

**CABINET – 24 MAY 2019****ORDER PAPER****ITEM DETAILS****APOLOGIES FOR ABSENCE**

None.

1. MINUTES (Pages 3 - 12)**Proposed motion**

That the minutes of the meeting held on 29 March 2019 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. SPECIAL EDUCATIONAL NEEDS AND DISABILITIES PROVISION - RESULTS OF CONSULTATION ON THE DEVELOPMENT OF NEW PROVISIONS (HIGH NEEDS BLOCK DEVELOPMENT PLAN) (pages 13 - 48)**Proposed motion**

- (a) That the online and written responses to the consultation, and feedback given through public meetings, in particular the high level of support received for the development of new Special Educational Needs and Disabilities provisions, be noted;
- (b) That the Director of Children and Family Services be requested to take the views of the Children and Families Overview and Scrutiny Committee (due to meet on 4 June) into account in developing the provision;
- (c) That the fact that there have been no objections made to the Statutory Notice (published on 4 April 2019) setting out proposals for the development of new SEND provision in maintained schools be noted;
- (d) That the Director of Children and Family Services, following consultation with the Cabinet Lead Member for Children, Families and Safer

Communities, be authorised to agree a shortlist of potential academy trusts to be recommended to the Department for Education (Regional Schools Commissioner) for a decision on a preferred Trust to operate the new 80-place Communication and Interaction school to open in Barwell in September 2020.

5. SUPPORTING CHILDREN IN CARE AND CARE LEAVERS IN LEICESTERSHIRE (pages 49 - 88)

Proposed motion

- (a) That the approach to supporting Care Leavers as outlined in the report be agreed, noting in particular:
- *The Promise*, setting out the Council's commitment,
 - *The Care Leavers Offer*, of support available,
 - *The Care Leavers Covenant*, from the private, public and voluntary sectors in Leicestershire, and
 - *The draft Care Leavers Protocol (housing)*, to help address accommodation related needs;
- (b) That the ongoing development of closer working relationships with partners including district councils, local businesses, and the voluntary and community sector to improve outcomes for Care Leavers be welcomed;
- (c) That the agreement reached with district councils for Care Leavers to be eligible for 100% Council Tax Support up to the age of 25 be welcomed.

6. NEW MULTI-AGENCY CHILDREN'S SAFEGUARDING ARRANGEMENTS (pages 89 - 100)

Proposed motion

That the Cabinet approves the approach to the new multi-agency safeguarding partnership arrangements for children to be known as Leicestershire and Rutland Safeguarding Children Partnership.

7. AGREEMENT WITH LEICESTER CITY COUNCIL TO DELEGATE CERTAIN FUNCTIONS UNDER THE CARE AND MENTAL HEALTH ACTS OUTSIDE OF OFFICE HOURS (pages 101 - 104)

Proposed motion

- (a) That, in accordance with Section 9EA of the Local Government Act 2000 and The Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 and all other enabling powers, the statutory functions of the County Council in respect of
- i) enquiries pursuant to Section 42 of the Care Act 2014 in respect of safeguarding adults from abuse, and

- ii) carrying out the statutory duties of Approved Mental Health Act Professionals pursuant to Section 13 of the Mental Health Act 1983

be delegated to Leicester City Council during the following hours:

- i) Monday to Thursday before 08:30 and after 17:00
 - ii) Fridays before 08:30 and after 16:30
 - iii) Saturdays, Sundays, and public and bank holidays;
- (b) That the Director of Adults and Communities in consultation with the Director of Law and Governance be authorised to enter into an agreement with Leicester City Council under Section 9EA of the Local Government Act 2000 to ensure the effective operation of the delegated functions.

8. **SUPPORTING GROWTH IN LEICESTERSHIRE** (pages 105 - 116)

Comments have been received from Mr. D. C. Bill CC, which are attached to this Order Paper marked '8'.

Proposed motion

- (a) That the significant forecasted population growth across Leicestershire, the consequential economic and housing growth planned to support this, and the financial risks faced by the County Council as the major infrastructure provider in the area, be noted;
- (b) That the Council continues to press Government to ensure that the infrastructure required to make a success of its growth agenda is adequately and fairly funded;
- (c) That in light of issues arising from the funding of the Melton Mowbray Distributor Road and the Melton North and South Sustainable Neighbourhoods, including funding through developer contributions, the need for a cost-sharing agreement with district councils to enable the County Council to forward fund the significant infrastructure costs through the use of additional tax revenues be supported;
- (d) That the report be drawn to the attention of the Strategic Planning Group with the intention for sharing with the Member Advisory Planning Group for Leicester and Leicestershire (which has overseen the production of the Strategic Growth Plan);
- (e) That the intention to establish a Growth Unit within the Chief Executive's Department to strengthen the Council's internal co-ordination and management of growth projects together with the demands placed on available capacity within Environment and Transport and Children and Family Services departments to ensure timely response to growth matters, be noted.

9. MEDIUM TERM FINANCIAL STRATEGY 2020/21 - 2023/24 PROPOSALS FOR CONSULTATION (pages 117 - 124)

Proposed motion

- (a) That the significant financial challenge faced by the County Council, be noted;
- (b) That the plan for a comprehensive public, stakeholder, and staff consultation on the Medium Term Financial Strategy as set out in the appendix to the report, be approved.

10. ANNUAL TREASURY MANAGEMENT REPORT 2018 - 19 (pages 125 - 130)

Proposed motion

That the report be noted.

11. 2018/19 PROVISIONAL REVENUE AND CAPITAL OUTTURN (pages 131 - 168)

Proposed motion

- (a) That the 2018/19 provisional revenue and capital outturn be noted;
- (b) That the additional commitments, as set out in paragraphs 51 and 52 of the report, be approved;
- (c) That the prudential indicators for 2018/19 as shown in Appendix E to the report, be noted.

12. ZOUCR BRIDGE REPLACEMENT (pages 169 - 190)

Proposed motion

- (a) That Option A, to replace the existing Zouch Bridge with a new bridge on land to the south, be approved;
- (b) That additional funding of £5.548m required to construct a new bridge, over and above the £3.1m already allocated in the Medium Term Financial Strategy, be identified through Environment and Transport Department reserves and the Department's existing capital programme;
- (c) That it be noted that continued monitoring of the Bridge will be undertaken to ensure safety.

13. ENFORCEMENT PROGRAMME FOR UNDERAGE SALES OF TOBACCO PRODUCTS, NICOTINE PRODUCTS AND AEROSOL PAINT PRODUCTS 2019 – 2020 (pages 191 - 198)

Proposed motion

That the 2019/2020 Enforcement Programmes for Underage Sales of Tobacco and Nicotine Products and Aerosol Paint Products set out in Appendices A and B to the report, be approved.

14. REGULATION OF INVESTIGATORY POWERS ACT 2000 AND THE INVESTIGATORY POWERS ACT 2016 - REVIEW OF POLICY STATEMENT (pages 199 - 208)

Proposed motion

- (a) That the County Council's use of the Regulation of Investigatory Powers Act 2000 for the period from 1 October 2017 to 1 May 2019 be noted;
- (b) That the revised Covert Surveillance and the Acquisition of Communications Data Policy Statement attached, set out in the Appendix to the report, be approved.

15. ITEMS REFERRED FROM OVERVIEW AND SCRUTINY.

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

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

None.

Officer to contact

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Cabinet - 24 May 2019**Item 8 - Supporting Growth in Leicestershire****Liberal Democrat Response**

The lack of infrastructure in all its forms, roads, schools, hospitals, surgeries and community facilities has become an increasing concern in recent years. Emphasis has been put on the need for this infrastructure to support further growth but what is of immediate concern to the people we represent is the congestion on our roads, the difficulties in finding school places and problems with obtaining doctors' appointments and indeed appointments in hospitals.

The problems faced by local authorities through lack of funding has been well outlined in the recent report of the National Audit Office, Planning for New Homes, which needs to be read when considering this issue.

The creation of a Growth Unit is to be welcomed but it should also address the existing crisis and it also needs to encompass a partnership with District Councils, the NHS, the Education Funding Agency, the building industry and Homes England with all agencies playing a full part.

There is an assumption in this report that agencies in the public sector and in particular the District Councils are in a position to make further financial contributions whereas, of course, all agencies in the East Midlands and Leicestershire in particular are severely underfunded.

This report is predicated on the ambition of the Government to build a million homes by the end of 2020 and the part this County will play through its Strategic Growth Plan, which incidentally is already raising serious concerns. Unfortunately, it does not fully address what is happening on the ground. District Councils are doing their best to meet the 5 year housing land supply challenge but in practice Sec 106 agreements are being re-negotiated as developers insist they cannot afford the payments and other undertakings previously agreed.

Above all, the key role of the District Councils who issue the bulk of planning consents after what is often a tortuous exercise negotiating with land owners and developers has to be recognised. It would be very strange indeed if the result of this proposal were to drain resources away from Districts and leave them less able to fulfil the functions currently expected by their residents. It is worth pointing out that in this county, the Districts' positive performances in processing applications is recognised by the Government's audited data.

Could I therefore make the additional suggestion that there needs to be Government Office representation as Planning Inspectors currently have little or no compunction to sympathise with planning officers, communities or their elected representatives who strive their utmost to balance local aspirations against the overwhelming demand for new housing and industrial developments?

Our County faces tremendous development pressure, but what must be taken into account by all involved is that many of us highly value the countryside and all the benefits it gives. We strongly believe that it should be protected for future generations to enjoy and not be simply seen as a massive building site to exploit due to the demands imposed upon us. This was a point borne out by many of us who spoke in the recent debate on the climate change emergency which attracted the unanimous support of all County Councillors.

David Bill
Liberal Democrat Environment Spokesman
23rd May 2019