



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 tCO₂e per tonne of waste, lower than the alternative of landfill (0.452 tCO₂e 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%

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 sewer 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 Severn 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
19 January 2023

CHAIRMAN

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