectors’ conclusions on this matter. Regarding the timing of the STA’s completion, its first stage is now reaching a conclusion for consideration then by the Strategic

Planning Group (SPG) and Members Advisory Group (MAG). Those bodies will then need to consider next steps, including the timetable for the next stage of the STA work.

2. The transportation mitigation package is based on evidence work underpinning the Local Plan and at this time represents the best (proportionate to the requirements for a Local Plan) understanding of the measures required to support the Borough of Charnwood's future growth. The Local Highway Authority continues to support it, but as stated in the report to the Cabinet in June 2022, the cost of the package is beyond what the County Council can afford, even prior to the impacts of the Covid-19 pandemic on its budgets and given that we are the lowest funded county council. That report also sets out that where opportunities for one-off Government grant funding may arise, external funding would be required for any match funding or significant bid development costs. Furthermore, the County Council's proposal is to pool developer contributions from developments with this funding being used for priority projects only when the money has been received. This approach has subsequently been reinforced by the report to the November Cabinet meeting on 'Managing the Risk Relating to the Delivery of Infrastructure to Support Growth'.
3. The previous response to question two confirms that, as set out in the June Cabinet report on the Local Plan and as reinforced by the subsequent report to the Cabinet in November on managing the wider risks of delivering infrastructure to enable growth, the County Council is no longer able to commit to constructing new infrastructure unless and until it is fully funded by and from other sources, be that in the Borough of Charnwood or elsewhere across the County.

Given current and likely ongoing health, political and financial volatilities across the globe, it would be extremely unwise to provide any absolute assurances or guarantees in respects of costs of, and funding for, the delivery of the transportation package; indeed, the likelihood that the package may not be fully funded is already acknowledged in the June Cabinet report.

Notwithstanding this, the Local Highway Authority (LHA) remains committed to seeking to take forward development of the three Charnwood area transport strategies set out in the June report, along with supporting/constituent elements, such as development of the Loughborough/Shepshed and North of Leicester Local Cycling and Walking Infrastructure Plans and the A6 Major Road Network study work (as referred to in questions 5 and 6). This should place the Authority in the best position possible to seek to secure funding from developers and to take advantage of any relevant, future Government bidding opportunities, as appropriate.

4. As a point of clarification, it is not a case of waiting for societal changes to take place before implementing mitigating measures, rather that, and as the June Cabinet report makes clear, there are significant limitations as to the extent to which the impacts of growth, for example on levels of traffic

congestion or emissions, can be mitigated unless as a society, we change our behaviours and expectations.

What this means is that the most recent transport modelling work (including for the Charnwood Local Plan) is beginning to indicate that even if in future it is possible to 'max out' travel by sustainable travel to a level that it is reasonable and plausible to suppose based on current behaviours and expectations, in all likelihood the benefits of doing so would in part or in full be outweighed by increased travel demand arising from population and economic growth.

This is not a reason to stop seeking to promote, enable and maximise travel by sustainable modes. It is, however, a recognition that if as a society we carry on as is, with the same inherent day-to-day abilities to travel where, how and as we so wish, and, say, with the same expectations about the standards of goods and services that bodies and businesses provide (e.g., about the range of goods available in shops or next day delivery), modelling work is indicating that going forward there will be significant limitations on the extent to which the transport and environmental impacts of growth in Leicester and Leicestershire (and probably more widely) can be mitigated. However, the changes necessary are beyond what Leicestershire County Council can achieve alone and require national policy and legislation. The Authority will continue to take opportunities to lobby the Government to this effect.

5. As a point of clarification, the Road Investment Strategy (RIS) Pipeline Projects are being taken forward by National Highways as they relate to the Strategic Road Network. The A6/A6004 is part of the Major Road Network (MRN) for which the County Council as the LHA is responsible.

So far as the LHA is aware, no decision has yet been taken by the Government about the future of any of the RIS Pipeline Projects in the County, but regardless of that, transport evidence work, including that underpinning the new Charnwood Local Plan, is indicating that future population and economic growth will generate travel demand that will impact on the A6/A6004 corridor. It is important therefore to examine what opportunities exist to seek to mitigate those impacts. The MRN study work is at an early stage, and whilst certain measures might have been identified from the Local Plan evidence work, it is far too early to say at this time what an overall package of measures might consist of along the corridor from Kegworth to Birstall. (Additional capacity may be required to accommodate a greater number of vehicles on the corridor in the future, even if those vehicles are far cleaner than now because they are electric, or hydrogen powered.)

6. As set out in the previous response to question five, it is too early at this time to say what a package of measures might look like along the A6/A6004 MRN corridor. As the package is developed, its impacts on carbon emissions will be assessed."

**AGENDA ITEM NO. 5 – TO RECEIVE POSITION STATEMENTS  
FROM MEMBERS OF THE CABINET**

(Note: Standing Order 8 provides as follows: -

- (a) A position statement may give rise to an informal discussion by the Council.
- (b) At the conclusion of the discussion a formal motion may be moved to the effect that a particular issue relevant to the statement be referred to the Cabinet, the Commission, a Board or a Committee for consideration. This shall be moved and seconded formally and put without discussion. No other motion or amendment may be moved.
- (c) The discussion of any position statement shall not exceed 20 minutes but the Chairman may permit an extension to this period.)

**LEADER**

The Leader will make his statement.

**LEAD MEMBER FOR COMMUNITIES AND STAFF RELATIONS**

Mrs Posnett will make her statement

**TO CONSIDER REPORTS OF THE  
CABINET, SCRUTINY COMMISSION, SCRUTINY COMMITTEES,  
AND OTHER BODIES**

**AGENDA ITEM NO. 6  
REPORTS OF THE CABINET**

(Pages 27 to 300)

Principal Speakers: -  
Mover of motion (as appropriate)  
Leader of the Opposition (Mr M Mullaney)

- (A) **Leicestershire County Council Community Safety Strategy 2022 - 2026**

MRS TAYLOR will move and MRS RICHARDSON will second:

“That the Community Safety Strategy 2022 – 2026 be approved.”

(B) Net Zero Leicestershire Strategy and Action Plan

MR PAIN will move and MR O'SHEA will second:

"That the Net Zero Leicester Strategy and Action Plan and the Net Zero Council Action Plan set out as Appendices D, E and F to this report, be approved."

(C) Annual Delivery and Performance Compendium 2022

MR BRECKON will move and MR SHEPHERD will second:

"That the Annual Delivery Report and Performance Compendium 2022 be approved."

(D) Transfer of a section of the Ashby Canal

MR RUSHTON will move and MR O'SHEA will second:

- "(a) That this Council is satisfied that it is expedient for the Council to apply to the Secretary of State for Environment, Food and Rural Affairs to promote an Order under the Transport and Works Act 1992 to transfer powers under the Transport and Works Act Order 2005 to the Ashby Canal Association for a section of the Ashby Canal line between Snarestone and Measham; and
- (b) That the Director of Environment and Transport in consultation with the Director of Law and Governance be authorised to take all steps as may be necessary or expedient for the purposes of promotion of the Order."

**AGENDA ITEM NO. 7**  
**REPORTS OF THE CORPORATE GOVERNANCE COMMITTEE**

(Pages 301 - 324)

Principal Speakers:-  
 Chairman (Mr T Barkley)  
 Liberal Democrat Spokesman (Mr G A Boulter)

(A) Amendments to the Financial Procedure Rules

MR BARKLEY will move and MR RICHARDSON will second:

"That the proposed amendments to the Financial Procedure Rules, set out in Appendix A to the report of the corporate Governance Committee, be approved."

(B) Revised Member Planning Code of Good Practice

MR BARKLEY will move and MR RICHARDSON will second:

“That the revised Members’ Planning Code of Good Practice as set out in Appendix A to the report to the Corporate Governance Committee be approved.”

**AGENDA ITEM NO. 8**  
**REPORT OF THE EMPLOYMENT COMMITTEE**

(Pages 325 to 340)

Principal Speakers:-  
Chairman (Mr L Breckon)  
Liberal Democrat Spokesman (Mrs L Broadly)

(A) Pay Policy Statement 2023/2024

MR BRECKON will move and MR BEDFORD will second:

“That the County Council’s Pay Policy Statement 2023/2024, as set out in the Appendix to the report of the Employment Committee, be approved.”

**AGENDA ITEM NO. 9**  
**REPORT OF THE CONSTITUTION COMMITTEE**

(Pages 341 - 348)

Principal Speakers:-  
Chairman (Mr N J Rushton)  
Liberal Democrat Spokesman (Mr M Mullaney)

(A) Review and Revision of the Constitution

MR RUSHTON will move and MRS TAYLOR will second:

“That the proposed changes to the Constitution as set out in Appendix A and the revised terms of reference for the Corporate Governance Committee set out in Appendix B to the report be approved.”