

**Lancashire County Council**

**Environment, Economic Growth and Transport Scrutiny Committee**

**Minutes of the Meeting held on Wednesday, 4th December, 2024 at 10.30 am in  
Committee Room 'B' - The Diamond Jubilee Room, County Hall, Preston**

**Present:**

County Councillor Rob Bailey (Chair)

**County Councillors**

S Rigby	J Purcell
A Cheetham	A Schofield
M Iqbal MBE	J R Singleton JP
J Oakes	K Snape

**1. Apologies**

Apologies were received from County Councillor Julie Gibson.

**2. Disclosure of Pecuniary and Non-Pecuniary Interests**

None were disclosed.

**3. Minutes of the Meeting Held on 24 October 2024**

**Resolved:** That the minutes of the meeting held on 24 October 2024 be confirmed as an accurate record and signed by the Chair.

**4. The Management of Waste Operations through Planning Policy and Enforcement**

The Chair welcomed County Councillor Shaun Turner, Cabinet Member for Environment and Climate Change, Marcus Hudson, Head of Planning and Transport, Jonathan Haine, Head of Development Management and Planning Policy and John Neville, Area Environment Manager, Environment Agency to the meeting.

A report and two presentations were provided on the county council's activities under its statutory development management responsibilities in relation to minerals and waste operations. It covered the adopted Joint Lancashire Minerals and Waste Local Plan, control of odour and other environmental impacts related to the design, engineering and operation of landfill sites in the county, and monitoring of



compliance and enforcement of planning controls for minerals and waste management sites. A copy of the presentations are set out in the minutes.

In response to questions from the committee, the following information was clarified:

- It was explained to the committee that the key costs for disposing of material was landfill tax, at approximately £40 per tonne for the disposal of inert materials and £150-200 a tonne for non-inert materials. It was further confirmed that the cost per tonne would rise in April 2025.
- The committee was informed that fines issued by the Environment Agency for a breach by an operator were higher than those issued by the county council as these were often due to a pollution issue and environmental damage. It was further explained that the Environment Agency's scale of fines were set by central government and depending on the severity of a breach, action could be taken through the courts.
- Regarding the Joint Lancashire Minerals and Waste Local Plan, it was queried by the committee if the outdated plan currently available to the public was hindering the county council's effectiveness in processing new planning applications and in addressing enforcement issues. The committee was informed that while some policies set out in the plan were time-constrained, there were policies that were still appropriate and applicable. Members were assured that the new plan was being worked on.
- The committee suggested that the hotline number for the Environment Agency be widely publicised within the county council and made available to members on the 'C First' website (members' portal).
- It was also suggested that the full list of mineral extraction sites and landfill facilities be shared with the committee.
- Members were informed that a 'List of Wastes' set out in European legislation gave a code for each type of waste and this also set out which types of waste could go in a landfill based on risk. It was also explained that there were hazardous landfill sites, whose criteria differed on the type of waste they could accept and the controls surrounding the site.
- It was confirmed that tyres were often recycled, for example into materials for children's playgrounds. It was confirmed that there were agencies and individuals who would collect tyres to be properly recycled or disposed of.
- On the working relationship between the county council and United Utilities, it was suggested that further information could be brought to the committee at a later date.
- The committee was informed that the county council had a legal team specifically for planning matters, as well as an enforcement policy in place. It was noted that formal enforcement was the tool of last resort, and that officers



would look to remedy unacceptable harm that might have occurred. In the majority of cases for the county council this was done through negotiation. Further to this, it was suggested by members that investigation take place to determine if more resources for legal teams could benefit planning applications and enforcement actions with the county council.

- Regarding the enforcement policy, officers highlighted to the committee that the county council always acted in a reasonable and proportionate way, ensuring that all other measures and actions had been exhausted before escalating a matter through to direct action.
- In regard to legacy sites, it was queried whether further planning conditions could be imposed at a later date if the local environment or legislation had changed. Further to this, members queried how the authority monitored the completion of conditions imposed on legacy sites over a long period of time. Officers confirmed that once planning permission had been granted there was a time period for work, restoration and after care (usually 5 years) in place, after this period of time the site entered a new chapter of planning permission. It was further explained that if any change to the local area occurred, the current planning conditions could be altered to reflect this.
- Officers confirmed that during the restoration period, a site was monitored to ensure that any conditions had been met prior to moving into an after care period. If the planning condition was not adhered to, a notice would be served through the courts.
- Members raised concern regarding the transparency of enforcement action to the public, further to this concern was raised between the awareness of different statutory powers of the county council and borough councils' responsibilities to enforcement action. It was suggested that a collective review of functions, responsibilities and arrangements within the multi-agency approach to enforcement be undertaken.

**Resolved:** That

- (i) The full list of mineral extraction sites and landfill facilities be shared with the Environment, Economic Growth and Transport Scrutiny Committee.
- (ii) The Cabinet Member for Environment and Climate Change gives consideration to:
  - a. Implementing public facing information and updates on enforcement action across the county.
  - b. Reviewing whether the legal resource for enforcement activities within planning is sufficient or could be enhanced.
  - c. Establishing if the county council's website needs updating to include a link to the 'report an environmental incident' webpage on the gov.uk website and to consider adding the Environment Agency hotline number to the Members' portal ('C-First') and Members' key contacts.



d. Carrying out a collective review of the processes, functions, responsibilities and arrangements in the current system of the multi-agency approach to enforcement.

(iii) A briefing note on the working relationships between United Utilities and the County Council be shared with the committee.

## **5. Environment, Economic Growth and Transport Scrutiny Committee Work Programme, Actions and Assurances Update**

The committee considered the work programme for the 2024/25 municipal year, and an update on actions and assurances.

It was reported that the 'Value for Money Potholes Repair' item would now include information regarding Highways Reactive Maintenance. It was further reported that the Road Safety Partnership Inquiry Day would take place on 10 December 2024 and a report would be brought to the next meeting of the Environment, Economic Growth and Transport Scrutiny Committee.

**Resolved:** That;

- (i) Work programme for 2024/25 at Appendix 'A' be noted.
- (ii) Formal written response from County Councillor Rupert Swarbrick, Cabinet Member for Highways and Transport to the Committee's recommendations on the Bus Service Improvement Plan at Appendix 'B' be noted.
- (iii) Formal written response from County Councillor Aidy Riggott, Cabinet Member for Economic Development and Growth to the Committee's recommendations on the Preparation of the Local Transport Plan 4 at Appendix 'C' be noted.
- (iv) Actions and assurances at Appendix 'D' be noted.

## **6. Urgent Business**

There were no items of Urgent Business.

## **7. Date of Next Meeting**

The next meeting of the Environment, Economic Growth, and Transport Scrutiny Committee will be held on Thursday 30 January 2025 at 10:30am in Committee Room B – The Diamond Jubilee Room, County Hall, Preston.

H MacAndrew  
Director of Law and Governance

County Hall  
Preston

