



CABINET – 28 APRIL 2020

ORDER PAPER

ITEM DETAILS

APOLOGIES FOR ABSENCE

None.

1. MINUTES (Pages 3 - 18)

Proposed motion

That the minutes of the meeting held on 24 March 2020 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. CORONAVIRUS (COVID-19) IMPACT AND RESPONSE OF THE COUNTY COUNCIL (Pages 19 – 20 and Supplementary Report Pages 3-24)

Comments from Dr. T. Eynon CC, Leader of the Labour Group, are attached to this Order Paper, marked “4”.

Proposed motion

(a) The Cabinet notes -

- (i) The local declaration of a major incident with regard to Covid-19 and, accordingly, the passing of the Chairmanship of the Local Resilience Forum’s Gold Command Group for this incident to the Police;
- (ii) Action taken by the Chief Executive, following consultation with the Leader of the Council, to increase the Leicestershire Communities Fund to £1.5m;
- (iii) Action taken by Chief Officers following consultation with Cabinet Lead Members to close or reduce some County Council services to enable it to comply with national rules introduced to contain the spread of the virus and focus resources on essential services;

- (iv) That, whilst further Government guidance on the reopening of recycling and household waste sites is awaited:
- the County Council is planning to reopen some sites in the week commencing 18th May once the necessary arrangements, including social distancing and traffic management, and public communications, are in place;
 - it be emphasised to all concerned that recycling and household waste sites are not substitutes for kerb side collections;
 - therefore, the Leicestershire district councils be all requested, in line with previous officer advice, to ensure there are two weeks' worth of operational green and bulky waste collections completed prior to reopening of sites, so that the reopened sites are not immediately overwhelmed;
 - the County Council is liaising with the other waste disposal authorities in the East Midlands with the intention of minimising additional traffic on the roads by having consistent reopening arrangements across the region as far as possible.
- (v) The significant financial impact that the Covid-19 pandemic is having on the Council's finances and that only a part of the additional costs incurred will be met by Government grant;
- (vi) That in light of (v) above, the Council will need to consider what services can be reduced or stopped and will undertake a fundamental review and reprioritisation of the current Capital Programme;
- (vii) That work has commenced on 'recovery' and a report on this will be made to the Cabinet meeting on 23rd June;
- (b) That a loan up to a maximum of £90,000 be made to the Bradgate Park Trust and that the Director of Corporate Resources be authorised to agree the terms of the loan;
- (c) That the Cabinet's thanks on behalf of the County Council be conveyed to Sichuan Province for its donation of Personal Protective Equipment;
- (d) That Cabinet's thanks on behalf of all members to County Council staff and the Local Resilience Forum be placed on record.

5. LEICESTERSHIRE COUNTY COUNCIL'S REVISED STRATEGIC PLAN 2018 - 2022. (Pages 21 - 54)

Comments from Mr. D.C. Bill MBE CC, are attached to this Order Paper marked '5'.

Proposed motion

- (a) That the outcome of consultation with the Environment and Transport Overview and Scrutiny Committee and the Scrutiny Commission on the Council's revised Strategic Plan 2018-2022 be noted;
- (b) That the County Council at its meeting on the 8 July 2020 be recommended to approve the revised Strategic Plan.

6. LEICESTERSHIRE COUNTY COUNCIL'S REVISED ENVIRONMENT STRATEGY AND ACTION PLAN. (Pages 55 - 98)

Comments from Mr. Max Hunt CC, Labour Spokesperson for Environment and Transport, are attached to this Order Paper, marked "6".

Proposed motion

- (a) That the outcome of the consultation with the Environment and Transport Overview and Scrutiny Committee and the Scrutiny Commission on the Council's revised Environment Strategy, Action Plan and Tranche 1 Carbon Reduction Map, as detailed in paragraphs 43 to 47 of the report, be noted;
- (b) That the County Council at its meeting on 8 July 2020 be recommended to:
 - (i) Approve the revised Environment Strategy 2018-2030, the associated revised Environment Strategy Action Plan, and Tranche 1 of the Carbon Reduction Roadmap;
 - (ii) Note that a further report presenting the complete Carbon Reduction Roadmap (incorporating the newly developed Tranche 2) will be considered by the County Council in the Summer of 2021.

7. LEICESTERSHIRE COUNTY COUNCIL'S EQUALITY STRATEGY 2020-24 AND EQUALITY ACTION PLAN 2020-2021 (Pages 99 - 162)

Proposed motion

- (a) That the outcome of the consultation on the Council's draft Equality Strategy 2020 - 2024, as detailed in paragraphs 20 to 35 of the report, be noted;
- (b) That the County Council at its meeting on 8 July 2020 be recommended to approve the Equality Strategy 2020-24 and Equality Action Plan 2020-2021.

8. MAINSTREAM AND SPECIAL EDUCATIONAL NEEDS HOME TO SCHOOL TRANSPORT POLICIES – 2020/21 (Pages 163 - 168)

Comments from Mr. Max Hunt CC, Labour Spokesperson for Environment and Transport, are attached to this Order Paper, marked "8".

Proposed motion

- (a) That the implications of the appeal against part of the Judicial Review Decision published in July 2019 with regard to the implementation of the Council's Post-16 Special Educational Needs (SEN) Transport Policy, be noted;
- (b) That the decision of the Director of Environment and Transport to further suspend introduction of a default Personal Transport Budget (PTB) offer for post-16 SEN students to the start of the 2021/22 academic year (the main element of the new Special Educational Needs Transport Policy) be noted;
- (c) That the revised process for the calculation and payment of voluntary PTBs for pupils of all ages which will be introduced from the start of 2020/21 academic year be noted.

9. ITEMS REFERRED FROM OVERVIEW AND SCRUTINY

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

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

None.

Officer to contact

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CABINET – 28 APRIL 2020**ITEM 4 - CORONAVIRUS (COVID-19) IMPACT AND RESPONSE
OF THE COUNTY COUNCIL**

From Terri Eynon CC, Labour Group Leader

The Labour Group wishes to take this opportunity to express its thanks to the officers of this Council for their timely and proactive response to the Coronavirus pandemic. We also wish to express our condolences to the families of all those who have died due to Covid-19 and to reach out to everyone across Leicestershire and beyond who are currently working to defeat this frightening disease.

We are immensely proud of the way that the County Council has responded to this crisis. In January, when the national response to the news regarding the SARS-Covid-2 virus still consisted of false reassurance, Labour's Health Spokes Cllr Amanda Hack raised her concerns about the situation in China at the regular scrutiny briefing in January with the Director of Public Health and was provided with some early reassurance about the threat at that point. The County's approach of watchful preparedness meant that, even before the lockdown was announced by the national Government, Leicestershire County Council were preparing to cancel public events and making it possible for staff to work from home.

The need to shield over 9000 residents who are particularly susceptible to Covid-19, 3000 of whom have had difficulty accessing food and pharmacy supplies has meant staff have had to contact huge numbers of people. Officers of the Council have maintained their professionalism at a time when every single service across the Council has had to transform not only how they work but what they do. The sterling work of backroom IT staff has made it possible for many of our statutory services to continue in virtual form, safeguarding children and continuing to assess the social care needs of vulnerable adults.

The Labour Group are also proud of the way that the democratic services of the Council have ensured that scrutiny has continued, despite the lack of face to face meetings. A national emergency is a time for national unity, but that does not mean Opposition politicians should give up asking questions. We are pleased at the way that this Council has responded to issues raised by Labour members at the weekly Group Leaders and All Members meetings.

The Labour Group also wishes to express their thanks to the people of Sichuan province, China, who are twinned with Leicestershire, for their support with the provision of Personal Protective Equipment.

The Labour Group have been especially pleased to see:

- An initial £1M Fund for Charities and Social Enterprises, later extended to £1.5M, to ensure the third sector, as their income falls due to social distancing regulations, can continue to support the most vulnerable in Leicestershire.
- Questions raised nationally regarding the lack of Personal Protective Equipment for Care Workers.
- The promotion of a scheme to enable business to donate and create PPE for the NHS and Care sector.
- Public Health data being collected locally regarding the number of Covid-19 cases and deaths in care homes at a time when national data on community epidemiology remains sadly lacking.
- Casework continuing via Barnardos to support Young Carers who may be particularly stressed at this time.
- Questions raised nationally regarding the costs of the 0845-number used by Edenred who were nationally commissioned to provide the School Meals Vouchers which led some unfortunate parents to spend five times as much money chasing the voucher than they gained in food.
- Support for the Leicestershire Shared Reading volunteers who have been enabled to move some of their groups onto telephone conference services using book sets supplied by the Library Service.
- The proactive response from Trading Standards for calls from Community Radio providers concerned that people without internet access might be vulnerable to scams and fraudsters. Trading Standards flow of Public Service Announcements has been exemplary.

The Labour Group support:

- The proposed resumption of community testing and contact tracing and are strongly supportive of the proposal for this work to be done by Local Government in-house, with appropriate remuneration, rather than outsourced to the private sector.

The Labour Group remain concerned regarding the Financial position of the Council:

- There is a national tendency to overlook the pivotal position of local government which has led to local councils suffering disproportionately from austerity in the past. This lack of focus on social care from central government, contrasting with the higher profile given to the NHS, has led to a notable delay in the provision of PPE to care home staff.

- The 'risk-sharing' model being proposed nationally may mean that the full financial effect on this Council is not to be mitigated by the Government, putting future statutory services at risk. We are deeply disappointed at the prospect of more services being reduced or stopped. **We urge the Leader two strongly lobby Leicestershire Members of Parliament regarding this.**
- Staff employed by Leicestershire Traded Services on zero-hour contracts may not be protected by the Government's furlough scheme

The Labour Group have concerns re Key Worker testing:

- Testing the household members of NHS or other key workers may not in fact provide certainty as to whether staff should either be self-isolating or can come to work. Whilst the specificity of nucleic acid tests for Covid-19 is very high, and a positive result can generally be trusted, sensitivity can be affected by a number of variables related to the site and timing of the swab. A sensitivity of 95%, whilst relatively good in laboratory terms, means the 5 in every hundred people who have Covid-19 will be falsely reassured and may be sent back to work putting vulnerable people at risk. Concerns regarding test reliability and the use a surrogate measure for immune response will also apply to the antibody test which may not provide reassurance that a key worker is safe from future infection by Covid-19. **Can we be reassured that these caveats regarding testing are understood by employers and that a clinical assessment of symptoms and, if necessary, a re-test will be part of the process?**

The Labour Group have concerns regarding, Young Carers, schooling and education:

- Home education may suit some families but as this continues there is a risk, especially for low income families with limited access to IT, that this will exacerbate unequal access to opportunities and widen inequality.
- The replacement for Free School Meals may be a poor substitute for the hot meal that children from low income families were getting at school.
- Social isolation may lead to a longer term detrimental effect on the mental health of Young Carers.

The Labour Group have concerns regarding wider health and wellbeing:

- Access to emergency dental services appears to be patchy putting some people at risk of severe health consequences.
- The NHS is coping with Covid-19 by postponing other essential operations and this may lead to preventable deaths.
- The number of suicides in Leicestershire appears to be increasing and some people may not be coping well with social isolation.

The Labour Group have concerns re the communication of plans for waste disposal:

- The two-tier collection and disposal system is confusing for residents and there needs to be better communication with the public regarding the staged resumption of recycling and household waste services.

The Labour Group have some questions for future consideration:

Food insecurity and income inequality

- The lockdown and associated uncertainty around employment is having a devastating impact across Leicestershire. There will be people who have not needed to access emergency food assistance or benefits before in areas with little infrastructure. **How are we managing to get food to people who are suffering from food insecurity, particularly as the normal referral mechanisms are suspended and referrers such as Health Visitors, Social Workers, Job Centre and Housing Officers are no longer seeing people face to face?**
- The County Council, Districts/Boroughs and the Voluntary Sector all have roles in identifying those in need. **Can we be sure that people are not falling through the gaps?**

Other Vulnerable adults

- Many Vulnerable people live independently without a formal package of care, including Housing Associations and Charities **How are Leicestershire Public Health supporting landlords who look after vulnerable residents in Extra Care, sheltered or supported accommodation?**
- Support to people with learning difficulties does not always include direct personal care however Staff who provide non-CQC support to vulnerable residents may not be able to do so within social distancing rules. **Are Support staff and agencies able to access PPE via LLR Prepared?**

Managing social distancing

- In some areas we are beginning to see more of the public out and shopping as if all is back to normal. Compliance appears to be patchy. **How is Leicestershire managing lockdown? Is traffic increasing? Are supermarkets managing social distancing? Are there pockets of dissent? Can we have a briefing from the Police?**

Loughborough University

- Loughborough University has a number of international students. **Are there any students unable to get home? What will be the impact on the Leicestershire economy if our Universities cannot bring in international students by the autumn?**

Recovery

- Recovery is likely to include the adoption of a new normal and surviving a deep economic depression. **How will the developing exit strategy be communicated to Members?**
- **Can we have a briefing from the LRF or LLEP?**
- When are schools likely to be going back? What preparations are we making?
- **Will there be a cross-party Member Advisory Group to discuss the Recovery Plan?**

We look forward to continuing to work with all Members of Leicestershire County Council to support the continuing effort to manage the effects of the Coronavirus pandemic.

Dr Terri Eynon MRCPsych FRCGP

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CABINET – 28 APRIL 2020**ITEM 5 – LEICESTERSHIRE COUNTY COUNCIL'S REVISED
STRATEGIC PLAN 2018 - 2022**

Page 21 Revised Strategic Plan

This report was presented to the Environment & Scrutiny Committee on March 5th when we resolved to support the recommended amendments designed to acknowledge the need to combat climate change. By the time we next saw the report which was at the Scrutiny Commission on April 8th it is fair to say that the whole world had changed and it was agreed by everyone present that the ambitions of the County Council would have to take account of the Covid 19 crisis which threatens all of us and everything we do.

Our concerns are referred to in passing in the appendix to the report but the main recommendations are still to note what was said and press on regardless.

I made a careful note of what I said at the meeting which of course took place remotely. I believe that everyone else who spoke agreed with the sentiments.

I pointed out “ The impact of the crisis is going to be deeper and longer lasting than anyone envisaged at the start. This report was written over a month ago and our world has since changed out of all recognition. The County Council has a recovery plan and I know that everyone will want to support it but in the meantime I suggest that we ask the County Cabinet how this report is to be revised in the light of all that has happened. With so many people suffering in so many different ways it cannot be business as usual.”

It is recommended that on July 8th the County Council agrees the original plan, taking account of the need to tackle climate change. Can I suggest that the plan needs further revision now in order to recognise the challenges we all face. It is no good pretending that it will all go back to how it was.

Regards

David Bill,

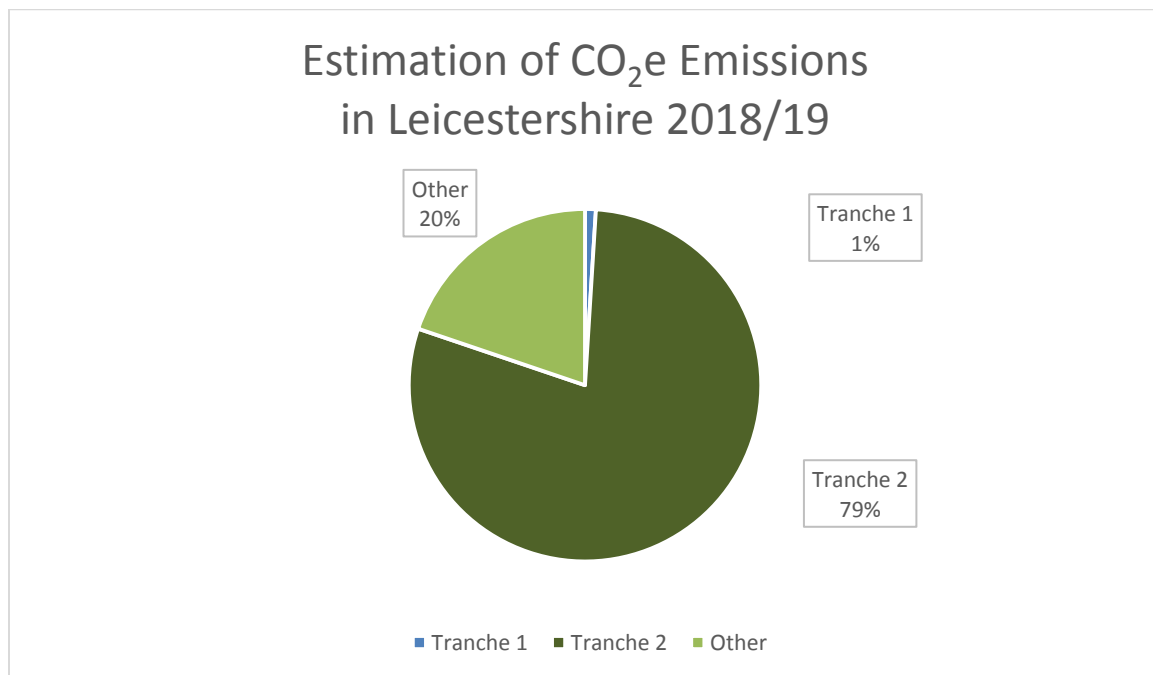
Environment Spokesman, Liberal Democrat Group.

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CABINET – 28 APRIL 2020**ITEM 6 - LEICESTERSHIRE COUNTY COUNCIL'S REVISED ENVIRONMENT STRATEGY AND ACTION PLAN**

From Max Hunt CC, Labour Environment spokesperson

The document divides into two parts Tranche 1 and Tranche 2. Tranche 1 covers less than 1% of Leicestershire's Carbon Emissions and is already well planned. In January 2019 the County Council reported "Carbon emissions from LCC operations (see Tranche 1) continue to fall and are now well ahead of target". So the document almost exclusively addresses a target in Tranche 1 which is already being met.

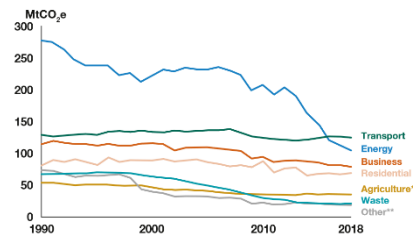


Source: Leics CC Cabinet Paper 28/4/2020

In contrast, Tranche 2 covers 79% of carbon emissions over which we have influence. The climate change clock continues to tick. We would strongly suggest that the authority uses its time to develop Tranche 2. The benefits are bound to exceed any further fine tuning of Tranche 1.

In short, we've planned Tranche 1 for minimal overall gainw can we get on with Tranche 2 and not delay it for another year?

The biggest challenge in Tranche 2 is transport over which, together with our LLEP partners we have significant influence. As you will know transport emissions have not reduced in recent years in contrast to other emissions.

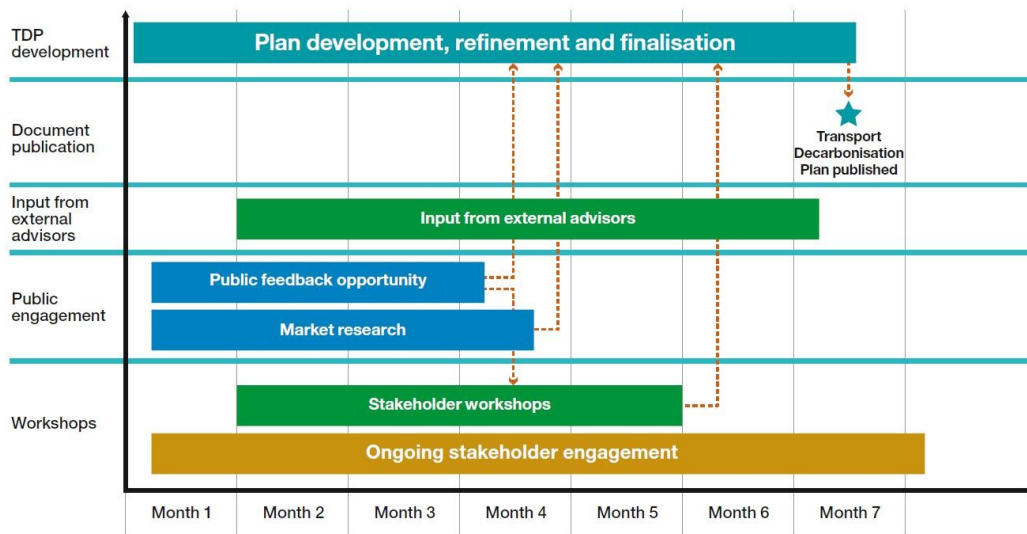


Fortunately our task in developing a roadmap for Tranche 2 is assisted this year by the invitation of the Secretary of State to contribute to his consultation paper [Decarbonising Transport](#), 26th March 2020. If we are intending to contribute to this we need to start engaging and the DfT has outlined the components of our task. In other words, we need to start the Tranche 2 process.

 <p>Accelerating modal shift to public and active transport</p> <ul style="list-style-type: none"> • Help make public transport and active travel the natural first choice for daily activities • Support fewer car trips through a coherent, convenient and cost-effective public network; and explore how we might use cars differently in future • Encourage cycling and walking for short journeys • Explore how to best support the behaviour change required 	 <p>Decarbonisation of road vehicles</p> <ul style="list-style-type: none"> • Support the transition to zero emission road vehicles through: <ul style="list-style-type: none"> – regulatory framework – strong consumer base – market conditions – vehicle supply – refuelling and recharging infrastructure – energy system readiness • Maximise benefits through investment in innovative technology development, and development of sustainable supply chains
 <p>Decarbonising how we get our goods</p> <ul style="list-style-type: none"> • Consider future demand and changing consumer behaviour for goods • Transform 'last-mile' deliveries – developing an integrated, clean and sustainable delivery system • Optimise logistics efficiency and explore innovative digitally-enabled solutions, data sharing and collaborative platforms 	 <p>Place-based solutions</p> <ul style="list-style-type: none"> • Consider where, how and why emissions occur in specific locations • Acknowledge a single solution will not be appropriate for every location • Address emissions at a local level through local management of transport solutions • Target support for local areas, considering regional diversity and different solutions
 <p>UK as a hub for green transport technology and innovation</p> <ul style="list-style-type: none"> • Utilise the UK's world-leading scientists, business leaders and innovators to position the UK as an internationally recognised leader of environmentally sustainable technology and innovation in transport • Build on expertise in the UK for technology developments and capitalise on near market quick wins 	 <p>Reducing carbon in a global economy</p> <ul style="list-style-type: none"> • Lead international efforts in transport emissions reduction • Recognise aviation and maritime are international by nature and require international solutions • Harness the UK as a global centre of expertise, driving low carbon innovation and global leadership, boosting the UK economy

iiii Source: *Decarbonising Transport: DfT March 2020*

Figure 19: Timeline of stakeholder engagement



iv Source: Decarbonising Transport: DfT March 2020

Leicestershire County Council will contribute to that stakeholder engagement and the Cabinet needs to trigger Tranche 2 as part of that process.

Note: The Action Plan currently schedules Development of Tranche 2 Carbon Reduction Roadmap from April-October 2020 (page 90).

CABINET – 28 APRIL 2020**ITEM 8 - MAINSTREAM AND SPECIAL EDUCATIONAL NEEDS HOME TO SCHOOL TRANSPORT POLICIES 2020/21**

From Max Hunt CC, Labour Transport spokesperson

When low income families have borne the brunt of Government austerity programme, those with children with disabilities or other special needs have borne an even heavier burden. The Labour Group therefore maintains its strong objection to this policy and the related policies agreed by Cabinet on 9th March 2018. This applies to transport for SEND Nursery education as well as the 16-18 SEND mainstream discussed in this paper.

We note the outcome of the Judicial Review, a process which only confirms the strong feelings of parents of SEND children and the frustration they continue to experience.

We are concerned that estimates of the MTFs savings have not been matched (see para 11) so far. The authority must stand by the commitment to exceptions and not allow these to be eroded in order to drive up the savings. We suspect that at the end of the day, the suffering this will cause will outweigh any net financial gain.

We will therefore be seeking fuller details of the current roll out of the Nursery policy and the proposed implementation of the 16-18 policy. In particular, we note the proposals as set out to the E&T Scrutiny Committee on 22nd November 2017 and 1st March 2018.

We would like reassurance that the following are being met:

- Where children had been provided with medical escorts, discussions take place with parents and carers to understand the transport arrangements made when such children were not at school. The PTB reflects the particular needs of the child;
- Low income families were defined as those who were in receipt of the maximum Working Families Tax Credit or eligible for free school meals but the former criterion has been replaced by Universal Credit for new claimants and many other families. How has this impacted on the scheme?
- Measures have been developed to help support families in moving to a new system based on Personal Transport Budgets (PTB). This would include, for example, working with schools to identify families who could share home to school transport, potentially arranged by the school and funded through each family's PTB. Mitigation measures would be put in place to help address potential drop-out rates.
- Exception arrangements have been put in place to address and support families for whom a PTB was unworkable. Exceptions are considered on a

case by case basis by staff well experienced in dealing with PTBs as well as mainstream and SEN home to school transport.

- A two-stage appeals process is in place; the first stage is dealt with by staff who were well-versed in the area of work, although had not dealt with the case previously; and the second stage would be handled by an independent panel. The committee was informed that, should significant issues arise with the operation of the PTB, the system could be reviewed;
- Mechanisms would be put in place to monitor use of PTBs to identify early on any issues being experienced by individual families. Payments would be made monthly in advance to help support families with budgeting;
- Where a student was deemed likely to enter into care as a result of transport pressures which had led to poor attendance at school, a robust escalation process would be in place. This would be developed, in conjunction with schools and the SEN service.