



DATE: 1 December 2021
MY REF: RW/CCouncil.
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ORDER PAPER AND POSITION STATEMENT SUPPLEMENTARY PACK

- Order Paper including Questions Asked Under Standing Order 7(1) (2) & 5 (Pages 3 – 12)
6. To receive position statements under Standing Order 8. (Pages 13 – 15)



MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL

WEDNESDAY, 1 DECEMBER 2021 AT 2.00 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 OF THE EXTRAORDINARY MEETING

(Pages 3 to 4)

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

“That the minutes of the extraordinary meeting of the Council held on 29 September 2021, copies of which have been circulated to members, be taken as read, confirmed and signed.”

AGENDA ITEM NO. 3 – MINUTES OF THE ORDINARY MEETING

(Pages 5 to 22)

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

“That the minutes of the ordinary meeting of the Council held on 29 September 2021, copies of which have been circulated to members, be taken as read, confirmed and signed.”

AGENDA ITEM NO. 4 – 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. 5

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

(A) Question by MR HUNT

- “1. The latest population estimate for the Leicester Urban area, as defined by the Office for National Statistics, is approximately 552,000 people. How many of the Leicestershire County population live in the Leicester Urban Area (also

referred to as the Leicester Builtup area) and what proportion of the county population do they represent?

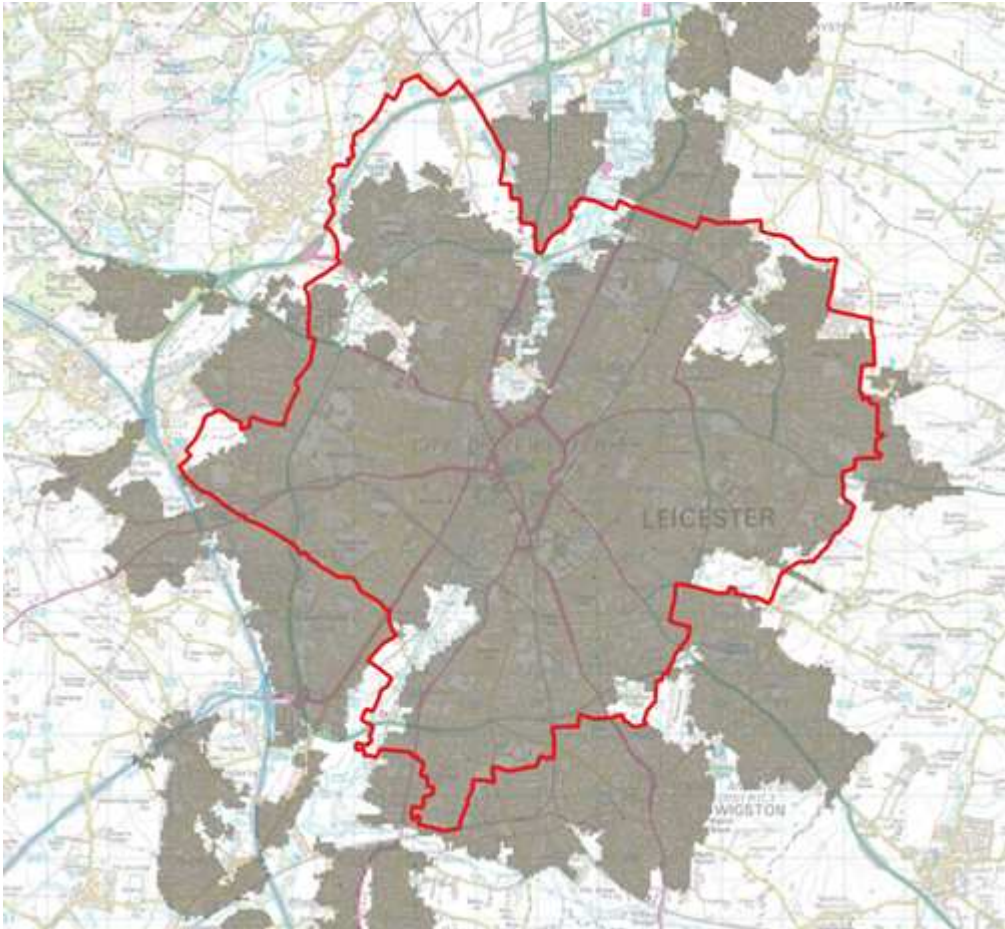
2. The Department for Transport (DfT) bidding Guidance for new Bus Service Improvement Plans (BSIP) says that Local Transport Authorities (LTAs) may join produce a single Improvement Plan – *particularly where local economies and travel patterns overlap significantly*, as they do in our county. To be successful the DfT expects LTAs to collaborate to resolve any cross-boundary issues. So, where the vast majority of [bus] services in one area run across the border into another area, the DfT say they would expect a single BSIP [for two or more LTAs] to be produced .How many county bus services, from each of the members of the proposed Enhanced Partnership, start, terminate or pass through the city of Leicester? And what proportion of each company's services do these represent?
3. The Guidance also says that there can be *real advantages* in developing a multi-LTA BSIP and where two or more LTAs form a Partnership:
 - *LTA resources and funding can be pooled to improve efficiency and cut costs.*
 - *A joint scheme properly joins up cross boundary bus services.*
 - *Local bus operators can share resources to develop the BSIP in a joined-up way.*

So, given that the Cabinet has resolved that the County Council will be expecting the Government to provide “*consistent and sustained revenue funding for the resources that it currently does not have*” and “*the levels of capital funding required to deliver our ambitions*”, why are we compromising the success of the Plan by not sharing resources with the City?

4. In November 2020 the Cabinet approved the Leicester and Leicestershire Strategic Transport Priorities document (2020-2050), within which the Leicestershire LTA and City LTA pledged to work together to *support the efficient movement of both people and goods around and through the county*. So how can two separate Enhanced Partnership Plans from each of the highly connected LTAs help us meet that aspiration?
5. What consultations between local authorities took place before deciding not to form a joint Enhanced Partnership with the City LTA; and who made the final decision?
6. Does existing legislation permit the formation of a single joint Local Transport Board to act for two local authorities which are as intimately connected as our City and County?”

Reply by MR O'SHEA

- “1. The Leicester Built Up Area (BUA) population estimates from the official ‘Office for National Statistics’ for 2020 is 544,800. However, it should be noted that the BUA boundary does not totally capture the whole of the City with some development in Hamilton and north of Beaumont Leys not covered. The figure below shows the City boundary in red with the BUA shaded grey.



The City population (within the red boundary) is 354,000. Deducting this from the 544,800 BUA population gives an approximate Leicestershire BUA population of 190,800 (noting the above BUA exclusions). This is 26.8% of the total 713,100 Leicestershire population.

2. The number of county services for each operator which start, terminate or pass through Leicester City together with the proportion (%) of each operator's services which operate in Leicester and/or Leicestershire are detailed below. Please note, for services which have variations (e.g. Arriva 5, 5A and X5), each variation has been counted as an individual service:

Arriva:	35 (64.8%)
Centrebus:	8 (18.6%)
First:	6 (30%)
Kinchbus:	2 (28.6%)
Roberts:	3 (33.3%)
Stagecoach:	2 (50%)

3. The possibility of a joint partnership covering the County and City areas was discussed at senior officer level and also with the Lead Member for Highways and Transport and subsequently at a meeting between the Leader and the City Mayor.

These discussions reflected on considerations such as that as a City with a denser level of population than the County, the bus market in Leicester is different from that of the County (for example 'turn up and go' frequencies of services). Furthermore, cities have had access to Government funding streams not accessible to Counties, such as Transforming Cities Fund (TCF), or have been better able to take advantage of Government funding, such as Zero Emission Bus Regional Areas (ZEBRA) - funding for electric / low emission buses.

Leicester City Council has been successful in securing both TCF and ZEBRA funding. Additionally, it is seeking to introduce a Workplace Parking Levy, with the intention of using revenue from it to support passenger transport service improvements. This provides it with a significant investment platform.

Given such considerations, it was concluded that each authority would have differing needs and requirements of its respective Bus Service Improvement Plans (and that has proved to be the case with the Plans as have now been published) and thus it would be more appropriate to have two separate Partnerships rather than a single, Leicester and Leicestershire Partnership. The Cabinet resolved to proceed with the creation of a Leicestershire Enhanced Partnership at its meeting in June 2021.

Other bodies do exist whereby the County and City coordinate efforts, including the Park and Ride (P&R) Board and the Leicester TCF Board. Projects have already been delivered that benefit county residents, such as the electrification of the P&R bus fleet, and projects to be delivered through TCF should bring further benefits. In addition, informal discussions between the authorities will continue to take place to seek to ensure that best use is made of resources to support improvements to passenger transport services (and other sustainable transport modes more widely) to the benefit of Leicester and Leicestershire residents.

4. The response to question 3 explains why there are two separate Enhanced Partnerships and thus two separate Partnership Plans. The response also highlights where the two LTAs are working together to support the movement of people and goods.
5. See response to question 3 regarding consultation on this matter. The decision was taken by the Director of Environment and Transport following consultation with the Lead Member.
6. Existing legislation permits the formation of an Enhanced Partnership to deliver Schemes as outlined within the associated Bus Services Improvement Plan. Each Enhanced Partnership acts on behalf of its members to deliver the Schemes within the EP Plan. As Leicestershire and Leicester have their own separate EPs, they will act to deliver their own EP Schemes, but will collaborate on cross boundary issues as appropriate, including with Leicester City. A Local Transport Board formerly existing involving the County and City councils as well as the Local Enterprise Partnership. This purpose of this board was to have

oversight of and give direction to the Local Growth Funding process and delivery. It has not met for a number of years.”

(B) Question by MR BRAY

“The Leader will no doubt be aware of reports in the press about Derbyshire County Council officers routinely reading emails sent to elected members’ email addresses. Elected members often receive sensitive and confidential emails from the residents that they represent and therefore does the Leader agree with me that this is worrying and can he confirm that no Leicestershire County Council officers are reading members emails?”

Reply by MR BRECKON

“The practice that Derbyshire County Council had in place, i.e. each email account having at least one delegate (someone who can access the account if the main account holder is unavailable) is not and has ever been in place at Leicestershire. However, County Council officers and Members can delegate access their account to a named person if they so wish.”

(C) Question by MR BRAY

“Can the Leader please confirm how many Leicestershire schoolchildren were still waiting for school transport to be arranged:

1. after the start of the school term in August; and
2. by October half term?”

Reply by MR O’SHEA

“The actual start of the school term varies across schools, colleges and pupils attending schools in other local authority areas. The figures below identify the overall number of pupils on transport and those with transport applications, awaiting transport on the key term dates.”

Key Term Start Dates	Number of Pupils with Transport Assistance in place	Number of Pupils who applied but awaiting Transport Assistance	Total number of pupils
30 th August (All LCC School returned)	1807	395	2202
6 th September (Most FE Colleges and other LEA's returned)	2182	162	2344

13 th September (All Returned)	2224	146	2370
October Half Term	2300	126	2426
24 th November	2347	101	2448

Number of applications received after 30th August

246

(D) Question by MR BRAY

“Can the Leader update me on any progress in finding a replacement school crossing patrol for St. Peter’s School in my division (St. Mary’s)? If no progress has been made what other measures are being looked into to make crossing safer for children in this busy town centre location?”

Reply by MR O’SHEA

“We have continued to seek to recruit a school crossing patrol to St Peter’s School, London Road in Hinckley and have tried to attract candidates. Because of the relatively short times of operation (45 minutes in the morning and 35 minutes in the afternoon) it is likely to appeal to someone with connections to the school and/or living in close proximity to the school.

Our service is reliant on members of the community coming forward to fill these paid school crossing patrol roles. Unfortunately, to-date no applications for this location have been received. A PV2 assessment which checks the volume of traffic and children crossing was conducted in May 2021 and the site still meets the requirements for having a patrol.

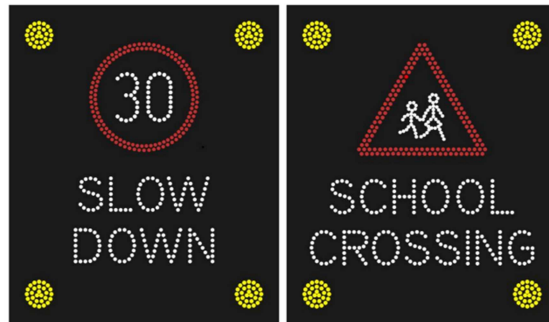
Officers contacted Mr Bray on the 18th October 2021 with reference to the requests raised via the Members’ Highway Fund and updated him on the upgrades intended to be installed outside the school.

At present, twin amber flashing lights exist to advise motorists to reduce their speed during school start and finish times. Those lights will be removed and replaced with a new Vehicle Activated Sign (VAS). The sign will be illuminated to advise of children crossing the road during school start and finish times together with amber lights, incorporated into the sign itself.

The sign also acts as a reminder to the 30mph speed limit, where any vehicle exceeding that speed will also receive a reminder of the posted limit. The sign will

help provide an added visual awareness of a school being present and children crossing, whilst also raising speed awareness along the road.

An example of how the sign will function is shown below. All other existing signs advising of a school in the area will remain and the upgrades are expected to be completed by January 2022.”



(E) Question by MR GALTON

- “1. Could the Leader please list the total number of claims for damage to vehicles on County roads for each of the past 5 years, with claims for damage caused by pot holes identified separately?
2. How many of these claims were successful (please list for each of the last 5 years)?
3. What was the average pay out or settlement for successful claims (please list for each of the last 5 years)?”

Reply by MR BRECKON

- “1. The number of compensation claims made to the County Council for each of the past 5 years for vehicle damage due to poor road conditions are as follows:

Year	Total number of claims	Pothole Claims	Others
2016	250	190	60
2017	288	228	60
2018	363	316	47
2019	210	173	37
2020	180	135	45
2021 (part year)	155	137	18

- 2) The number of compensation claims made to the County Council for vehicle damage due to poor road conditions - caused by potholes, where compensation was paid out

Year	Total number of Pothole Claims paid	Others claims paid
2016	9	3
2017	34	3
2018	45	0
2019	12	0
2020	5	0
2021 (part year)	7	0

3) The total amount paid out in compensation (to date) for vehicle damage due to poor road conditions - caused by potholes, and the average calculated.

Year	Total compensation paid for pothole damage	Average Payment for Pothole Damage	Total compensation paid for other damage	Average Payment for other damage
2016	£1,363.28	£151.48	£1,220.81	£406.94
2017	£5,498.86	£161.73	£135.00	£45.00
2018	£14,397,29	£378.88	£0	£0
2019	£16,394.11	£1,639.41	£0	£0
2020	£2,548.00	£516.80	£0	£0
2021 (part year)	£654.00	£93.43	£0	£0

**AGENDA ITEM NO. 6 – 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.

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

**AGENDA ITEM NO. 7
REPORT OF THE CABINET**
(Pages 23 - 196)

Principal Speakers:-
Mover of motion (as appropriate)
Leader of the Opposition (Mr Mullaney)

A. ANNUAL DELIVERY REPORT AND PERFORMANCE COMPENDIUM

MR RUSHTON will move and MR BRECKON will second:-

“That the Annual Delivery Report and Performance Compendium 2021 be approved.”

**AGENDA ITEM NO. 8
REPORT OF THE CORPORATE GOVERNANCE COMMITTEE**
(Pages 197 - 246)

Principal Speakers:-
Chairman (Mr T Barkley)
Liberal Democrat Spokesman (Mr B Boulter)

A. APPOINTMENT OF EXTERNAL AUDITORS FROM 2023/24

MR BARKLEY will move and MR RICHARDSON will second:-

“That the County Council accepts Public Sector Audit Appointments’ invitation to opt into the sector-led option for the appointment of external auditors for five financial years from 1 April 2023.”

**B. CODE OF CONDUCT AND PROTOCOL ON MEMBER/OFFICER
RELATIONS**

MR BARKLEY will move and MR RICHARDSON will second:-

- “(a) That the revised Code of Conduct for Members as set out in Appendix A to this report be approved and adopted;
- (b) That the revised Protocol on Member/Officer Relations as set out in Appendix B to this report, be approved and adopted.”

AGENDA ITEM NO. 9
REPORT OF THE CONSTITUTION COMMITTEE
(Pages 247 - 270)

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

A. REVIEW AND REVISION OF THE CONSTITUTION

MR RUSHTON will move and MRS TAYLOR will second:-

“Motion 1

- (a) That the proposed changes to the Constitution, as set out in the Appendices to this report, other than those which relate to Standing Orders (the Meeting Procedure Rules), be approved;

Motion 2 – Procedural Motion in accordance with Standing Order 37

- (b) That the changes to Standing Order 35 (7) (The Meeting Procedure Rules), as set out in Appendix A to this report, be approved.”

(NOTE:- Standing Order 37 requires that this procedural motion, having been moved and seconded, stands adjourned until the next ordinary meeting of the Council.)

AGENDA ITEM NO. 10
REPORT OF THE EMPLOYMENT COMMITTEE
(Pages 271 - 286)

Principal Speakers:-
Chairman (Mr L Breckon)
Liberal Democrat Spokesman (Mrs L Broadley)

A. PAY POLICY STATEMENT

MR BRECKON will move and MR BEDFORD will second:-

“That the County Council’s Pay Policy Statement 2022/2023, as set out in the Appendix to the report of the Employment Committee, be approved.”

COUNTY COUNCIL MEETING – 1 DECEMBER 2021

POSITION STATEMENT FROM THE LEADER OF THE COUNCIL

A County Deal for Leicestershire

I am grateful to all members for their support for our County Deal bid to the Government. I am particularly grateful to the Opposition group leaders, who have outlined their thoughts and expressed support for whatever brings extra investment into Leicestershire. It is also backed by all of Leicestershire's MPs, the leaders of the seven district councils in the county, the City Mayor and Oliver Hemsley, the leader of Rutland County Council.

Along with the deputy leader, Deborah Taylor and my senior leadership team, we were recently invited to a ministerial call to make our pitch for a county deal. It was a very positive meeting and we were well received. We stressed the strong local support and buy in that we have achieved by working closely with local stakeholders. I believe we are the only county council pitching a directly elected mayor, with other leaders pitching "strong county leader" models. We know Michael Gove is supportive of mayoral-led bids, so this puts us in a strong position. The next stage will be to await to hear from DLUHC to negotiate further on our bid, which, if successful, will allow us greater local flexibility and certainty of funding, to deliver on our strategic priorities.

As and when we have any more information, I will ensure that everyone is updated. As far as district leaders are concerned, I have put this on the agenda when I meet them on 16th December in the Members Advisory Group.

Fair Funding

The Council will be well aware that we have been at the forefront of campaigning for a better deal and fairer funding for councils for many years now.

The Government's Fair Funding Review acknowledges that the local government funding system is broken and must change. Allocations today still link back to historic spending levels – rewarding those who spent the most on services decades ago – and significantly out of date data (including council tax bandings still based on 1991 values).

The impact of the Covid-19 pandemic has meant that major reform is difficult at this time. A cross party grouping of the lowest funded councils have however teamed up to move the issue out of the political long grass, the F20. We are united in the belief that change is needed in the short term otherwise those authorities at the bottom end of the funding tables will be hit the hardest.

The think-tank *UK Onward*, working with our own Director of Corporate Resources, has carried out detailed research which sets out a proposed short-term solution.

Pumping £300m into the system, and placing a floor on Combined Spending Power, would benefit the F20 authorities that have the unenviable double whammy of higher levels of council tax and lower levels of core spending power.

Clearly a temporary solution is not ideal but it would be a great step forward towards the end goal of delivering a future fair funding system for local government. In the short term this would provide the Government with a quick and relatively cheap solution and put the lowest funded councils on a more sustainable footing. It would also enable the system to carry on for a little longer whilst we work towards the bigger prize.

The F20 Councils are in the process of lobbying the Government and are looking to involve their local MPs.

Without additional financial support, those authorities with low core spending power will increasingly struggle to provide essential and valued services to their local communities. Next week we will be publishing our draft MTFs and at the all-member briefing Lee Breckon will outline to members the scale of the challenges faced by this Council.

Integrated Rail Plan (IRP)

The recent announcement regarding the Integrated Rail Plan (IRP) and the scaling down of HS2, whilst not welcomed everywhere, does contain a lot of positives for the County.

The IRP gives limited detail on the exact location of the high-speed line planned to connect Birmingham to the East Midlands (HS2 East). The document says the HS2 line will be built from the West Midlands to East Midlands Parkway, with high-speed trains continuing on the MML direct to Derby and Nottingham stations.

We are seeking details of what this will mean for Leicestershire and the timescales for delivering this and understand the importance of that for local communities and their elected representatives.

The IRP also states there will be full electrification of the Midland Main Line (MML) between London and Sheffield. A large section of the MML runs through Leicestershire. From previous work with Network Rail, it is clear that this electrification will require changes to some road bridges which cross the line, and new electricity supplies and associated substations.

In terms of timeframes the IRP outline delivery timetable appears to show an electrified MML northward from Harborough planned to be operational in the late 2020s.

Equally important is the commitment in the IRP to work with the Midlands Connect Rail Hub proposals. This could include improved connectivity with Birmingham and improvements to the Leicester to Coventry line.

Now that we have some degree of certainty it is vital that we keep pressing the Government to move quickly with these proposals so the benefits for the local economy and passengers can be realised.

Tree Strategy

At the last Cabinet meeting we agreed proposals to join with the National Forest to sign up to a Tree Charter.

The County Council currently looks after around 320,000 trees and the plans we adopted in 2020 will see that number increase as we have committed to help plant an additional 700,000 trees – one for each resident in the County.

The Tree Charter sets out its ambitions to continue nurturing trees and woodlands in the county and thus improve the environment, people's health and wellbeing, and also to provide more green jobs.

Working with the National Forest will enable us to share learning and expertise, to develop new and innovative approaches to use resources and funds more effectively.

We recognise the significant challenge posed in trying to improve tree coverage in the county when all other authorities are seeking to do the same. The resulting demand on nursery stock production nationally will be significant. Officers are already being informed of shortages and have been advised to reserve stock years in advance. To address this, we are exploring the development of a tree nursery for the County Council. This will help to:-

- Safeguard against national shortages of nursery stock;
- Improve Bio Security by reducing movement of stock around the country;
- Increase production and use of local provenance stock;
- Provide greater control on production and stock quality;
- Enable targeted production to meet future demand;
- Provide a trading opportunity to supply other organisations (e.g. National Forest Company, local community initiatives etc);
- Provide an opportunity to run apprenticeship schemes in nursery.

The aim of the Tree Strategy and Charter is not just to help us achieve carbon neutrality but add beauty to towns, villages and countryside.

Joint Meeting with Jane Hunt MP and Ed Argar MP

Straight after attending the short service of Remembrance at the Stand Easy memorial, which unfortunately could not involve local children this year, I hosted a joint meeting with the MPs for Loughborough and Charnwood to discuss a range of local and broader strategic issues that affect their residents and communities.

I updated them on our County Deal bid, which both MPs strongly endorse. On the agenda was a briefing on the emerging MTFs and Budget for next year, our work on the F20 group of lowest funded councils in England, the Charnwood Local Plan outlining housing and infrastructure concerns, demand pressures in Adult Social Care, an update on our approach to unaccompanied asylum seeking children arriving in Leicestershire and an update on the Covid-19 pandemic and how it has affected council services.

Meeting with the City Mayor

Maintaining good working relationships with the City Mayor and Leicester City Council has always been very important since I became leader. It is vitally important that we continue to work together on key issues affecting both councils.

I met Sir Peter again recently. We discussed the county deal bid for Leicestershire, the recent success of his bids into the Levelling Up fund and his plans for a work place parking levy. We also discussed the future of LEPs, the East Midlands Development Company, the East Midlands Freeport, the Great Central Railway and the latest NHS plans on health and care integration.

Mr N. J. Rushton CC

Leader of the Council