

COUNCILLORS

Nigel Moxon (Chairman)
Tom Hollis (Vice-Chairman)

Richard Butler
Anne Callaghan BEM
Penny Gowland
Mike Introna
Kane Oliver

John Ogle
Roger Upton - **Absent**
Jonathan Wheeler
Elizabeth Williamson

SUBSTITUTE MEMBERS

None

OTHER COUNCILLORS IN ATTENDANCE

Councillor Neil Clarke MBE
Councillor Stephen Garner

OFFICERS

Mick Allen	Group Manager, Environment and Resources
Martin Elliott	Senior Scrutiny Officer
Rachel Fowler	Team Manager Waste Strategy & Development
Derek Highton	Interim Corporate Director - Place
Suzanne Heydon	Network Management Director - Via East Midlands
Neil Hodgkinson	Design and Consultancy Director – Via East Midlands
Sue Jaques	Flood Risk Manager
Daniel Maher	Managing Director – Via East Midlands
Kate Morris	Democratic Services Officer
Gary Wood	Head of Highways and Transport

1. MINUTES

The minutes of the last meeting held on 12 October 2022, having been previously circulated, were confirmed and signed by the Chairman.

2. APOLOGIES FOR ABSENCE

None

3. DECLARATIONS OF INTERESTS

There were no declarations of interest.

4. **HIGHWAYS AND ROAD SAFETY**

The Cabinet Member for Transport and Environment, the Interim Corporate Director, Place and the Head of Transport and Highways attended the meeting to provide a presentation that gave an overview of the outcomes of the Highways Review and subsequent work to implement the Action Plan. To provide technical detail the Managing Director, the Network Management Director and the Design and Consultancy Director from Via East Midlands also attended. A **summary** of the presentation is detailed below:

- Following a motion passed at Full Council in May 2021 a cross party Highways Review Panel was established to address issues around Highways and Road Safety. The review included an LGA Peer Review and external consultation.
- The Review developed a fifty-one-point Action Plan, a good proportion of which had already been implemented or work initiated. Work took place collaboratively with the front-line workforce, officers, Members and Via.
- Major capital investment in roads over a four year period had been introduced with new strategies being developed and implemented. Via had created the Highways Hub to coordinate both scheduled and emergency repairs to highways from a central depot.
- A substantial increase in productivity had been seen following the implementation of the action plan. Existing teams doubled the area of road surface repairs completed, and the number of teams was doubled resulting in a quadrupling of overall productivity. This had allowed a change in emphasis from small patch repairs to larger, more long-term repairs reducing the need to revisit sites and reducing the use of Viafix by over 61%.
- Since the review and the appointment of the new Managing Director of Via East Midlands, the delivery framework had been renewed to improve collaboration, establish a new subcontracting framework and give better value for money.
- Additional funding had been allocated to increase capacity to manage environmental maintenance, included trees maintenance, increasing biodiversity, maintenance for landscaping in town centres, maintenance of footways, and improvement of drainage. Functionality had been added to the MyNotts app to allow easier reporting of drainage issues for the public.
- Partnership working and work with the community was also highlighted in the review. The relationships with District and Parish Councils were reviewed and reinvigorated, as were links with partners and community groups. This had allowed better collaborative working around highways issues.
- Efforts to manage works carried out by the Utilities had been highlighted as a key point in the review. A permitting scheme had been introduced in 2020 that had resulted in a reduction in time taken by the Utilities to complete minor works on the highways. Applications for permits had been rejected

for various reasons including insufficient traffic management measures and incorrect conditions submitted on the application.

- The number of inspections carried out on Utilities work had been increased, and this had led to an increase in the number of identified works where a valid permit for the works taking place was not in place.
- The Highways Review Panel had been keen for the Council to consider a levy on works on the most heavily congested roads. Similar schemes had been introduced by other County Councils and were seen to be self-funding and drove the Utilities to be more efficient.
- The Review Action Plan had included points to improve communications. New letter formats had been developed to give information to residents about what to expect when a road was repaired and when a road was due for repairs. This information had been made available in a number of different formats.
- Road Safety had been an important factor of the Review. An existing database was in place recording injury accidents across the highways network and allowed the identification of accident hotspots which were then targeted. It was further developed to include information around asset management, active travel, and health issues. Information from the database was shared with Police and other partner agencies to target joint activity.
- In the last 20 years the number of casualties on the roads in Nottinghamshire had significantly reduced. Pre 2000 826 people had been killed or serious injured a year on the highways, by the end of 2021 this number had reduced to 278. The Council had set ambitious targets to further reduce those figures by 2030.
- Reductions in injuries and fatalities were attributed to increased efforts around the three 'E's: Engineering, Enforcement and Education
 - Engineering included works such as signage, lining or more involved engineering solutions such as new or modified junctions or crossings.
 - Enforcement work took place with Nottinghamshire Police, most particularly around targeted activity on the main 4 contributing factors to accidents, speed, failure to use a seatbelt, use of a mobile phone and/or, drink/drug driving.
 - Education, for all ages from school children through to mature drivers. Particular focus was on education for 11-15 years olds, cyclists, mature drivers and motorcyclists. Pre-driver courses were identified as effective and should be further rolled out, the potential for sponsorship to extend reach and make them more inclusive was being explored.
- A Motion at Full Council on 20 January 2022 had asked that a 20mph speed limit be explored on all residential roads. A large national pilot had shown that a 20mph limit did not show significant reductions in speed or casualties where the only measures were signage. Local pilots had also not shown an increase in cycling or walking as a subsequent result of 20mph speed limits. Various speed and traffic management techniques had been considered,

many of which were already used throughout the road network. The Review Panel had agreed that the introduction of a blanket 20mph limit would have minimal effect, based on numerous pilots nationally, but acknowledged that individual and bespoke pilots could be trialled. Guidance from the Department for Transport was expected in 2023 detailing a standard approach.

- In September 2021 a two-day comprehensive LGA peer review had taken place. The feedback from the review had been integral to the development of the improvement plan. In December 2022 the LGA Peer Review revisited the authority. Initial feedback from the Peer Review had shown that a great deal of progress had been made against the fifty-one-point Action Plan, with positive changes to leadership and culture having been made, including partnership working and real improvements had been made around customer focus and stakeholder engagement.
- The second review had acknowledged that there was still work to be done and challenged the Council to increase the use of benchmarking for continuous improvement and innovation and to seek out best practice nationally.
- The Cabinet Member for Transport and Environment thanked staff and paid tribute to the workforce for their continued hard work and efforts to bring about the changes identified within the Highways Review.

In the discussion that followed, members raised the following points:

- Members questioned how the increase in citizen satisfaction had been measured, noting that during anecdotal conversation with residents, concerns around Highway condition was still high.
- New powers to enforce moving traffic offences had been introduced by a number of Authorities across the country. Members questioned what Nottinghamshire County Council had done to take up these powers.
- Members asked how highways repairs were initially assessed and how the decision was made to do carry out large patch fixing rather than using the Viafix solution on potholes. They asked how many patching work teams there were in the County in total.
- In terms of Road Safety, concerns were raised that requests for speed restrictions had been turned down in the past due to a lack of casualties. Members asked whether consideration could be given to these policies to allow a more proactive approach, rather than reactive response.
- Following the encouraging news that the number of patching gangs had been doubled, Committee members questioned whether a patching gang should be based in each of the individual districts within the county.
- Some committee members felt that the state of the roads in some particular areas of Nottinghamshire were worse than they were, despite efforts to improve them.

- Committee members questioned what impact inflation had had on the cost of materials and workforce, and how this had then impacted the additional funding detailed in the presentation along with the reduction in government funding.
- Members were very happy to see the significant reductions in fatalities and serious injuries over the last 20 years on the roads of Nottinghamshire and acknowledged the partnership work that had taken place between the Council, Via and other partners. Members requested that further consideration should be given to the reduction in speed limits for the safety of pedestrians as well as other road users where appropriate.
- Queries were raised around how the value for money assessment had been carried out regarding the appointment of a senior consultant on the Highways Review Panel to the Via Board and as an advisor to Via.
- Members noted that across the County there were examples where utilities had carried out works and the reinstatement of those sections of road was not good enough quality where the reinstatements had deteriorated and the subsequent repairs had fallen to the County Council to complete. Members asked how the Council was holding Utility Companies to account for the reinstatements that they were carrying out and ensuring they were good enough quality.
- Members asked about the programme of inspection works for reinstatements and highlighted that for people with mobility issues poor reinstatement of footpaths was a particular issue for concern.
- Members raised concerns that drainage issues and blocked gullies was leading to excess water on the roads which caused an increase in the number of potholes developing.
- Members asked how the progress against the action in the Action plan and improvement would be monitored moving forward.

In response to the points raised the Cabinet Member for Transport and Environment, the Interim Corporate Director, Place and the Head of Transport and Highways along with the Managing Director, the Network Management Director and the Design and Consultancy Director from Via East Midlands provided the following responses:

- The number of complaints relating to road and pathway surfaces had reduced and messages of praise from the public had increased. The Cabinet Member acknowledged that winter months always saw an increase in the number of emergency repairs required on the Highways network, but that overall, numbers had reduced.
- Work on the application for additional powers to the Department for Transport had been completed but the window for applications was not currently open. Once the new powers were granted following the application process they would be rolled out across the county. Feedback from members around hotspots to be targets was welcomed. No definitive timeframe for applications had been given by the Department for Transport at the time of the meeting.

- Once a repair had been identified it was inspected on an individual basis. The newly established Highways Hub had brought together knowledge from various expertise, including the Highways Inspectors and assessed the best option for each repair. Officers informed members that for certain significant defects there was a statutory duty to repair these within 24 hours. These were usually completed using the patch method in order to adhere to statutory time scales.
- Officers informed the Committee that there were eight work teams who had delivered 150,000 square metres of patching across the county. Some machines and techniques could only be used in warmer temperatures due to the methods and materials they relied on and so a focus over the colder months was on the local road networks and clusters of reported potholes.
- Casualty reduction work took place in partnership with Nottinghamshire Police. Locations with high casualty numbers were targeted ahead of those with lower numbers. There was a facility to consider sites with lower or no casualties for traffic calming measures and Members were invited to raise these with their Senior District Manager. There was a process for members to request reviews on hotspots, and these were considered in the confines of Highway legislation and funding availability.
- Patching gangs reacted to highway repair needs across the County so as to provide the most reactive response to local need as possible. There were eight gangs and seven districts meaning that division by area would not be practical or desirable. Officers provided statistics demonstrating an even distribution of works across all of the districts in the County. District geography was not considered when prioritising work. Work was prioritised on greatest impact and best value for money.
- The Cabinet Member confirmed that government funding had remained consistent. Managing the impact of rising costs was challenging as the cost of materials, labour, and running vehicles were all increasing. The Cabinet Member reiterated his acknowledgement that the roads were not perfect, and that it would never be possible to eliminate potholes. Many good repairs had been carried out in the areas highlighted by members. The Cabinet Member reemphasised his praise for the Patching Gangs and their continued efforts to provide effective and efficient repairs across the County.
- Officers confirmed that they welcomed discussions with members about specific areas of concern on the highways. Implementing a blanket 20mph speed limit across the county would mean a reduction in spend on other aspects of Road Safety across the area, including on targeted accident hotspots. Officers confirmed that the fabric and layout of highways could be altered to improve safety, but that human behaviour was also an important factor in improving safety meaning education was an important factor.
- Appointment to the Via Board of a consultant involved with the Highways Review was confirmed on a “time” basis and represented value for money given the expertise that individual brought to both roles. This matter was however, considered to be outside the scope of the Highways Review.

- Improvement of reinstatement works was highlighted in the Review. An inspection process was in place and used to assess the quality of reinstatement works. The Council was willing to challenge the utilities companies around reinstatement work in a non-adversarial way where necessary and noted that the permit scheme highlighted in the presentation was helping to support this work along with the appointment of additional Utility inspectors.
- Officers confirmed that throughout the presentation, and subsequent discussion, when they referred to Highways it encompassed both road surfaces and pavement surfaces. There was a programme of inspection works for reinstatements, a sample of each Utilities work was sampled by compliance inspectors across the county and throughout the life of the works. Members were encouraged to feedback specific issues in their areas with reinstatement works so that inspection teams could target the areas most in need of attention.
- Additional funding of £125,000 had been allocated to addressing drainage issues and an extra £100,000 for maintenance of grips and gullies. A programme for clearing drainage gullies had been developed and was recently implemented. Work was underway on this programme.
- The Highways Review Panel remained in place and would meet periodically or as needed to monitor progress against the Action Plan. A 12-month review meeting was planned to review the work and progress against the actions outlined in the Action Plan and a further update to this committee was planned following that 12 month review.

The Chairman thanked the Cabinet Member for Transport and Environment, the Interim Corporate Director, Place, Head of Transport and Highways, the Managing Director, the Network Management Director and the Design and Consultancy Director from Via East Midlands for the attending the meeting and answering members' questions.

RESOLVED 2023/01

1. That the following issues raised by the Committee in its consideration of the Highways and Road Safety report be progressed:
 - a) That a progress report on the delivery of the Highways Joint Continuous Improvement Plan be brought to the December 2023 meeting of the Place Select Committee.
 - b) That a briefing note detailing the outcomes of the recent peer review of highways be circulated to members of the Place Select Committee.
 - c) That members of the Place Select Committee receive regular briefing notes on highways issues in a format and at a frequency to be agreed by the Chairman of the Place Select Committee, in consultation with the Cabinet Member for Transport and Environment and officers.

- d) That the Place Select Committee carries out pre-decision scrutiny in advance of any decisions taken by the Cabinet Member for Transport and Environment on the location of 20mph speed limit pilot schemes.
- e) That the data that has been collected from the exiting 20mph speed limits pilot schemes be circulated to members of the Place Select Committee.

5. WASTE MANAGEMENT IN NOTTINGHAMSHIRE

The Cabinet Member for Transport and Environment, the Interim Corporate Director, Place, the Group Manager, Environment and Resources and the Team Manager Waste Strategy and Development attended the meeting to provide a presentation that gave an overview of the work being undertaken around Waste Management in Nottinghamshire, a **summary** of the presentation is detailed below.

- Under the Environmental Protection Act 1990 the District and Borough Councils were designated the Waste Collection Authorities (WCA), responsible for the curb-side collection of waste. The County Council was the Waste Disposal Authority and was responsible for receiving and treating the waste, through reprocessing, recycling and disposal.
- The Environmental Protection Act also made the County Council responsible for providing recycling centres which were run through a long-term private finance initiative by Veolia UK who dealt with the vast majority of the County's non-specialist waste.
- There were twelve recycling centres across the County, five delivery points for the District and Borough Councils to deliver waste, the Material Recovery Facility at Mansfield, a composting facility at Oxon subcontracted by Veolia, and energy recovery sites at Eastcroft, Sheffield and Castelford which used steam from the heat produced by incineration to generate electricity, which was then fed into the National Grid.
- As the Waste Disposal Authority, the County Council dealt with around 430,000 tonnes of waste a year from approximately 372,000 households. These figures were rising due to population growth and would be monitored.
- 80% of waste that was taken to recycling centres was recycled, these sites also diverted up to 95% of waste from landfill. An independent annual survey showed 98% customer satisfaction with the Recycling Centre service by users.
- Around 20 years ago about 70% of waste from across Nottinghamshire went into landfill, which equated to around 300,000 tonnes of waste. The figure was now closer to 5% of waste from across the county equalling about 20,000 tonnes a year.
- The recycling rate across Nottinghamshire County sat at around 42% with some variation across districts. This figure had been around the same for a few years and was close to the national average.

- Dry recycling waste from across the County was processed through the Material Recovery Facility in Mansfield. Unfortunately there was an issue with contamination within the dry recycling waste, the target being 5% contamination on waste entering the material recovery facility, however the current average was around 15% with some districts running much higher at 20%. Contamination included food waste, nappies, glass, textiles, and the wrong types of plastics.
- A recent addition to the MyNotts app was the recycling checker function which allowed residents to check whether items were accepted in recycling or not.
- A programme of education work had been developed in partnership with the District and Borough Councils and with Veolia and has been in operation for a number of years. Much of this programme was based online and centred around what could and couldn't be recycled through kerb side recycling collections and reassurance that the waste put into recycling was recycled as opposed to going into landfill.
- The Resources and Waste Strategy has been published by the government in 2018 proposing a number of fundamental changes to statutory duties, however the standard materials proposed for recycling were close to the mix already processed within Nottinghamshire and could be handled with a little additional work.
- The Resource and Waste Strategy also proposed weekly kerb-side food waste collections to be implemented by 2025. This would require work with the District and Borough Councils to implement and sustain the service.
- Consultations around the Resource and Waste Strategy had taken place in 2019 and 2021, but as yet no results had been published.
- A full review of the Recycling Centres facilities was underway, and a final report was due to be taken to the Cabinet Member once available. External consultants had looked at provision at the sites, the location of sites relative to population, opportunities for improvements, how the centres linked into the waste network within the County, how they linked to the duties set out by the Resource and Waste Strategy and how the Council could improve the way the sites operated within contractual constraints.

In the discussion that followed, members raised the following points:

- Committee Members asked about the absence of Equality information within the report. They highlighted that a significant number of citizens had difficulties accessing recycling sites because they did not have a car and walking waste onto many sites was not allowed or was restricted due to an appointment system.
- Concerns were raised that globally Veolia were still working in Russia. Members noted that Veolia consisted of a large number of subsidiary companies, Veolia UK was part of Veolia Global Group and as such had decision making powers over operations in Russia. Committee members asked what representations the Council had made to Veolia to request they stop their activities in Russia and queried whether through this connection

Veolia were bringing the Council into disrepute, contrary to contract paragraph 118.9.3.2.

- Committee members questioned why Bassetlaw recycling rates were so much lower than the county average. It was noted that the demographics of Bassetlaw were comparable to Mansfield and Ashfield, both of which had higher rates of recycling.
- Members noted that food waste collection and the provision of collection caddies was likely to have a significant impact on District and Borough Councils. Members asked whether there would be financial assistance for the District and Borough Councils to implement this scheme.
- Members were concerned that the addition of food waste disposal would be an additional service that would need to be negotiated with Veolia and would represent an additional cost.
- Concerns were raised that the operations for the Recycling Centres were subcontracted out and despite a long-term contract with Nottinghamshire to deal with waste, Veolia did not directly operate the Recycling Centres. Members asked for further information on how these contracts were managed and questioned where additional sites for recycling centres might be located following on from the review.
- Members queried what work was done to educate residents around recycling.

In response to the points raised the Cabinet Member for Transport and Environment, the Interim Corporate Director, Place, Group Manager, Environment and Resources and the Team Manager Waste Strategy and Development provided the following responses:

- Equality of access was key to the service. The sites as they were currently configured, were car focused and designed for vehicular access rather than pedestrian access. An appointment system remained in place for cycle and pedestrian access to ensure safety on site but moving forward any recommendations from the Review of the Recycling Centres would take that into account and would address concerns about access. Any recommendations about future arrangements for Recycling Centres and waste disposal would be subject to a full Equality Impact Assessment.
- The Cabinet Member fully agreed that the reputation of the Council should be maintained and would not want the reputation damaged by any incorrect interpretation of international relationships. Veolia UK had issued a statement stating operations in Russia were focused around providing essential public services and their withdrawal would compromise the general Russian public rather than impact the government. It was emphasised that operations in Russia were totally separate from the operations of Veolia UK.
- Further work with the District and Borough Councils was needed to push up recycling rates, and to resolve issues that were preventing more recycling taking place.

- Nottinghamshire County Council was not the lead authority for the implementation of food waste collection, it was a scheme that would be implemented by the districts and boroughs were the Waste Collection Authorities (WCA's). The statutory duty would fall to the WCA's to provide kerb side collection for food waste. Funds had been allocated nationally for support to the WCA's with £300 million to be distributed to cover capital costs. It was noted however that at present there was no cover for revenue costs for those services.
- It was noted that Veolia had exclusive contract rights to deal with food waste in Nottinghamshire. There were plans to use the existing transfer stations as delivery points and use some current commercial outlets to process that waste. A technical solution was in place; however no contract was in place currently.
- The County wide review of Recycling Centres was still ongoing and as such there were currently no proposals for the locations of new recycling centres. Issues around subcontracting the sites were also part of the ongoing review. The outcome of the review had been commissioned to improve the provision of service to the public. Following the outcome of the review proposals and final recommendations would be made and shared with the committee.
- It was noted that Veolia provided a range of education materials around recycling and that schools could visit the Materials Recovery Facility with Veolia covering the cost of transport for the schools. It was noted that over 100 school visits to the Materials Recovery Facility took place every year. Veolia also visited community groups and regularly took part in community events. The Veolia Education Officer worked closely with District and Borough Councils and also attended local events. It was also noted that a number of communication campaigns took place throughout the year, including around recyclable materials and food waste.

The Chairman thanked the Cabinet Member for Transport and Environment, the Interim Corporate Director, Place Group Manager, Environment and Resources and the Team Manager Waste Strategy & Development for the attending the meeting and answering members' questions.

RESOLVED 2023/002

1. That the following issues raised by the Committee in its consideration of the Waste Management in Nottinghamshire report be progressed:
 - a) That the statement received from Veolia regarding its operations in Russia be circulated to members of the Place Select Committee.
 - b) That the Cabinet Member for Transport and Environment, in consultation with officers, gives consideration to how the Council can work further with the District and Borough Councils to increase recycling rates across Nottinghamshire.
 - c) That once available, a report on the recommendations arising from the review of recycling centres be brought to a meeting of the Place Select Committee.

- d) That once the situation regarding the responsibilities being placed on local councils by Government around the kerbside collection of food waste become clearer, that the Cabinet Member for Transport and Environment gives consideration to how the Council could support the District and Borough Council's in the provision of collection receptacles.

6. STATUTORY FLOOD RISK MANAGEMENT SCRUTINY REPORT

The Cabinet Member for Transport and Environment, the Interim Corporate Director, Place and the Flood Risk Manager attended the meeting to present a report that set out the Council's duties as the Lead Local Flood Authority and present the statutory Section 19 Report in relation to flooding in Worksop on 16 August 2022. A **summary** of the report is detailed below.

- Worksop suffered a surface water flood as a result of heavy rainfall. Around 100 properties were internally flooded and the local hospital was also affected.
- In November 2019 a very different flooding event took place, with around 300 properties being affected as a result of river flooding, the two incidents were not related.
- Surface water flooding came under the remit of the Local Authority, the river flooding event came under the remit of the Environment Agency, both partners worked closely with one another and with other agencies in response to the flooding events.
- The report highlighted that all risk management authorities undertook specific responsibilities as required, and that they were carried out correctly.
- The Section 19 report did not carry any powers to force action, or offer solutions, however it did act as a catalyst to continue the partnership working to establish mitigation options for the affected communities.
- Following on from the immediate response to the flood the Council administered a hardship fund for those affected. A drop-in session was held with local residents to inform this report and offer further support to affected citizens.
- Community volunteers were recruited to act as flood wardens, enabling them to operate a flood signage scheme alongside activating local mitigation measures when necessary. The flood signage scheme operated across the county, if members knew of any residents that may be interested in becoming a volunteer, they were encouraged to make contact.
- Work with partner organisations continued to look at mitigation measures.

In the discussion that followed, members raised the following points:

- Members questioned why the Inspire Library in Worksop flooded on this occasion despite previous works being put in place to prevent such an incident.
- Members also raised concerns around some of the roads, that, although not covered by the Section 19 report did impact significantly on access to local amenities when flooded.

In response to the points raised the Cabinet Member for Transport and Environment, the Interim Corporate Director, Place and the Flood Risk Manager provided the following responses:

- Officers and the Cabinet Member for Transport and Environment confirmed that the Inspire library was not flooded on this occasion, a number of flood prevention measures were put in place during renovations following a previous flood event and these measures had been successful in preventing flooding on this occasion in August 2021.
- Officers welcomed feedback from members on local issues and confirmed they were happy to discuss these outside of the meeting.

The Chairman thanked the Cabinet Member for Transport and Environment, the Interim Corporate Director, Place and the Flood Risk Manager for the attending the meeting and answering members' questions.

RESOLVED 2023/003

That in accordance with Section 19 of the Flood and Water Management Act 2010 and the Council's Lead Local Flood Authority responsibilities, that the Section 19 Report – Worksop – August 2022, as attached as an appendix to the officer's report, be approved and published.

7. WORK PROGRAMME

The Committee considered its Work Programme

RESOLVED 2023/004

1. That the Work Programme be noted.
2. That committee members make any further suggestions of items for inclusion on the work programme to the Chairman and Vice-Chairman (subject to consultation with the relevant Cabinet Member(s) and senior officers and the required approval by the Chairman of the Overview Committee).

The meeting closed at 1:07pm

CHAIRMAN