



CABINET – 7 FEBRUARY 2020

ORDER PAPER

ITEM DETAILS

APOLOGIES FOR ABSENCE

Mr. T. J. Pendleton CC, Mr. J. B. Rhodes CC

1. MINUTES (Pages 3 - 8)

Proposed motion

That the minutes of the meeting held on 17 December 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. LEICESTERSHIRE'S POLICY ON ADMISSIONS TO MAINSTREAM SCHOOLS: DETERMINATION OF ADMISSION ARRANGEMENTS (Pages 9 - 74)

Proposed motion

- (a) That the outcome of the public consultation on the revised Leicestershire School Admissions Policy and changes to primary school catchment areas in Whetstone, Countesthorpe and Ashby be noted;
- (b) That the Leicestershire School Admissions Policy for entry from September 2021, the revised Leicestershire Oversubscription Criteria, and the three co-ordinated admission schemes, as detailed in Appendix A to the report, be approved;
- (c) That the changes to the school catchment areas in Whetstone, Countesthorpe and Ashby de la Zouch, as detailed in Appendix B to the report, be approved.

5. INTERNATIONAL HOLOCAUST REMEMBRANCE ALLIANCE DEFINITION OF ANTISEMITISM (Pages 75 - 78)

Proposed motion

- (a) That the IHRA working definition of antisemitism be adopted by Leicestershire County Council;
- (b) That the Secretary of State for Housing, Communities and Local Government be advised that the Council has adopted the definition.

6. PROVISIONAL MEDIUM TERM FINANCIAL STRATEGY 2020/21 TO 2023/24 (Pages 79 - 316)

- (i) That the comments of the Overview and Scrutiny Committees and the Scrutiny Commission set out in Appendix O to the report be noted;
- (ii) That the following be recommended to the County Council:
 - (a) That subject to the items below, approval be given to the Medium Term Financial Strategy (MTFS) which incorporates the recommended revenue budget for 2020/21 totalling £390m as set out in Appendices A, B and D of the report and includes the growth and savings for that year as set out in Appendix C;
 - (b) That approval be given to the projected provisional revenue budgets for 2021/22, 2022/23 and 2023/24, set out in Appendix B to the report, including the growth and savings for those years as set out in Appendix C, allowing the undertaking of preliminary work, including business case development, consultation and equality and human rights impact assessments, as may be necessary towards achieving the savings specified for those years including savings under development;
 - (c) That approval be given to the early achievement of savings that are included in the MTFS, as may be necessary, along with associated investment costs, subject to the Director of Corporate Resources agreeing to funding being available;
 - (d) That the level of earmarked funds as set out in Appendix J be noted and the use of those earmarked funds as indicated in that appendix be approved;
 - (e) That the amounts of the County Council's Council Tax for each band of dwelling and the precept payable by each billing authority for 2020/21 as set out in Appendix L (including 2% for the adult social care precept) be approved;
 - (f) That the Chief Executive be authorised to issue the necessary precepts to billing authorities in accordance with the budget requirement above and the tax base notified by the District Councils, and to take any other action which may be necessary to give effect to the precepts;

- (g) That approval be given to the 2020/21 to 2023/24 capital programme as set out in Appendix E;
- (h) That the Director of Corporate Resources following consultation with the Lead Member for Resources be authorised to approve new capital schemes, including revenue costs associated with their delivery, shown as future developments in the capital programme, to be funded from funding available;
- (i) That the financial indicators required under the Prudential Code included in Appendix M, Annex 2 be noted and that the following limits be approved:

	2020/21 £m	2021/22 £m	2022/23 £m	2023/24 £m
Operational boundary for external debt				
i) Borrowing	264	264	263	263
ii) Other long term liabilities	1	1	1	1
TOTAL	265	265	264	264
Authorised limit for external debt				
i) Borrowing	274	274	273	273
ii) Other long term liabilities	1	1	1	1
TOTAL	275	275	274	274

- (j) That the Director of Corporate Resources be authorised to effect movement within the authorised limit for external debt between borrowing and other long-term liabilities;
- (k) That the following borrowing limits be approved for the period 2020/21 to 2023/24:
- (i) Upper limit on fixed interest exposures 100%;
- (ii) Upper limit on variable rate exposures 50%;
- (iii) Maturity of borrowing:-

	<u>Upper Limit</u>	<u>Lower Limit</u>
	%	%
Under 12 months	30	0
12 months and within 24 months	30	0
24 months and within 5 years	50	0
5 years and within 10 years	70	0
10 years and above	100	25

- (l) That the Director of Corporate Resources be authorised to enter into such loans or undertake such arrangements as necessary to finance capital payments in 2020/21, subject to the prudential limits in Appendix M;

- (m) That the Treasury Management Strategy Statement and the Annual Investment Strategy for 2020/21, as set out in Appendix M, be approved including:
 - (i) the Treasury Management Policy Statement; Appendix M, Annex 4;
 - (ii) the Annual Statement of the Annual Minimum Revenue Provision as set out in Appendix M, Annex 1;
- (n) That the Capital Strategy (Appendix F), Corporate Asset Investment Fund Strategy (Appendix G), Risk Management Policy and Strategy (Appendix H), Earmarked Funds Policy (Appendix I) and Insurance Policy (Appendix K) be approved;
- (o) That it be noted that the Leicester and Leicestershire Business Rate Pool will continue for 2020/21;
- (iii) That the Director of Corporate Resources following consultation with the Lead Member for Resources be authorised to make any changes to the provisional MTFS which may be required as a result of issues arising between the Cabinet and County Council meetings, noting that any changes will be reported to the County Council on 19 February;
- (iv) That it be noted that following the enactment of the relevant legislation a report will be presented to the Council's Constitution Committee and thereafter to the County Council regarding the proposed addition to the County Council's Constitution (Part 2, Article 12.04) to confirm that the Director of Corporate Resources, as the Chief Financial Officer, is the Responsible Officer for the Leicestershire County Council Local Government Pension Scheme (LGPS);
- (v) That the Leicestershire School Funding Formula be amended to reflect two additional funding factors - sparsity and pupil mobility - for 2020/21.

7. COMMISSIONING AND PROCUREMENT OF HOME CARE SERVICE POST-NOVEMBER 2020 (Pages 317 - 354)

- *Comments of the Adults and Communities Overview and Scrutiny Committee are attached to this Order Paper, marked "7".*

Proposed motion

- (a) That the proposals for the new Home Care service, to be commissioned jointly with the West Leicestershire and East Leicestershire and Rutland Clinical Commissioning Groups, be approved;
- (b) That, in the event of the Clinical Commissioning Groups' Governing Bodies not agreeing to the procurement proposals for the new Home Care service, the Director of Adults and Communities, following consultation with the Lead Member for Adult Social Care, be authorised to agree any changes to the proposals that do not fundamentally affect the procurement of the new Home Care service;

- (c) That, in the event that the Clinical Commissioning Groups' Governing Bodies request changes that would fundamentally affect the procurement proposals, the Director of Adults and Communities, following consultation with the Lead Member for Adult Social Care, be authorised to determine if the Council should proceed alone to procure the new Home Care service or whether a further report will be submitted to the Cabinet.

8. FAIR OUTCOMES POLICY FOR ADULT SOCIAL CARE (Pages 355 - 368)

Proposed motion

That the Fair Outcomes Policy 2020 be approved.

9. LEICESTER AND LEICESTERSHIRE STRATEGIC TRANSPORT PRIORITIES 2020 TO 2050 (Pages 369 - 412)

- *Comments from Mr. Max Hunt CC, Labour Spokesperson on the Environment and Transport Overview and Scrutiny Committee, are attached to this Order Paper, marked "9".*

Proposed motion

- (a) That the draft Leicestershire Strategic Transport Priorities 2020-2050 document (LLSTP) be approved for consultation;
- (b) That it be noted that a further report will be submitted to the Cabinet in Summer 2020 presenting the outcome of the consultation and seeking approval for the final version of the LLSTP.

10. BARWELL SUSTAINABLE URBAN EXTENSION PLANNING APPLICATION (Pages 413 - 418)

- *Comments from Mr. D. C. Bill MBE, CC are attached to this Order Paper, marked "10".*

Proposed motion

- (a) That the progress made since the Cabinet meeting on 17 December 2019 be noted, including:
- (i) Hinckley and Bosworth Borough Council's Major Projects update to its Planning Committee on 7 January 2020,
- (ii) Discussions that took place with Hinckley and Bosworth Borough Council's officers on 14 January 2020,
- (iii) That the updated County Council Consultation responses that have been provided to Hinckley and Bosworth Borough Council by County Council services, and
- (iv) That it is intended to meet with the developer on 10 February 2020;

- (b) That it be noted the final package of planning obligations towards County Council infrastructure to be included in the Section 106 agreement will be approved by the Director of Law and Governance following consultation with the Cabinet Lead Members for Environment and Transport and Children and Family Services.

11. ITEMS REFERRED FROM OVERVIEW AND SCRUTINY

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

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

None.

Officer to contact

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**ADULTS AND COMMUNITIES OVERVIEW AND SCRUTINY
COMMITTEE**

20 JANUARY 2020

**COMMISSIONING AND PROCUREMENT OF HOME CARE
SERVICES: POST NOVEMBER 2020**

MINUTE EXTRACT

The Committee considered a report of the Director of Adults and Communities which provided an update and recommendation for the re-procurement of home care services, post November 2020.

In his introduction to the report, the Director explained there had been some revisions made to the milestones tabled in paragraph 44 of the report; additional flexibility had been built into the procurement and implementation dates to ensure that preparations were fully robust and tested. There had also been changes to the NHS CCGs (Clinical Commissioning Groups) governance, which had now been factored in.

A revised table of milestones would be circulated to members of the Committee after the meeting for information.

The Cabinet Lead Member for Adults and Communities, Mr. R. Blunt CC, confirmed his support for the service proposals and said that due to the nature of the service, there would always be a significant level of risk. However, it was pleasing to see that every effort was being made to learn from past experiences and find pragmatic solutions to design a new and improved service. He was hopeful that the future service would be successful.

Arising from discussion and questions, the following points arose:

- i) The Committee was pleased to note that consideration was being given to carers receiving the appropriate remuneration for non-contact time such as travel. Discussions would be held with providers to determine sustainability in this regard. The Department was in consultation with the Council's Internal Audit Team to determine how the remuneration could be effectively measured and monitored.
- ii) It was anticipated that a level of stabilisation would be required between each phase of the implementation period. The actual phasing and level of stabilisation required would be determined following the procurement, using a risk-based approach dependent on the number of existing providers bidding successfully for the new contract or exiting the market. The Committee supported the phased approach to implementation.

- iii) Members welcomed the introduction of four pricing levels (urban, fringe, rural and isolated) for the new service, which had been developed following a comprehensive benchmarking analysis. The Department had brought in an independent consultancy company called Care Analytics, which specialised in cost and pricing models for care and support services and had undertaken the same exercise in several areas of the Country. A substantial amount of work with existing providers had been completed as part of the benchmarking process.
- iv) The new Home Care Service contract would provide for the joint commissioning of services between the Council and the NHS, which was expected to align better future costs for core home care services where there had previously been disparity. However, there would still be elements of provision, such as the development or establishment of specialist services, which may need to be separately undertaken.
- v) Provider performance would continue to be managed under existing processes. The Department's Quality Improvement Team monitored and worked closely with providers especially where there were performance issues. Flexibility had been built in to the new service agreement so that other providers could be brought in to meet capacity requirements if a provider contract could no longer be sustained, for example due to consistent underperformance. Providers could move between "prime" or "supplementary" status depending on the quality of their service.
- vi) It was expected that all providers would have the ability to take on "high dependency" service users as required. Support and training would continue to be available to providers from the Council wherever necessary.
- vii) Members felt assured that lessons learnt from the previous procurement were being used to strengthen and shape future plans and practices. The Committee commended officers on what it felt was an excellent report and confirmed its support for the service proposals.

RESOLVED:

- a) That a revised timetable of milestones be circulated to Committee members for information;
- b) That the update on the Home Care service proposals be noted as part of the forthcoming re-procurement;
- c) That the Committee's comments on the Home Care service proposals be submitted to the Cabinet for consideration.

Submission to Cabinet

7th February 2020



From Max Hunt CC, the Labour Spokesperson

**Item 9: Leicester and Leicestershire
Strategic Transport Priorities 2020 to 2050**

This is an ambitious document offering many challenges needing action to resolve. It is welcome news to read that the County is at last intending to deliver a new Local Transport Plan (LTP4) which will reflect many of the changes in outlook since the ageing LTP3. Given the thirty-year horizon the Plan relies on the Vision provided by the Strategic Growth Plan (LLSGP), but that stops short when it comes to local transport and indeed climate change.

We look forward to the Consultation when it takes place but meantime have the following concerns.

Growth of Traffic to 2050

It is difficult to see how policy can be developed without planning for, or estimating, future levels of transport year by year. Within the medium term of the Plan conventional (IC) cars and vans may begin to be replaced by cheaper electric vehicles (EVs) but if so this will increase both ownership and use of cars and vans. So it is not clear in the Plan how this plan intends to manage traffic growth in the county in a sustainable way.

Transport Options to 2050

There is a false assumption that technology alone, typically EV cars and vans, will deliver the necessary carbon reductions and clean air. On present plans and given a replacement cycle of 12 to 18 years, IC vehicles will still be on the road by 2040. There is still no alternative solution for HGVs. Furthermore, because Carbon in the atmosphere continues to have a warming effect for many years, the more CO₂ that is emitted within the first part of the Plan, say up to 2025, the more severe action will be needed to reduce emissions in the later years to catch up.

That is why some demand management is an increasing requirement of transport policy but is difficult to detect this in the County's plans. Even in the long term there are no measures to advantage buses, integrated rail and bus, or to favour multi-occupancy vehicles. Nor is there any consideration of how central government measures, more free public transport perhaps, may affect the Plan within the medium term.

The most significant demand side innovation within the Plan is, of course, the City's **workplace parking levy** and this will have the greatest effect on the county towns and parishes surrounding the city. These peripheral towns and parishes are usually those within a 30 minute off peak bus ride of the city centre. They include those identified in the City and County joint Connecting Leicester project (in blue on para 4.12), those in yellow in para 5.18 and others. Paragraph 5.12 presents another list of peripheral urban parishes.

Travel Around Leicester (Theme 2)

So, given the logic of Connecting Leicester and the Transforming Cities project, the second theme **Travel around Leicester** should logically include the peripheral towns and parishes. Connecting Leicester includes at least 500,000 residents of which over 100,000 live in the county. These, however are lumped into as "Other Urban Areas" in Theme 4 together with other County Towns with quite different travel patterns. As a result the effect of City policies and the travel needs of those towns and urban parishes are not given sufficient weight. The LTP2 2006-11, incidentally, addressed the central Leicestershire area as one community in transport terms despite their administrative arrangements.

Predominantly Rural Leicestershire (Theme 3)

The third theme is largely applicable to the "predominantly rural" areas of the county. Excluding the county towns and urban areas, these cover about 275,000 people. There is not much on offer for these rural areas, though to some extent this is managed with the new Leicestershire Passenger Transport Strategy and the preference away from growth in rural locations in the LLSGP.

On the other hand, the theme overlooks the transport 'micro-climates' that exist and the opportunities presented in either our county towns or the periphery of Leicester.

Travel within and around County Towns (theme 4)

Unfortunately, this Plan does nothing for our county towns which are bearing the majority of growth in the LLSGP, nor much for the towns and parishes around the city who will pay for workplace parking levy. Traffic growth into several of our county towns is now causing significant congestion at peak times and threatening air quality. In addition, access around our town shopping centres is neglected as all development is focused on major roads on the periphery.

The proposal to '*carry out studies into each of the county towns to identify their individual challenges, opportunities, and needs*' is welcome but no substitute for action but none are cited. Having analysed traffic in detail around SUEs and embarked on multi-million pound projects in Melton, Loughborough, Coalville, and Hinckley, many people may ask why we don't already know what is needed.

Encouragement is proposed as the way to increase the use of passenger transport but incentives are what is really required, including more appropriate infrastructure. It seems that the best that county towns can expect are '*small scale highway improvements*'.

Note: The document describes the whole administrative county as 'predominantly rural'. This is an important statement because it conditions the way we plan transport.

In 5.14 (Theme 3) the Plan states:

Approximately 1 million people live in Leicester and Leicestershire (680,000 in the county), spread over an area of approximately 832 square miles. Of these, just under 50% are spread across the county towns, villages, and isolated rural settlements that surround the Leicester City area. Outside of the city, population density is just 860 people per square mile.

Based on the 2018 Population estimates, and identifying the City Fringe according to the Connect Leicester use of 30 minute bus ride, the split is something like:

City	355,218	37%
Rural County	276,467	29%
County Towns	216,030	22%
County/City Fringe	119,901	12%
City & County	967,616	

The point here is that the needs of the four areas have very different travel needs.

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CABINET – 7 FEBRUARY 2020**ITEM 10 – BARWELL SUSTAINABLE URBAN EXTENSION PLANNING
APPLICATION****COMMENTS FROM MR. D. C. BILL MBE, CC**

When this matter was reported to the Cabinet on Tuesday 17th December I expressed my dismay about paras 29 and 30 which stated that the proposed improvements to the A47 approaches to the Dodwells roundabout would not now take place. My concerns have been justified as there is even more congestion along this stretch of the Hinckley Northern Perimeter Road as a result of the McDonalds works.

In the report which is to go to the Cabinet on the same subject on Friday 7th February para 19 states that “ County officers have explained why the Transport Assessment is out of date and why obligations in the draft Sec 106 agreement were no longer fit for purpose.”

Can I please ask for a copy of that explanation and in particular why County officers are of the view that the schemes previously identified as being needed on the A47 to mitigate the impact of this and other developments along the road are now considered no longer fit for purpose? It was realised back in 2013 that there had to be substantial improvements to the A47 in order to try to relieve existing and expected congestion. This has been borne out in subsequent years as congestion has indeed worsened not only on the A47 approach to the island but on all the other approaches as well.

Can I stress that it is absolutely vital for the County Council to have a plan in place to relieve traffic congestion on the roads it controls such as it is vital for Highways England to have some sort of strategy for reducing congestion on the A5 ?

The County Council and the Highways Agency should have intervened when given the opportunity to do so when the McDonalds application came before the Planning Inspector. Failure to act then has left everyone in an intolerable position. The time has come to put matters right.

David Bill

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