

MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL

WEDNESDAY, 29 SEPTEMBER 2021 AT 2.30 P.M.

ORDER PAPER

EVACUATION PROCEDURE

In the event of having to evacuate the Council Chamber, please leave by one of the two exits at the rear of the Chamber.

Officers will be on hand to assist any people with disabilities.

AGENDA ITEM NO. 1 – CHAIRMAN’S ANNOUNCEMENTS

The CHAIRMAN will make his announcements.

AGENDA ITEM NO. 2 – MINUTES

(Pages 5 to 24)

The CHAIRMAN will move and the VICE-CHAIRMAN will second:

‘That the minutes of the meeting of the Council held on 7 July 2021, copies of which have been circulated to members, be taken as read, confirmed and signed.

AGENDA ITEM NO. 3 – DECLARATIONS OF INTEREST

The CHAIRMAN will invite members who wish to do so to make declarations of interest in respect of items on the agenda for this meeting.

AGENDA ITEM NO. 4

QUESTIONS ASKED UNDER STANDING ORDER 7(1) (2) & (5)

(A) Question by MR BRAY

“Could the Leader please update me on progress of the weed spraying programme in across Hinckley and Bosworth? A number of residents in my division have contacted me concerned about weeds in gutters, concerned at the impact this will have on surface water drainage as the autumn weather approaches, as well as being an eyesore. Can the Leader please assure me this will be completed soon?”

Reply by MR O’SHEA

“Early in the season the treatment programme was put on hold whilst the use of alternative methods and treatments were investigated in response to requests to halt the use of glyphosate. After consideration it was decided that the most cost effective and efficient way to treat weeds in a highway setting was to continue with the use of glyphosate. Our first of two Countywide treatments would normally have started in May, but due to the earlier suspension we were not able to start until early July when

the outcome of the review was known. At that point, the contractor also had commitments with other authorities so could only offer a reduced resource and their workforce has also been further affected by Covid Isolation rules.

The treatment has now been completed in Charnwood, Melton, Harborough, Blaby, Oadby and Wigston, with Hinckley and Bosworth the most recent Borough to be completed on 15th September. The contractors have now moved into North West Leicestershire and this should be completed by the end of September.”

(B) Question by MRS HACK

“In light of the recent article in the Leicester Mercury about a young person being unable to access his specialist school due to delays in funding for his transport, please could Members have an update on:

1. The number of students who are not able to attend their special school due to the reported backlog?
2. The impact of the delays in terms of average school days lost for this cohort of young people?
3. How this backlog will be avoided in future years?”

Reply by Mr O'SHEA

- “1. At the start of the term 1,703 Special Educational Needs (SEN) transport applications had been processed with 125 approved, but not yet provided with transport. Of those 125 without transport, 112 were received late (i.e. after the application deadline date), nine were as a result of Personal Travel Budget (PTB) appeals and four were late being processed.

There were an additional 92 applications for PTBs awaiting processing, 85 of which were received late. Of the remaining, four were delayed by the school/college placement and three required further information.

As of 24th September, 1,987 SEN transport applications had been processed with only 37 late applications outstanding. Overall, 574 applications were received late.

2. The average number of school days lost is extremely difficult to calculate given that many schools have varying start dates, some students have part-time timetables and further transport arrangements have been put in place on a daily basis since the start of term. The vast majority of the 1,828 students, whose applications were received by the Transport Service on time, had their applications processed and transport arrangements confirmed prior to the start of the school year. It should also be noted that a proportion of the late applications were due to a delay in school placements by Special Educational Needs Assessment and Commissioning Service (SENA) and those parents were contacted and advised of the assistance that was available.

3. The majority of the backlog was a result of late applications, late parent appeals, late notice of college timetabling, schools changing students site provision, parents changing from a PTB to traditional transport or moving house after the date of their application and after transport had been planned.

While it is very difficult for the County Council to control and therefore prevent the above scenarios, we do propose a further revision of communications around the application deadline date for next year. We will endeavour to make application deadlines as clear as possible for parents and carers. In addition, to help manage expectations, it will be emphasised in our communications that for late applications or, where the service does not have the necessary information to process transport such as college timetables, it is unlikely transport will be in place for the start of the school term and that it may take a number of weeks after that to put in place depending on the volume being dealt with at that time.

Whilst much of the above is outside the Council's control, this year there was also some delay due to late school placements. The SENA service has undertaken significant work to understand the peak times of demand and now have better planning mechanisms in place to ensure transition reviews are undertaken in a timely manner avoiding similar delays in future years."

AGENDA ITEM NO. 5 – TO RECEIVE POSITION STATEMENTS FROM MEMBERS OF THE CABINET

(Note: Standing Order 8 provides as follows:-

- (a) A position statement may give rise to an informal discussion by the Council.
 - (b) At the conclusion of the discussion a formal motion may be moved to the effect that a particular issue relevant to the statement be referred to the Cabinet, the Commission, a Board or a Committee for consideration. This shall be moved and seconded formally and put without discussion. No other motion or amendment may be moved.
 - (c) The discussion of any position statement shall not exceed 20 minutes but the Chairman may permit an extension to this period.)
- (i) **LEADER**
The Leader will make his statement.
 - (ii) **LEAD MEMBER FOR RESOURCES**
The Lead Member will make his statement.
 - (iii) **LEAD MEMBER FOR POST-COVID RECOVERY AND WAYS OF WORKING**
The Lead Member will make his statement.

**TO CONSIDER REPORTS OF THE
CABINET, SCRUTINY COMMISSION, SCRUTINY COMMITTEES,
AND OTHER BODIES**

**AGENDA ITEM NO. 6
REPORT OF THE CONSTITUTION COMMITTEE**
(Pages 25 - 34)

Principal Speakers:-
Chairman (Mr N J Rushton)
Liberal Democrat Spokesman (Mr M T Mullaney)

A. REPORT OF THE INDEPENDENT REMUNERATION PANEL ON MEMBER ALLOWANCES

MR RUSHTON will move and MRS TAYLOR will second:-

- “(a) That the Basic and Special Responsibility Allowances be increased on annual basis, from 1st April 2022, for a two-year period, in line with the Local Government Pay Award;
- (b) That a further review of the indexation of the Basic and Special Responsibility Allowances be undertaken in 2023;
- (c) That the current levels of Travel and Subsistence Allowances remain unchanged;
- (d) That those members who have submitted an Annual Report be thanked for doing so;
- (e) That those members who have not submitted an Annual Report for the municipal year 2020/21 be requested to do at the earliest opportunity.”

**AGENDA ITEM NO. 7 – TO MAKE THE FOLLOWING APPOINTMENTS IN
ACCORDANCE WITH ITEMS 11 AND 12 OF STANDING ORDER 4:**
(Pages 35 – 36)

**A. TO APPOINT PARENT GOVERNOR REPRESENTATIVES TO SERVE ON
THE CHILDREN AND FAMILIES OVERVIEW AND SCRUTINY
COMMITTEE**

MR SHEPHERD will move and MR CHARLESWORTH will second:-

“That Mr Robert Martin be appointed as co-opted member of the Children and Families Overview and Scrutiny Committee (or other appropriate scrutiny committee dealing with Education) for the period ending May 2025.”

AGENDA ITEM NO. 8 - NOTICE OF MOTION(A) COP26 – Revised Motion - Mr Max Hunt CC

The mover of the motion with the agreement of the seconder and the consent of the Council will move the following revised motion:-

MR HUNT will move and MR BOULTER will second:

“Leicestershire County Council has declared that climate change has become an emergency for all of us and therefore:

(a) Notes that:

- (i) The County Council has a strong Environment Strategy; significant progress is being made to fulfil its Action Plan in Tranche 1 within the Council’s direct sphere of influence across the county and the Council is working towards Tranche 2;
- (ii) The UK has led the world through its system of carbon budgets under the Climate Change Act in its requirement to increase renewable energy;
- (iii) The UK Climate Change Committee has set out a high level plan to meet the sixth Carbon Budget which has yet to be supported by policy;
- (iv) The Intergovernmental Panel on Climate Change is calling for stronger measures in order to keep global temperature rises below a level of 1.5 degrees Celsius and above which life would become unsustainable in many areas of the globe.

(b) Remains concerned that:

- (i) The major world economies are still not acting with sufficient urgency;
- (ii) Mitigation measures, such as flood defences, will not hold back further climate change or the devastating effects on poor countries.

(c) Agrees to:

- (i) Write to the Prime Minister urging substantive proposals to meet targets set by and the UK Climate Change Committee and informing him that whilst the target of Net Zero Carbon on Leicestershire County Council activities can be met by 2030 the wider Leicestershire target of Net Zero Carbon by 2045 cannot be met without action by central Government;
- (ii) Hold an event in 2022 to support practical measures in support of the outcomes of COP26.”

(B) Prevention Services, Public Health and Cancer – Mr M T Mullaney CC

MR MULLANEY will move and MRS RICHARDSON will second:

“(a) This Council notes that:

- (i) Preventable disease and mortality continue to have a massive impact on the public’s health, the NHS and the economy. This has only come into sharper focus since the emergence of COVID-19, with preventable causes of cancer such as obesity being associated with a higher risk of adverse outcomes from COVID-19. Further disruption caused by COVID-19 has also had a detrimental effect on the diagnosis of cancer cases; Cancer Research UK estimates that 3 million fewer people were screened in the UK between March and September 2020.
- (ii) Investment in disease prevention and the public health grant must be a priority for the UK Government. The grant funds vital services and functions that prevent ill health, reduce health inequalities, and contribute to the future sustainability of the NHS. Local authorities are responsible for improving the health of their populations and do this through services such as stop smoking services, tobacco control and action on diet, exercise, and obesity. But their ability to do so is compromised by continued reductions to the Public Health grant.
- (iii) In 2021/21, the public health grant was given a small uplift of £45 million by the UK Government – equivalent to a cash increase of 0.67%. In reality, however, this represents a 24% reduction, equivalent to £1 billion on a real term basis since 2015/16.
- (iv) Taking funds away from prevention is a false economy. Without proper investment in public health, people suffer, demand on local health services increases, and the economy suffers. This uplift does not consider the impact of COVID-19 on local government budgets, nor their response to the unprecedented challenge of the pandemic. As well as working hard to safely deliver normal public health functions, councils have also had to respond to the pandemic by supporting national efforts to prevent the spread of COVID-19, protect vulnerable members of the community and support local businesses and communities. In consequence, local preventive action has suffered.
- (v) Unless funding to improve public health is increased, our health and care system will remain locked in a ‘treatment’ approach, which is neither economically viable nor protects the health of residents. Deprived areas suffer the worst health outcomes, so it is also vital that areas with the greatest need receive sufficient funding to meet their local challenges. An estimated 27,000 cases of cancer a year in England are associated with socioeconomic deprivation.

- (b) This Council further notes that in Leicestershire, there are around 4,000 cancer cases per year, and around 2,000 deaths from cancer per year. Around four in ten cancers are preventable, largely through avoidable risk factors, such as stopping smoking, keeping a healthy weight and cutting back on alcohol. In 2017, smoking was estimated to account for 80,000 early deaths every year in England and it remains the largest preventable cause of cancer in the world. Smoking-related ill health costs local authorities £883.5 million every year in social care costs. Additionally, obesity and alcohol account for 30,000 and 7,000 early deaths each year respectively.
- (c) This Council therefore supports Cancer Research UK's calls for increased and sustainable public health funding, which will also help to level up unfair health inequalities, bolster our health and social care system and the economy, and help us rebuild and recover from COVID-19. In turn, Leicestershire County Council will continue to support and fund locally-delivered prevention services and other public health initiatives to the best of our abilities - to prevent ill-health, reduce inequalities and support a health and social care system that is fit for the future."

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COUNTY COUNCIL MEETING – 29TH SEPTEMBER 2021
POSITION STATEMENT FROM THE LEADER OF THE COUNCIL

County Deal

On the 15th July 2021 the Prime Minister, Boris Johnson, outlined his vision to deliver further funding and powers to counties, to deliver on his promise to “level-up” all regions of the country and complement the Government’s existing programme of devolution to cities, towns and combined authorities (<https://www.gov.uk/government/news/pm-sets-out-new-county-deals-to-devolve-power-to-local-communities-in-levelling-up-speech>).

He invited those areas who had not yet agreed a deal with the Government, in the main the English county councils, to submit outline expressions of interest to the Government by 13th August 2021.

A bespoke County Deal for Leicestershire will mean the devolution of funding and powers from the Government to allow us to build and shape our communities locally, without having to continuously bid into an ever-increasing number of national funding pots, which limits our ability to work with our partners strategically and stifles growth and prosperity.

In brief, our County Deal bid calls for a £25 million per annum funding settlement over 30 years, allowing Leicestershire greater freedom and opportunities to deliver its own local priorities, such as being able to fund infrastructure to support development, drive economic growth, skills and prosperity, and taking effective action on climate change and carbon reduction, but all in line with the Government’s agenda.

We want to unleash Leicestershire’s full economic potential, raising living standards across the county, maximising every opportunity to increase our contribution to the UK economy. Our housing growth rate over the last 20 years is 21% compared to 16% in England and the number of homes over the last 5 years has grown by 6.7% compared to 4.7% nationally - 40% above the national average.

At present, there is inadequate funding to support the local planning authorities with their Local Plans and deliver infrastructure to support sustainable communities. The bid calls for an integrated £50 million per annum fund for five years, consolidating 11 separate national funding pots, to enable the creation of multi-year transport plans, to reduce excessive bidding costs by ending an inefficient process, and enable greater funding certainties to support future growth and development in the county.

Let me be clear, this is not local government reorganisation by the back door, it isn’t a bid for a unitary and it is certainly not a “county takeover” of existing local government services. Successful deals may be dependent on the government asking for an elected mayor, in return for powers and funding. It is also recognised that it will require working closely with district leaders, government departments, MPs and agencies such as Highways England, Network Rail and Homes England.

To this end, we have submitted an early expression of interest and I’m very grateful to all Leicestershire MPs for their help and advice with our outline bid. We have secured the support of all the county’s MPs and I would urge all members to get behind our bid to ensure Leicestershire is in the vanguard of county deals invited to negotiate with Government.

East Midlands Freeport

Work continues apace to progress the establishment of an East Midlands Freeport which includes land at and adjoining East Midlands Airport in this county as well as at the soon to be decommissioned Ratcliffe on Soar Power station in Nottinghamshire and next to the Toyota factory in Derbyshire.

I strongly believe this will be a game-changing development for the county's economy and indeed for that of the East Midlands as a whole, with the potential to create 55,000 jobs and contribute £8.4 billion to the regional economy over the next 30 years. It is because of that potential that I'm very pleased that the County Council has taken on a key role as lead authority and accountable body for the Freeport. In that capacity, and as a full partner on the interim Board which has been established under the leadership of Penny Coates, the Council has made a substantial contribution to the development of a robust Outline Business Case (OBC) which was submitted to the Government on 10th September.

The next stage of the process is to prepare and submit a Full Business Case by the middle of December. Like the OBC, this will be a substantial piece of work and as lead authority the Council is taking steps to ensure the right capacity, knowledge and skills are in place to support the submission of a persuasive case that will lead to the Freeport being formally designated and becoming operational as soon as possible in 2022. Major opportunities like this inevitably come with challenges and in representing the Council on the interim Board I will be especially keen to ensure the Freeport is accompanied by necessary investment in transport infrastructure and skills development so that Leicestershire residents and communities can fully benefit from the economic growth the Freeport is expected to bring. I'm also keen to ensure alignment with the proposed East Midlands Development Corporation, although it requires legislation to put it on a statutory footing, so that the benefits of each of these initiatives are maximised and unnecessary duplication avoided.

Cloud Hill Forest School

I was pleased to have the opportunity to open a brand new forest school a couple of weeks ago. The school is based in Worthington and runs on Saturday afternoons.

Forest schools are independently run and offer children excellent opportunities to build confidence whilst learning practical skills. Outdoors, hands-on learning can play a big part in our children and young people's development and wellbeing, and it is great news that Cloud Hill is adding to the wide range of educational opportunities available across Leicestershire.

Mr N. J. Rushton CC
Leader of the Council

COUNTY COUNCIL MEETING – 29TH SEPTEMBER 2021**POSITION STATEMENT FROM THE LEAD MEMBER FOR RESOURCES**

Members will be aware that we start our annual budgeting exercise in September. In line with previous years, a proposed Medium Term Financial Strategy will be presented to the Cabinet in December. With the Chancellor's recent announcement that the three-year Spending Review and Autumn Budget will be presented on the 27th October, this is an opportune time to provide an update to this council.

The Chancellor has an unenviable position with uncertain income levels, due to the economic recovery, post covid cost pressures, and an ambitious improvement agenda.

I can empathise with his predicament.

Locally, income has held up better than we feared for both Council Tax and Business Rates, although we are not out of the woods yet. It will be Christmas before the Government announces our settlement and the permissible level of Council Tax increases. The three-year settlement is very welcome, although the certainty that it would usually offer is likely to be overshadowed by the Adult Social Care reforms.

Having movement on Adult Social Care reform is welcome, although we will wait for the detail before making a judgement. One thing we know for certain is that this is not a silver bullet and cost pressures will continue from across the whole of social care, from children through working age adults and into old age.

It is apparent that the impact of covid will be long lasting. This is being compounded by disruption to global supply chains, with construction, transport and utilities seeing eye-watering cost increases. Even if these inflationary pressures are as short lived as hoped, they represent a stepped increase in our cost base. It would be remiss of me not to mention the overspend in Adult Social Care. The service is being caught between the Health Service's need to expedite discharges and a provider market that needs to reshape. Mrs Radford will say more but this is the key reason the council is forecast to overspend by £12 million this year. The overspend has attracted some recent media coverage; this is a reflection that we have declared the problem early rather than Leicestershire having a unique problem. This is evidenced by the flurry of similar announcements from other councils over the past week.

The extensive pressures that we faced pre-pandemic continue. Children's Social Care and Special Education Needs are key drivers of cost and there is little news on their respective reforms.

Capital investment has been a growing pressure for several years. The expenditure undoubtedly benefits the services provided in Leicestershire and investment to save schemes have been a key part of our financial strategy. However, the scale of demand for infrastructure investment is unprecedented. This is vital investment that allows the county to continue to grow ensuring new communities have the right facilities and access to public services, but it comes with a price. As a council we have bucked the national trend and avoided new borrowing for several years. This

approach has reduced the need for savings to be found, but the demands are such that we now need to consider capital as another pressure on the revenue budget.

As a low funded authority, it is vital that we are realistic about what we can do, but equally important that we take on and maximise opportunities such as the Freeport and County Deal when present themselves. It is also vital we continue to push for fair funding.

The Leader has spoken openly about a broken funding system for local Government, out of touch and in need of fixing. The Report by the Onward thinktank 'Fair Funding – Levelling up local government finances' authored by "our very own" Chris Tambini, is our latest input into the national debate. We continue to have good support from all local MPs and will push for reform and a fair deal for Leicestershire residents.

I can confirm that that the PM and the Chancellor are aware that we are the lowest funded County authority in England, having met them during their recent visit to the County.

When the MTFs is updated the challenges and uncertainties we are facing will be set out. This will be a hugely challenging budget round with national finances under huge pressure coupled with rising demand and costs for nearly all services.

Even against this backdrop I am confident we will set a sound MTFs.

Finally, I would like to share two items of positive news.

The Health, Safety and Wellbeing service have achieved ISO 45001 certification.

ISO 45001 is an international standard for occupational health and safety management, which demonstrates best practice in health and safety management by using a structured framework of policies, processes and controls. The Health, Safety and Wellbeing service received certification to this standard in April 2021, following an external audit. The auditor praised the team on the high standard of the work presented and issued the certificate without any recommendations for improvement or non-conformities. As part of the certification process the Health, Safety and Wellbeing Service has created a series of ISO 45001 guidance documents, which form the Council's health and safety management system. All Managers have a part to play in implementing these processes and procedures to ensure they are managing health and safety to this standard.

Secondly, tomorrow I welcome delegates to the Midlands Parks Forum conference at the Century Theatre in Snibston Colliery Park in Coalville.

With its theme of 'Green Heritage', so many of the topics of the day are demonstrated at this site. Snibston Colliery was founded by George Stephenson the 'father of the railways' and he described the colliery here as 'the most profitable enterprise I ever took'. The colliery site closed in 1986 and was acquired by Leicestershire County Council and regenerated, first as a museum and secondly, with a £3.5m investment in 2020, as Snibston Colliery Park.

On a recent visit, I saw the heritage artifacts, but also a site that encourages engagement with the local community with a fantastic new play area, café and studio space. Within the wider country park, on the former colliery spoil tip, we have created four kilometres of blue grade mountain bike trails and for those visitors preferring a gentler experience, the site also has fishing lakes, a Victorian arboretum and wildflower meadows and woodlands to walk in, with fantastic views over the countryside and town of Coalville.

I encourage all of you to visit our 18 Country Parks that cover over 500 hectares of land across the county.

Mr L. Breckon CC

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COUNTY COUNCIL MEETING – 29TH SEPTEMBER 2021**POSITION STATEMENT FROM THE LEAD MEMBER FOR COVID RECOVERY AND WAYS OF WORKING**

Pre-pandemic, the Council was proceeding with a smarter working programme. A business case had been agreed, and a gradual roll out and implementation had been planned. As we're all aware, Covid changed that overnight. The majority of office staff have now been working remotely for 18 months. Whilst people have responded very positively, and there are great examples of officers demonstrating huge flexibility, we have also had concerns about the impact on mental health and wellbeing and a significant amount of work has been done to seek to address this. Staff wellbeing will continue to be an important priority.

Officers have taken the opportunity to use the learning from how we've worked during the pandemic to refresh the business case. We're now at the point of starting to move from remote working and recovery into a new long-term hybrid working model i.e. a mix of workplace and remote working, using office space for collaborative work etc. The business case covers three workstreams – people, technology and property – and reflects the investment made (and needed in future) in technology, in optimising our property assets (whether for increased rental income or to reduce our buildings footprint), and also ensuring that the right culture is created and embedded. I welcome the forthcoming scrutiny review of the ways of working business case, including the implementation plan.

The business case sets out a wide range of anticipated benefits. A few examples are: increased rental income; lower sickness absence; positive impact on recruitment, retention and turnover; improved productivity; and better services to our customers. Officers are undertaking some work on how to ensure that services and individual officers remain productive whilst working in a hybrid way, and to find different ways to measure productivity and efficiency. There are also systems in place to support leaders and managers in driving productivity.

Finally, it's also worth acknowledging that these new arrangements will directly benefit large parts of our organisation – typically those with an office base – but there are significant numbers of front line officers who won't be directly affected, such as home care teams and highways gangs.

The new ways of working at the Council are evidence of the impact the pandemic has had on how we work and deliver services. But it's undoubtedly the case that the impact on Leicestershire businesses and employees has been far more challenging. Working with partners and making use of our own resources, this Council has done much to help businesses and employees cope and to recover. In the last year the Council has provided just short of £1 million to businesses, including community pubs, set up an innovative, new Work and Skills programme and supported and extended the Government's Kickstart programme. But as a place we know we need to do more, so have worked hard with our partners and our Enterprise Partnership to develop a longer term plan for recovery and growth.

When this plan is in place and when we have clarity on the future role of the Leicester and Leicestershire Enterprise Partnership (LLEP) I will return to this council chamber and provide a more detailed update on the state of Leicestershire's economy and the progress we are making to see its return to full strength.

Mr P. Bedford CC