

CABINET - FRIDAY 20 NOVEMBER 2020**ORDER PAPER****ITEM DETAILS****APOLOGIES FOR ABSENCE**

Mr. R. Blunt CC

1. MINUTES (Pages 5 - 12)**Proposed motion**

That the minutes of the meeting held on 20 October 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. FINANCIAL RESILIENCE (Pages 13 - 36)**Proposed motion**

(a) That the comments of the Scrutiny Commission be noted;

(b) That the latest position regarding the County Council's financial resilience be noted.

5. FREE SCHOOL MEAL PROVISION DURING SCHOOL HOLIDAYS (Pages 37-42)**Proposed motion**

(a) The provision of Free School Meal vouchers for school holidays as outlined in the report be confirmed;

(b) That it be noted that the Chief Executive, following consultation with the Director of Corporate Resources, the Leader and the Cabinet Lead Member for Resources, has agreed the spend of £360,000 in relation to the provision of free school meals over the Christmas/New Year holiday period;

- (c) That up to £1m in total be allocated for the provision of free school meal vouchers during the financial year 2020/21, noting that additional Government funding is expected to reimburse the Council for a part or the whole of this sum.

6. ANNUAL DELIVERY REPORT AND PERFORMANCE COMPENDIUM 2020
(Pages 43 - 202)

Proposed motion

- (a) That the comments of the Scrutiny Commission be noted;
- (b) That the overall progress, particularly during the first half of 2019/20, in delivering on the Council's Strategic Priorities as set out in the draft Annual Delivery Report, be noted;
- (c) That the significant and ongoing impact of the coronavirus pandemic on the outcome of delivery across a range of Council services from late February be noted, together with the strong local response from the council and partners to support vulnerable people, communities, business, the voluntary sector, staff and others throughout the pandemic;
- (d) That the Council's current low comparative funding, good performance position, and escalated service pressures and risks now facing the Authority as set out in the Performance Compendium be noted;
- (e) That in light of the pressure on the Council's financial sustainability arising from continued service demand and cost pressures, that have been compounded by the Covid-19 crisis, the Council will continue to press its case for a fairer funding settlement and other major savings initiatives, noting that the delay in implementation has created significant uncertainties as to how the Council can now address the many service challenges and priorities it faces;
- (f) That the Chief Executive, following consultation with the Leader, be authorised to make any amendments to the draft Annual Delivery Report and Performance Compendium prior to its submission to the County Council on 2 December 2020 for approval.

7. ADULT SOCIAL CARE TARGET OPERATING MODEL (Pages 203 - 230)

Proposed motion

- (a) That the comments of the Adults and Communities Overview and Scrutiny Committee be noted;
- (b) That the report be noted, in particular
 - (i) The successful implementation of the Adult Social Care Target Operating Model (TOM) and achievement of improved ways of working and enhanced outcomes for service users;

- (ii) That the Adult Social Care TOM will support the ongoing service delivery and financial efficiency, supporting the delivery of the Council's Medium Term Financial Strategy;
- (iii) The effect of Covid-19 on provision of adult social care services and the actions taken by the Department to respond to this;
- (c) That the continued efforts needed to sustain and maintain the new Adult Social Care TOM and drive forward new opportunities for improvements be supported.

8. LEICESTER AND LEICESTERSHIRE STRATEGIC TRANSPORT PRIORITIES 2020 TO 2050 (Pages 231 - 310)

- *Comments have been received from Mr. Max Hunt CC on behalf of the Labour Group, and these are attached to this Order Paper, marked "8a".*
- *Comments have been received from the CPRE (Council for the Protection of Rural England) and these are attached to this Order Paper, marked "8b".*

Proposed motion

- (a) The results of the consultation on the draft Leicester and Leicestershire Strategic Transport Priorities (LLSTP) be noted;
- (b) The responses to the consultation, as set out in paragraphs 41 to 58 and Appendix A to the report be agreed;
- (c) The outcomes of the Midlands Connect A46 Stage 2 study work and the implications for the content of the LLSTP be noted;
- (d) The revised draft LLSTP, attached as Appendix B to the report, be approved.

9. EU EXIT TRANSITION (Pages 311 - 318)

Proposed motion

That the report be noted.

10. MELTON NORTH SUSTAINABLE NEIGHBOURHOOD DRAFT MASTERPLAN (Pages 319 - 338)

- *A letter from the County Council to Melton Borough Council dated 17 November 2020 is attached to this Order Paper, marked "10".*

Proposed motion

- (a) That the responses to the Melton North Sustainable Neighbourhood (Melton North SN) Draft Masterplan which were submitted by the County Council to Melton Borough Council on 27 October and 17 November 2020 be noted and the subsequent decision of the Borough Council to defer its approval of the Melton North SN Draft Masterplan be welcomed;

- (b) That the County Council will engage with Melton Borough Council to contribute to the development of the Melton North SN Draft Masterplan and members will be kept informed, including a further report to the Cabinet as necessary.

11. DRAFT CITY OF LEICESTER LOCAL PLAN 2020 TO 2036 (Pages 339 - 380)

Proposed motion

- (a) That the comments of the Scrutiny Commission be noted;
- (b) That the content of the draft City of Leicester Local Plan 2020 to 2036 be noted;
- (c) That the County Council's response to the draft City of Leicester Local Plan consultation, set out in paragraphs 39 to 45 inclusive and the appendix to the report, be approved.

12. RESIDUAL WASTE PROCUREMENT (Pages 381 - 386)

- *Comments have been received from Mr. Max Hunt CC on behalf of the Labour Group, and these are attached to this Order Paper, marked "12".*

Proposed motion

That progress with securing capacity for residual waste treatment for Leicestershire and the intended procurement timetable as set out in the report be noted.

13. ITEMS REFERRED FROM OVERVIEW AND SCRUTINY

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

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

None.

15. EXCLUSION OF THE PRESS AND PUBLIC

The public are likely to be excluded during the following items of business in accordance with Section 100(A) of the Local Government Act 1972:-

- *Defining Children and Family Services for the Future.*
- *Proposals to Develop a New Primary School to Serve Ashby de la Zouch - Expressions of Interest from Academy Proposers.*

Officer to contact

Jenny Bailey

Democratic Services

Tel: (0116) 305 2583 Email: jenny.bailey@leics.gov.uk

Submission to Cabinet
20th November 2020



From Max Hunt CC, on behalf of the Labour Group

Item 8: LEICESTER AND LEICESTERSHIRE STRATEGIC TRANSPORT PRIORITIES 2020 TO 2050

This was not the kind of high-level plan I was expecting but I welcome the joint working between the city and county Local Transport Authorities. I note that the Leicester Urban Area is given more recognition following the consultation. The city doesn't sit in isolation from the surrounding county conurbations.

Setting Strategic Priorities over the long term offers the opportunity for some innovative and creative thought. There are plenty of good examples to study and it is hard to detect much vision in the document. There was never much vision work in the Strategic Growth Plan and this frames much of the background. Congestion is repeatedly cited as a challenge and compromised with an offer of 'reliable journey times'. And still the programme encourages more peak time road traffic.

We have to go back to [Konrad Smigielski](#) to remind ourselves of the importance of setting high level priorities and the importance then of 'traffic plans'. Smigielski wanted to create traffic free urban environments without losing the advantages of the private car, which in the 1960s were doubling in number every few years.

If we had said, even 25 years ago, that we intended to double the number of vehicles passing the front doors of people in Coalville or Shepshed or any other small town in Leicestershire, we would have been quickly swept from office.

But these Transport Priorities are a 30 year plan. Three more decades of much of the same for our county towns.

Would we dare to look Smigielski, Buchanan or any of the pioneers of traffic in towns in the eye if they were still around today?

Officer note The reference to [Konrad Smigielski](#) above includes an embedded link that may not work once this document is published. The information can also be seen via - <https://bit.ly/2ITaPUy>

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Date: 18 November 2020

Dear Councillor Rushton

CPRE Leicestershire is very concerned to see what appears to be an assumption in the papers for Friday's cabinet meeting item on the Strategic Transport Priorities 2020 to 2050 that the Leicester & Leicestershire Strategic Growth Plan can be retained in its current form.

We believe it now requires a complete rethink, as a proper fully consulted statutory plan, for the following reasons:

- Midlands Connect says the A46 Expressway is not viable;
- The approach of building more roads will increase traffic and congestion;
- The councils have declared a Climate Change Emergency;
- The countryside is needed to soak up carbon emissions not to cater for car-dependent housing;
- Covid-19 can be expected to have a lasting impact on the way people live and work;
- The only sensible way forward is that there needs to be a new emphasis on the Green economy;
- Housing number predictions for the period until 2050 will be impacted in a number of ways - by the Governments planning reforms, Brexit, the hollowing out of cities etc.

The recent report from Midlands Connect with its emphasis on more road building solutions adds to our concerns. (<https://www.midlandsconnect.uk/media/1726/mc-a46-corridor-study-phase-2-final-report-november-2020.pptx>).

The whole set of proposals and their road-building ambitions on the A46 and a distributor road east of Leicester are driven by an agenda which seems entirely at odds with Climate Change, cutting congestion and curbing greenhouse gas emissions. We find the continuation of this approach extremely worrying.

Do we need to spend a fortune on roads and big infrastructure? No. We need to 'Build back Better but Greener'. Can we do it? Not unless we make rapid and very comprehensive changes immediately.

Best wishes

John Marriott

CPRE Leicestershire Trustee and Transport Lead

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Edd de Coverley
 Chief Executive
 Melton Borough Council
 Council Offices, Parkside
 Station Approach, Burton Street
 Melton Mowbray, Leicestershire
 LE13 1GH

Date: 17th November 2020
 My ref: JS/JC/20-175
 Your ref: Melton North SN Masterplan
 Contact: John Sinnott
 Phone: 0116 305 6000
 Email: john.sinnott@leics.gov.uk

Dear Edd

Melton North Sustainable Neighbourhood Masterplan

I am writing to you about the Melton North Sustainable Neighbourhood (SN) draft masterplan. I have seen the report that has been prepared for the Borough Council's Cabinet meeting tomorrow and it has been discussed with Cabinet members today. They have asked for this letter to be shown and reported to your Cabinet at its meeting on Wednesday, 18th November.

The County Council set out in writing its concerns about the Melton North SN masterplan on 27 October. However, having read your Cabinet report along with the officer response to our letter, shown at Appendix B, it is noted that the County Council's concerns have once again been largely disregarded.

This piece of work appears to be following a similar path as what happened with the Melton South SN masterplan. That document was also produced without stakeholder engagement and the County Council's concerns were not taken into consideration when it was approved.

You will be aware that discussions are underway to try to re-write the Melton South SN masterplan to help convince Homes England that a credible strategy for growth exists. We need to avoid another situation where a masterplan for part of the North SN is seemingly pushed through without stakeholder support. It will serve little purpose other than to complicate matters and cause delay as developers try to rely upon it while others give it no weight or credibility.

The County Council's substantive concerns remain that the masterplan does not accord with the Melton Local Plan and that the document is being presented without any evidence that it is affordable or deliverable. I have set out below the range of more detailed concerns with the Cabinet report, which underlines the County Council's request that you bring these matters to your Cabinet's attention before a decision is taken.

Chief Executive's Department
 Leicestershire County Council, County Hall, Glenfield, Leicestershire LE3 8RA
 Telephone: 0116 232 3232 Fax: 0116 305 6161 Minicom: 0116 305 6870

Contd/...

John Sinnott CBE, MVO, MA, Dipl. PA, Chief Executive
 Lauren Haslam, LLB(Hons), Dip.L.G. Director of Law & Governance

www.leicestershire.gov.uk

Para 1.2 - Report incorrectly states that the Masterplan has been prepared “on behalf of the Council...”. This conflicts with other statements in the report (para 4.3, 5.1, and 5.2) as well as within the masterplan itself (para 1.1), which state that developers have led, and the Council has only been ‘involved’. This is at best misleading as it gives the impression that this is an independent, unbiased, Borough Council document, when it is not. Instead, it is written by developers who have their own interests. It is worded in a way that heavily favours the developers, for instance by using vague generic terminology throughout that allows for interpretation and requirements to be diluted.

Para 1.3 - Report states that the Council will assign “significant weight” to the masterplan when considering planning applications. This is not a credible statement to make. The document will at best carry ‘limited weight’. It has not been subject to stakeholder or public engagement. It covers only part of the SN and therefore does not conform with the Local Plan (policy SS5). It has not been tested as being viable or deliverable. It has not been produced independently, so favours developers over public bodies. It will not have Supplementary Planning Document status. If approved, it would be despite a strong objection from the County Council, a key statutory consultee. It is misleading and unprofessional to advise that this document will carry significant weight if approved.

Para 3.1 - Report states that the masterplan will meet the requirements of Local Plan policy SS5. Your officers are aware that this is simply not the case. Policy SS5 states that the masterplan (including a phasing and delivery plan) should be prepared and agreed in advance or as part of submission of a planning application. It requires that “in order to achieve a comprehensive approach, the masterplan should be prepared for the whole MNSN”. This masterplan covers only part of the SN.

Para 3.3 - Report states that the masterplan “will provide the assurance as required by Leicestershire County Council to ensure the delivery of housing and infrastructure...”. This inaccurate statement is made despite knowing that the County Council has objected to the masterplan.

Para 4.2 - Report refers to the two outline planning applications to the west of Scalford Road and how this detracted from the masterplanning process and complicated matters. This statement is inaccurate and incorrectly implies blame on the County Council’s behalf by wanting to progress its development on Sysonby Farm. A masterplan for the north SN could and should have been brought forward in parallel with those applications, involving all relevant landowners / developers, infrastructure providers and other relevant stakeholders. That approach would have been in accordance with the Melton Local Plan policy SS5.

Para 5.2 - Report refers to how “the document has been produced as an iterative process... where ideas and aspirations have been fine-tuned”. While this may be the case in respect of the Borough Council’s discussions with some of the developers, this is not the case in respect of all developers within the Melton North SN and is not the case in respect of other public bodies and other interested parties. It would be impossible to fine tune a document without having discussions with relevant stakeholders.

Section 6 - This part of the report seeks to set out the options considered. Rather than setting out credible options, it seeks to advise that it is not possible to include land that has planning permission, claiming that “masterplans cannot be retrospectively applied to sites with planning permission”. This is misleading at best. The purpose of a masterplan is to guide and inform how development will be brought forward, providing a framework for design quality, phasing and delivery. It sets out aspirations for how parcels of land will be joined up and provides a consistent approach in terms of issues such as landscaping, materials, built form and styles. Excluding key parts of the sustainable neighbourhood from the masterplan means that different parcels will be able to be brought forward in isolation. This makes it harder to control phasing and delivery. Examples of problems are

that areas of open space on one part of the development would not be linked to areas of open space on another or if they were, there might be a long-time lag. It means that the phasing and delivery of a primary school might not align with phasing for delivery of the other school or homes built elsewhere. This approach is a recipe for un-coordinated and poor-quality development and has no regard to what might happen if land is sold or if a permission lapses or if parcels of land are broken up and brought forward by different house builders, as often happens.

Para 6.4 - Report refers to the only other option being not to adopt the masterplan. The option that the Borough Council is discounting is the best option - to produce a masterplan that includes all land within the sustainable neighbourhood. That would cause delays getting the document agreed, but the Borough Council has had over two years to produce this document already. Taking a few months longer to resolve this is a small price to pay for producing a document that would carry weight and have a degree of credibility.

Para 7.1 - Report refers to not being able to carry out public consultation due to the "deadlines and timetable" applicable to this exercise. No detail is referred to about what deadlines or timetable officers are apparently working to. The Local Plan required the masterplan to be produced in advance of or alongside a planning application. That deadline passed two years ago. The County Council is not aware of any other deadline or timetable that suggests that the document needs to be approved by Cabinet in November 2020. This is misleading in implying that the masterplan must be approved at this time.

Para 7.2 - Report states that the County Council was consulted in early October and responded on 27 October 2020. While it is correct that the County Council received a version of the masterplan that could be viewed on 5 October, and that a response was provided on 27 October, the report (Appendix B, Q2) is not correct where it states that the County Council took 32 days to respond. A response was provided in 22 days. Appendix B suggests that this is adequate time for a key stakeholder to be engaged in a document of this type, comparing this to a planning application where 21 days is allowed. Again, this reference is misleading and misses the point that complex documents of this type take many months to produce and agree. A 4-week consultation is inadequate, which is why problems remain unresolved.

Para 8.1 - Report states that the masterplan will be a material consideration for the determination of planning applications with immediate effect. As referred to above in relation to paragraph 1.3, the lack of clarity in this paragraph about the limited weight to be given to the document is misleading.

Para 9.1 - Report states that there are no financial implications for the Council, stating that the costs have been met by the developers. This approach confirms the lack of independent scrutiny afforded to the document (see comments on para 1.2 above). To have any credibility, the detailed wording of the document should be independently reviewed to ensure compliance with policy, to make sure that appropriate consultation has been carried out (and responses taken account of) and to make sure that independent scrutiny is carried out from a viability perspective.

I do not intend to respond to all the comments in Appendix B to the report other than to say that similar inaccurate statements are made as have been made in the body of the report. That said, I am grateful that some of our more technical comments have at least been agreed and incorporated into the draft masterplan.

In view of the above, I would request that the Cabinet defers making a decision on this matter to allow officers to consider properly the concerns raised by the County Council and follow the correct steps to produce a masterplan that is credible.

I should stress that if the masterplan is approved as is being presented, the County Council will not treat the document as carrying weight and officers will make this clear when responding to planning consultations and when engaging with developers.

The County Council's Cabinet will be updated regarding this matter at its meeting on Friday 20 November 2020.

Yours sincerely

A handwritten signature in black ink, appearing to read "John".

Submission to Cabinet
20th November 2020



From Max Hunt CC, on behalf of the Labour Group

Item 12: RESIDUAL WASTE PROCUREMENT

This is a welcome document given the significance to the long term treatment of the county's waste.

Residual waste, by definition, represents a failure of other treatments - notably re-use, repair and recycling. Recycling rates and residual waste are the "ying and yang" of municipal waste. The more we recycle, the less residual waste arises.

As you know, we currently struggle to reach the 50% recycling target in the Leicestershire Municipal Waste Management Strategy for 2020 which when reviewed will be updated with the new Government target of 65% of municipal waste by 2035.

A good contract would be one that was responsive to increased levels of recycling. We therefore need a contract which does not discourage us from reducing residual waste, or better still facilitates and encourages more recycling.

This is supported by our Waste Disposal Plan states that "our aim is to deliver a waste management service that *encourages prevention, reuse, recycling and reduces waste to landfill*" and sets a circular economy and monitoring carbon impacts as a priority.

The Minimum Requirements of the procurement might tell us where or priorities lie in this regard but on enquiry earlier this month the E&T OSC minutes record that *contractual documents, including the minimum requirements, are only available to the bidders that expressed an interest in, and subsequently qualified for, the procurement.*

Accepting this at face value I am surprised to see paragraph 28 releases publishes three of the minimum requirements. How is this?

The three requirements quoted are all laudable. I would add:

- Social Action is welcome but should not be used as an excuse for any environmental harm derived from the contract.

- Treatment should endeavor to minimize carbon emissions from energy-from-waste incineration by reducing the burning of plastics.
- Recycling targets are programmed to reach 65% by the current Government and to reach 70% by 2030 as the Committee on Climate Change recommends in order to meet the UK carbon budgets.