

**CABINET – 10 APRIL 2018****ORDER PAPER****ITEM DETAILS****APOLOGIES FOR ABSENCE**

Mr. N. J. Rushton CC.

1. MINUTES (Pages 3 - 16)**Proposed motion**

That the minutes of the meeting held on 9 March 2018 be taken as read, confirmed, and signed.

2. URGENT ITEMS

None.

3. DECLARATIONS OF INTEREST

Members of the Cabinet are asked to declare any interests in the business to be discussed.

4. ITEMS REFERRED FROM OVERVIEW AND SCRUTINY

No items have been referred from the Overview and Scrutiny Committees.

5. ENVIRONMENT AND TRANSPORT 2018/19 HIGHWAYS CAPITAL PROGRAMME AND HIGHWAYS AND TRANSPORTATION WORK PROGRAMME (Pages 17 - 48)

- *The Environment and Transport Overview and Scrutiny Committee considered this report at its meeting on 6th April and a draft minute is attached to this Order Paper, marked '5'. Also attached is a revised Appendix A which was circulated at the Scrutiny meeting and has been appended to the draft minutes.*

Proposed motion

- (a) That the Environment and Transport 2018/19 Highways Capital Programme and the Highways and Transportation Work Programme, attached as Appendices A and B to the report, be approved;
- (b) That the Director of Environment and Transport following consultation with the Cabinet Lead Member and the Director of Corporate Resources, be authorised to make such minor amendments to the 2018/19 Highways Capital Programme and Highways and Transportation Work Programme as are considered necessary.

6. EXCEPTION TO CONTRACT PROCEDURE RULES – PROPOSED APPOINTMENT OF A PROVIDER TO DELIVER A SUPPORTED LIVING SERVICE (Pages 49 - 52)

Proposed motion

That an exception to the Council's Contract Procedure Rules be agreed to enable the Council to enter into a contract with Knighton Manor Limited to provide supported living services to six service users for a maximum period up to 31 March 2021, in line with the special circumstances outlined in the report.

7. SPECIAL EDUCATIONAL NEEDS AND DISABILITIES STRATEGY 2017 - 2020 (Pages 53 - 98)

- *Comments have been received from Mr. S. D. Sheahan CC, which are attached to this Order Paper, marked '7'.*

Proposed motion

- That the outcome of the engagement exercise be noted;
- That the Special Educational Needs and Disabilities Strategy 2017 – 2020 attached as Appendix A to the report, be approved;
- That the Director of Children and Family Services, following consultation with the Cabinet Lead Member, be authorised to make minor amendments to the Special Educational Needs and Disabilities Strategy 2017 - 2020 as he considers necessary to ensure this remains current and conforms to legislation and good practice.

8. NHS SUSTAINABILITY AND TRANSFORMATION PLAN/PARTNERSHIP (Pages 99 - 112)

Proposed motion

- That the County Council's position that the Sustainability and Transformation (ST) Plan be published as an NHS document, with the County Council as a consultee, be confirmed;
- That the respective roles of the Cabinet, Scrutiny and the Health and Wellbeing Board (as set out in the Appendix to the report) be noted;
- That the County Council continue to work in partnership with the NHS in the delivery of services, where those services are already delivered in partnership, and in the transformation and integration of health, public health and social care in the local area;
- That the level of resource applied to the programme for the integration of health, public health and social care be kept under close review, in the context of the Council's Medium Term Financial Strategy, the Council's Strategic Plan, and the Leicestershire Better Care Fund Plan/pooled budget;

- (e) That the local NHS be advised that it remains the County Council's strong view that an external review of the governance arrangements for the Leicester, Leicestershire and Rutland ST Partnership be undertaken to provide:
- (i) clarity of decision making and accountability;
 - (ii) a clear definition of the roles of the partners;
 - (iii) effective engagement with democratic processes; and
 - (iv) robust oversight of the delivery of the ST Plan and associated financial savings and changes in NHS expenditure;
- (f) That the County Council's position on accountable care systems/integrated care systems be considered further once the NHS provides more information on the direction of travel nationally and any emerging local response.

9. CONSULTATION ON THE DRAFT NATIONAL POLICY STATEMENT FOR GEOLOGICAL DISPOSAL INFRASTRUCTURE AND WORKING WITH COMMUNITIES (Pages 113 - 128)

- *Comments have been received from Mr. M. Hunt CC on behalf of the Labour group, which are attached to this Order Paper, marked '9'.*

Proposed motion

That the responses to two consultation documents relating to the geological disposal of higher activity radioactive waste as set out in Appendices A and B to the report, be approved for submission to the Department for Business, Energy and Industrial Strategy.

10. DEVELOPER CONTRIBUTIONS TOWARDS COUNTY COUNCIL SERVICES - UPDATE (Pages 129 - 134)

Proposed motion

That the update be noted and that progress on Developer Contributions continues to be monitored.

11. ANY OTHER ITEMS WHICH THE CHAIRMAN HAS DECIDED TO TAKE AS URGENT

None.

Officer to contact

Joanne Twomey
 Democratic Services
 Tel: (0116) 305 6462
 Email: joanne.twomey@leics.gov.uk

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**ENVIRONMENT AND TRANSPORT OVERVIEW AND SCRUTINY
COMMITTEE - 6 APRIL 2018**

**ENVIRONMENT AND TRANSPORT 2018/19 HIGHWAYS CAPITAL
PROGRAMME AND HIGHWAYS AND TRANSPORTATION WORK PROGRAMME**

MINUTE EXTRACT

The Committee considered a report of the Director of Environment and Transport concerning the Environment and Transport 2018/19 Highways Capital Programme and Highways and Transportation Work Programme. A copy of the report, marked "Agenda Item 8" is filed with these minutes.

In presenting the report, the Director of Environment and Transport circulated a revised Appendix A – Capital Programme 2018/19 – 2021/22, and explained that, as more data became available regarding the assets of the County Council this gave increased knowledge of how best to manage those assets. Additionally, the severe winter had caused more defects on the road network. Both aspects had resulted in a need to re-allocate some of the predicted spend, although the overall spending totals remained the same. A copy of the revised Appendix A is filed with these minutes.

Arising from discussion, the following points were raised:

- i) The Environment and Transport Capital Programme and the Highways and Transportation Work Programme had been developed within what remained to be challenging circumstances, as the Department was required to make savings of £7.1m over the next 4 years. Funding for the Capital Programme came from a variety of sources, including the Department for Transport Capital Maintenance Grant, the Local Growth Fund, other Government competitive funding schemes and the County Council's Capital funding;
- ii) Members were informed that there was a need for flexibility within the programme due to the nature of the business; as more detailed information became available regarding the road network there was a need to re-allocate funding between schemes. Funding would be re-allocated on a risk based approach with the issue of safety being the main consideration;
- iii) Regarding the engagement and involvement of local Members in each proposed highways scheme, the Committee was informed that the local member would be consulted on each of the schemes as more detailed information became available. Each programme for highway maintenance activities would also be made available online;
- iv) The new Risk Based Approach to Highways Maintenance, which would be introduced from October 2018, would be discussed at a future meeting of the Environment and Transport Overview and Scrutiny Committee. Members of

the public would also be informed in order to explain the new process and to manage expectations of service delivery;

- v) Within the Medium Term Financial Strategy (MTFS), £600,000 had been allocated under the Revenue Budget to assist with the maintenance of signs, lines and gullies. However, improvements and repairs to the road infrastructure, which included gullies, would be included in the Capital Programme;
- vi) Members were reminded that as the Lead Local Flood Authority, the County Council had a statutory duty as a consultee on all planning applications. Additionally, the Council had a duty to investigate any flooding caused to properties and to identify partners who were responsible for addressing this - this duty did not include the need for the County Council to solve the flooding;
- vii) It was explained to Members that “microsimulation” was a process of transport modelling, which looked forensically over a small area at specific junctions. It was used to help determine the appropriate action needed for the site concerned and illustrated the impact of the proposed road schemes on traffic. However, it did not address air quality, which was the responsibility of the relevant district council. Additionally, the data collated through microsimulation would be used as supporting evidence for future funding bids;
- viii) The current Rail Strategy, approved by the Cabinet last year, was operated jointly between the County Council, Leicester City Council and the Local Enterprise Partnership. The funding allocated within the 2018/19 programme allowed some investigatory works for rail improvement schemes that might be needed. The study regarding the Leicester to Burton line concluded that an investment in the region of £175m was required to bring the line up to the standard required for passenger transport services as well as an annual revenue investment of £2-3m as a subsidy as it was expected that there would be insufficient passenger demand to cover the operational costs of the railway. As a result, the Cabinet had decided not to pursue the scheme;

Members also expressed a number of concerns about potential road schemes in their ward areas, and these were addressed by officers. Specifically, Mr Boulter CC asked that his concerns regarding the condition of the Blue Bridge in Wigston and the fact that it had not been included in the Capital Programme be recorded in the minutes.

RESOLVED:

That the comments of the Committee be forwarded to the Cabinet for consideration at its meeting on 10 April 2018, and that the Cabinet be advised that the Committee supported the Environment and Transport 2018/19 Highways Capital Programme and Highways and Transportation Work Programme.

CAPITAL PROGRAMME 2018/19 to 2021/22

Appendix A

	2018/19 £000	2019/20 £000	2020/21 £000	2021/22 £000	Total £000
HIGHWAYS & TRANSPORT					
Commitments b/f					
Zouch Bridge Replacement	1,160	600			1,760
Advance Design - Strategic Economic Partnership	1,330	1,100	920	1,850	5,200
Planning and Design - Melton Mowbray Distributor Road	1,500	2,500			4,000
County Council Vehicle Programme	1,840	2,060	1,750	1,100	6,750
Melton Depot - Replacement	0	1,250			1,250
Street Lighting (LED Installation,CMS System and de-illumination of street signs)	5,000				5,000
	10,830	7,510	2,670	2,950	23,960
New Starts					
Strategic Economic Plan (SEP)					
Anstey Lane A46	5,000	2,800			7,800
M1 Junction 23	5,000	11,000	11,000		27,000
Marlborough Square Scheme**					
Transport Asset Management (assumed at Level 3)*		12,290	11,490	11,510	35,290
Capital Schemes and Design	557				557
Bridges	1,960				1,960
Flood Alleviation	390				390
Footways (Category 1,2,3 & 4)	0				0
Street Lighting	650				650
Traffic Signal Renewal	200				200
Surface Dressing & Preventative Maintenance	4,628				4,628
Restorative (Patching)	5,175				5,175
Hinckley Hub (Hawley Road)	1,440	3,530			4,970
Croft Office Blocks Improvements	410				410
Safety Schemes	500				500
Highways Maintenance - IT renewals	80				80
	25,990	29,620	22,490	11,510	89,610
ENVIRONMENT & WASTE					
New Schemes					
Recycling Household Waste Sites - drainage	250	110			360
Recycling Household Waste Sites - general improvements	150	150	150	150	600
Total Waste Management	400	260	150	150	960
Total E&T	37,220	37,390	25,310	14,610	114,530

* programme amended by -£3.4m (2018/19), -£3.2m (2019/20), -£3.1m (2020/21) and -£3.1m (2021/22) for substitution to E&T revenue budget

** Marlborough Square Scheme funded by NWLDC (Note: this is a change to what was agreed at County Council)

Future Developments - subject to further detail and approved business case					
S106 Schemes - externally funded tbc					
County wide parking strategy					
Speed Cameras - Roll out					
Melton Mowbray Distributor Road - subject to DfT bid					
Waste Transfer Station Development					
Windrow Composting Facility					

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Comments from Mr S. D. Sheahan CC

Special Educational Needs and Disabilities Strategy, 2017-2020.

The Strategy lacks a strong and clear definition of inclusion. This should be considered for future revisions of the Strategy. A good place to start might be by revisiting UNESCO's 1994 Salamanca Statement on Principles, Policy and Practice in Special Needs Education and Framework for Action and reflecting on how things have progressed. For example, the Council could offer a contemporary view on the balance between inclusion and integration and how the application of the principles of inclusion in SEN provision can positively influence mainstream education. By the same token, it would be helpful to consider the benefits to wider society and the promotion of children's human rights, from taking a principled stance on inclusion in Special Needs Education.

Sean Sheahan

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Submission to Cabinet10th April 2018

From Max Hunt CC, the Labour Spokesperson

Item 9: Nuclear Dumping

- This is an important paper particularly whilst there is a possibility that nuclear dumping will occur in the county (eg the Widmerpool Gulf in north Leicestershire).
- The main problem associated with the proposed policy is that the most significant and sensitive concerns are removed from the local planning framework. Leicestershire a mere consultee by assigning nuclear dumping as a Nationally Significant Infrastructure Project (NISIP) determined by the Planning Inspectorate.
- As such, and as with other environmentally sensitive plans (eg Fracking, EfW Incinerators) the principle is determined by national agencies and regulatory bodies, leaving the local planning process emasculated.

Turning to the paper itself I draw Cabinet's attention to these issues:

- Notwithstanding the above, I suspect there will be little disagreement from members on the **National Policy Statement** which requires profession input of the technology and physical processes.
- The document and advice from officers on the "**Community Partnership**" and the Potential Host Community should be questioned. From the Cumbria experience (para 25) it does indeed need to be a wide area but this should also include transport corridors. The real problem, however, is that the nature of the nuclear toxins are such that a very wide area could conceivably be affected. Within the constraints of the paper, therefore, the PHC needs to include the nearest major urban area and their agents.
- The initial "**Community Investment**" funding of £1million has been discredited as a naked bribe to community leaders or opinion formers. Furthermore, if these proposals will seriously generate "*skilled jobs for hundreds of people over many decades*"(para 20) the funding would be a drop in the ocean of infrastructure spending and ongoing revenues.
- The "**Test of support**", as we make clear in response 8 (page 127) if unclear and clarity is essential if the Test is to have credibility. We need to know exactly where and how a veto can be exercised locally. Otherwise it is just a fig leaf.

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