



DATE: 6th July 2022
MY REF: JT/CCouncil
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ORDER PAPER, QUESTIONS AND POSITION STATEMENT

Order Paper and Questions. (Pages 3 – 12)

5. To receive position statements under Standing Order 8.
 - i. Position Statement from the Leader of The Council (Pages 13 – 18)



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MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL

WEDNESDAY, 6 JULY 2022 AT 2.00 P.M.

ORDER PAPER

EVACUATION PROCEDURE

In the event of having to evacuate officers will be able to advise and 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 3 to 20)

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

‘That the minutes of the meeting of the Council held on 18 May 2022, 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 CHARLESWORTH

“How many of the Members Highway Fund projects have been delivered in each ward across the county? The reason I ask is because despite having over £20,000 worth of projects approved, not one has been delivered in the East Wigston ward.”

Reply by MR O’SHEA

“To date a total of 31 schemes have been delivered through the Members Highway Fund. “Delivered” refers to any scheme which has completed either through installation or grant transfer being issued.

A breakdown of the schemes is presented below, according to district/ electoral division.

District/Electoral division	Requests completed
HINCKLEY AND BOSWORTH	
Markfield, Desford & Thornton	1
Market Bosworth	2
NORTH WEST LEICESTERSHIRE	
Ashby De La Zouch	7
Coalville South	1
Forest & Measham	2
HARBOROUGH	
Gartree	1
Launde	2
Lutterworth	1
Broughton Astley	3
Bruntingthorpe	1
Lutterworth	1
BLABY	
Stoney Stanton & Croft	2
Narborough	1
OADBY AND WIGSTON	
Oadby	1
Wigston East	2
CHARNWOOD	
Hathern	1
Thurmaston	1
Anstey	1
Total	31

With regard to schemes in Wigston East the position is as follows: -

District	Location	Request	Status
OADBY & WIGSTON	Wigston, Welford Road	Bin	Works Completed – 23 June 2022
OADBY & WIGSTON	Wigston, Welford Road	Benches	Works Completed – 23 June 2022

OADBY & WIGSTON	Wigston, Welford Road	Village gateway	Works ordered (21 June 2022) awaiting scheduling
OADBY & WIGSTON	Wigston, Welford Road	Current VAS sign not working, needs repairing. Another VAS sign needed for opposite direction.	Feasibility Design

There are currently 93 schemes which are in the “delivery stage”. This refers to any scheme where the works have been ordered or design and/ or feasibility work is taking place.

Once works have been ordered and depending on the nature and scope of works, there can be a three-month lead time prior to the work being scheduled. These remaining 93 schemes will be delivered this financial year.

The timescales involved in delivering the first year of the MHF initiatives have been due to a number of factors. The MHF scheme was not approved until June 2021 with many Members not being able to discuss options with their communities until September 2021. This meant that many scheme requests were not finalised until nearer the end of the financial year. This, along with current recruitment issues for the necessary additional resource for delivery, has meant that the majority of the schemes for 2021/22 fund are scheduled to be delivered in the current financial year.”

(B) Question by MR CHARLESWORTH

“Earlier this year there was a case at the high court between Somerset County Council and NHS Somerset Clinical Commissioning Group and others. This case was as a result of a previous case at the Court of Appeal in May 2021, when in the course of proceedings it became clear that there had been a breach of the Adoption Agencies Regulations 2005 with respect to a decision made by a local authority, acting as an adoption agency, to apply for an order authorising a child’s placement for adoption. The breach involved a failure to obtain a report on the child’s health or have advice from the agency medical adviser that such a report was unnecessary. In addition the ‘child permanence report’ did not include a medical summary written by the agency medical adviser.

The result of the May 2021 case and another in November 2021 had caused other local authorities to review their own position with the result that a number identified the same, or similar, breaches of the medical elements of the Adoption Agencies Regulations 2005.

Could the Leader please advise:

1. Has Leicestershire County Council undertake a review of its position concerning Adoption Agency Regulations 2005?
2. Did this identify any breaches or potential breaches?
3. If so, what action has been taken?"

Reply by MRS TAYLOR

- "1. The County Council, alongside our Regional Adoption Agency (RAA) partners, has undertaken a review of decisions made in the last 5 years (since 2017) following the judgment referred to. Since June 2017, the County Council has maintained a position that no Best Interest Decision (BID) by the Agency Decision Maker (ADM) would be undertaken without full consideration of the medical report made by the Adoption Medical Advisor. This has been applied to all cases since implementation in 2017 and the Leicestershire ADM and Adoption Agency are confident that no decision has been made without the medical report being available. A further review is ongoing to ensure a neo natal report is included in the wider medical report from the medical adviser.

There is a section within the Child Permanence Report (CPR) for the Adoption Medical Advisor's summary. However, the summary is completed for adoption planning purposes rather than court evidence. Due to confidentiality the summary is not always added to the CPR as this is filed in court. However, the ADM always has this information available to them to make the Best Interest Decision

2. One potential breach was identified in 2017 which was considered by the ADM prior to the implementation of the current decision-making regime. The ADM and Adoption Service Manager are confident that since June 2017 that there have been no further breaches or potential breaches in relation to the inclusion of a general health report from the medical adviser. However, as referred to above there may be an ongoing issue about the precise detail of neo natal information contained in these reports in some cases which is being explored further.
3. On 13th April 2022, the President of the Family Division (the most senior Family Court judge in the jurisdiction of England and Wales) provided case law guidance on the implications of the Somerset Judgement. His judgement makes it clear that it is not necessary for local authorities who may have failed to provide a medical report in the terms required by the Regulations to apply to the court for a declaration that any placement orders made in such circumstances are valid. However, this does not mean that such orders cannot be challenged, for example by a birth parent. It should be noted that it is very unlikely that any challenges would be successful, particularly where the lack of compliance had not been drawn to the attention of the court before

making the order. In response to this ruling the RAA made the decision not to audit cases where orders were made more than 5 years ago.

To enhance the robustness of the process the Adoption Panel Advisor now includes the exact legal wording of the relevant Regulations in the material that is completed as an aide-memoir and will include a check list for recording whether these have been complied with in full.

In relation to the neo natal information required within the medical report provided by the adoption medical advisor, as mentioned above, a review of relevant cases will take place. If any omissions are identified, this information will be sought from the relevant health authorities (to the extent that this is reasonably practicable) and this will be included in the child's records by way of an addendum report if necessary.

(C) Question by MR HUNT

- “1. In relation to setting priorities the Net Carbon Zero Draft Strategy states that ‘the transition to net zero will include approaches which follow the ‘carbon reduction hierarchy’. “Although all policy levers will need to be used to achieve net zero by 2045, the focus will be on those actions which have the largest impact on emissions.” and “The aim is to always look for solutions at the top of the ‘mitigation hierarchy’ to address carbon emissions, in preference to those at the bottom”. In plain English would that mean that we will tackle the worst cases first by eliminating them, or failing that, reducing their effect?
2. With five sets of Lead Actions (put briefly as: Sustainable Transport, Reduced demand for Energy, Green Economy, Community Involvement and Nature & Land Use) would the Leader encourage all members to read the Draft Net Carbon Zero Strategy and submit their own specific priorities within the Lead Actions before the consultation closes in less than three weeks?
3. The consultation states that as a leading organisation the County Council aims to lead by example, could the Lead Member suggest some ways in which he and other members can personally lead by example in each of those areas?
4. Could he suggest similar ways in which Town and Parish Councils can take up the challenge?
5. Adair Turner said last week that “the simple fact remains that one of the biggest things that ordinary citizens can do to reduce their climate impact is to significantly reduce red meat consumption”; this as obvious so-call co-benefits, but would he agree and what other big things would he recommend to ordinary citizens?”

Reply by MR PAIN

- “1. The Net Zero Strategy and Action Plan prioritises action based on the Science Based Target’s Mitigation Hierarchy. In short, the greatest priority would go to actions/projects which aim to prevent emissions directly at their source, for example swapping a car or bus journey for cycling or walking.

Where it is not possible to eliminate the emissions directly from their source, the next approach seeks to reduce them (e.g. by improving energy efficiency of buildings, resulting in less energy being used and carbon emissions generated).

Where energy still needs to be used, the third approach looks at how we can substitute what is used for renewable energy or low carbon technology (e.g. solar panels or heat pumps), further lowering the County’s emissions.

These first three approaches aim to lower Leicestershire’s emissions considerably by 2045 in line with best practice. For emissions which are unable to be tackled by these three approaches, ‘residual emissions’, the approach would then look at how they can be compensated for, through actions to remove carbon from the atmosphere (e.g. local action to absorb carbon from the atmosphere) and as a last resort, carbon offsetting in other localities.

In addition to this hierarchy, we aim to prioritise actions which can have the greatest impact on carbon emissions, to ensure that we reduce carbon as quickly and efficiently as possible.

2. An All Member Briefing was held on 24 May to inform Members about the draft Strategy and Action Plan. Members were encouraged to participate in the consultation and share the consultation with their networks and constituents.

The consultation invites respondents to comment on “what extent do you agree or disagree that we have identified the right strategic themes on which to base the Strategy?” and “How important, if at all, do you think the following strategic themes are in achieving net zero?”, as well as further questions around the specifics of each theme (objectives, actions and priorities). The consultation closes on 26th July and further engagement with the public and stakeholders is planned for the duration of the Strategy and Action Plan delivery period.

3. Leicestershire County Council has reduced its carbon emissions by 73.6% since 2008/09. The Council continues to deliver a range of projects and activities that cut carbon, including investing in renewable energy, energy efficiency of our buildings and low carbon fleet.

Page 61 of the draft Strategy and Action Plan lists 10 actions that individuals can take to support the transition to net zero. These include changes to our travel habits, saving energy and using cleaner sources of power, encouraging wildlife in our gardens and local neighbourhoods by planting trees and providing wildlife-friendly areas, thinking careful about what we buy, producing less waste and reusing and recycling more.

4. Town and Parish Councils are an important stakeholder in Net Zero Leicestershire and Net Zero will form one of the key workshops at the next Parish Council Liaison Event, taking place on 4th July. The workshop aims to address how Parish Councils can support Leicestershire's net zero ambition and work in partnership.

Some areas where Town and Parish Councils can support net zero include:

- Consider the climate change impact of decisions and within Neighbourhood Plans (including renewable energy generation, tree planting, nature recovery, active travel routes and new development considerations).
- Lead by example by using low carbon transport, using renewable energy, minimising waste going to landfill, managing land and improving the energy efficiency of buildings within their own operations.
- Support the local area in becoming a climate friendly community and encourage residents to take practical action to reduce their own emissions.

The National Association of Local Councils (NALC) provide additional guidance to Town and Parish Councils on their role in supporting Net Zero. See NALC's [What Can Local Councils do on Climate Change webpages](#) and publication.

5. The draft Strategy and Action Plan identifies over 150 actions which can support the transition to a Net Zero Leicestershire. Following a more climate friendly diet by increasing plant-based foods and sourcing local produce is just one of the ways we can tackle carbon emissions.

In Leicestershire, the biggest proportion of emissions come from transport at 46% and domestic energy consumption at 24%, so it is important that we look at the ways we travel and use energy as well as other climate friendly behaviours.

Advice to help you travel more sustainably and use more low carbon transport options can be found through the [Energy Saving Trust here](#).

Advice for lowering your energy bills, reducing emissions and improving the energy efficiency of your home can be found through the [Energy Saving Trust here](#)."

(D) Question by MR GALTON

“Would the Leader please inform the Council of the response received from each of the Leicestershire MPs to his letter of 26th May about the Council’s worsening financial situation. Please include the date a response was received and an outline of what each MP said.

Given the urgency of the situation and that the prospect of any changes to the funding formula appear very unlikely what further action is the Leader proposing to persuade the Government that something needs to be done to address the chronic underfunding of local services in Leicestershire.”

Reply by MR RUSHTON

“The responses, mostly verbal, have led to a meeting between the Deputy Leader and I with all the Leicestershire MPs before the Parliamentary recess later this month.”

**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.)

LEADER

The Leader will make his statement.

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

**AGENDA ITEM NO. 6
REPORT OF THE SCRUTINY COMMISSION**

(Pages 21 to 54)

Principal Speakers: -
Leader of the Opposition (Mr M T Mullaney)
Leader of the Council (Mr N J Rushton)

(A) Overview and Scrutiny Annual Report 2021/22

MR MULLANEY will move and MRS PAGE will second: -

“That the information contained in the Overview and Scrutiny Annual Report 2021/22, attached as Appendix A to this report, on its activities, be noted.”

AGENDA ITEM NO. 7 - NOTICE OF MOTION

(a) Smoking – Mr M. Mullaney CC

MR MULLANEY will move and MRS RICHARDSON will second: -

“1. That this Council notes that:

- a) preventable disease continues to have a massive impact on the public’s health, the NHS and the economy;
- b) tobacco is the biggest preventable cause of cancer and death in the UK;
- c) decades of comprehensive policy action have meant adult smoking prevalence in the UK in 2019 was at a record low at 14.1%, but this masks significant inequality;
- d) the smoking rates in Leicestershire at 12.0% are slightly below average but still constitute a significant proportion of the local population;
- e) differences in smoking rates make it one of the leading drivers of health inequality, responsible for half the difference in life expectancy between the lowest and highest income groups in England;
- f) through their public health duties, local authorities are responsible for improving the health of their population and do this through services such as stop smoking services and wider tobacco control activities.

2. That this Council:

- a) Believes that local government must be adequately resourced to fulfil their public health duties;
- b) Supports Cancer Research UK's calls for a Smokefree Fund (a fixed annual charge on the tobacco industry, making the tobacco industry pay for the damage their products cause) to fund local tobacco control work, and urges the UK Government to consider implementing a Smokefree Fund as part of its efforts to tackle health disparities.

COUNTY COUNCIL MEETING – 6TH JULY 2022

POSITION STATEMENT FROM THE LEADER OF THE COUNCIL

Medium Term Financial Strategy

At its meeting on 24th June the Cabinet received a report on the County Council's worsening financial position. A copy of the report was sent to all members and I would urge you to read the report at the following link [cabinet report](#).

National and global events since we set the budget in February have triggered a decline in the overall financial situation affecting all councils including Leicestershire.

With inflation already at nine per cent - and expected to pass 11 per cent by October – the cost of providing day-to-day council services, as well as crucial long-term major infrastructure projects to accommodate a growing County population, have surged.

Previously the Council calculated there would be an £8 million gap between what we need to spend and our income next year, but these pressures have widened the gap to around £20 million. By 2025/26 the budget gap is predicted to increase from £40 million to £70 million unless further action is taken. These estimates will grow even further if the trend of worsening economic news continues.

Members may also have noted a report that the Government has already given the County Council an additional £30m. To put that in context, half of that comes from the increase in Council Tax. Inflation is expected to exceed 11%, which is roughly three times the level expected when Government set the £30m. By their own calculation we will be tens of millions of pounds short.

Over the summer work will be undertaken to identify new savings proposals. These are almost certain to mean looking at service reductions to discretionary services such as support to businesses, opening arrangements for recycling and household waste sites and bus services. The more significant adults and children's social care budgets will also need to generate considerable savings. The inflationary impact on the £500 million capital programme is significant and expected to

increase. There is no doubt that some existing capital schemes will need to be cancelled, mothballed or reduced in scope.

The Cabinet will consider the saving options in the autumn. Though no decisions have been taken I want to level with members and with people about the frightening financial situation we face.

Cost of Living

At the last meeting of the Council, we debated a notice of motion concerning the cost of living. I would therefore like to take this opportunity to provide a brief update on what we have been doing.

In the 12 months to September 2022, we are aiming to have spent £7.2m supporting households in Leicestershire: -

- £3.3 million to ensure all children who are entitled to Free School meals also get this benefit in the holidays;
- £1 million to provide 18,000 households in receipt of Council Tax benefit a further £60 discount;
- £1 million to provide food and heating vouchers to those most in need;
- £1.2 million setting up a scheme to pay £100 to approximately 11,000 people in receipt of pension credit;
- £500,000 to voluntary organisations and charities including food banks.

A further £3.6 million is expected to be spent in October 2022 to March 2023 (subject to Government confirmation) so that similar support can be provided throughout the winter.

Ukrainian Guests

I want to place on record my thanks and I am sure that of the whole Council for the tremendous work done by officers of all Councils and local communities in supporting Ukrainian guests arriving in Leicestershire. To date 548 people (265 family groups) have been settled. Most have now received their £200 grant payment and good progress is being made in making payments to host families.

Ukrainian guests are being offered a travel grant of £65 to support their travel needs. This will enable them to purchase a short-term bus pass or help with other travel costs when they arrive in Leicestershire, making their options more flexible. The travel grant will be paid through the

same payment card system used for the initial £200 payment. To apply for the travel grant, guests or their hosts will need to fill in a simple form which can be requested by emailing UkraineTransport@leics.gov.uk. This support grant is currently only available once for each guest, and only for guests on the Homes 4 Ukraine scheme. The first payments for this support should be made in early July and to date 127 requests for transport support have been received. We will review the need to continue this travel grant.

Schools have played their part in accommodating and supporting children. School transport is be provided for Ukrainian children who need support to get to their allocated school (if not in walking distance). Those needing transport support should email UkraineTransport@leics.gov.uk. To date, 16 children have been supported with transport to school.

Two weeks ago, the Government announced that eligibility for the Homes for Ukraine Scheme will be expanded to unaccompanied children and minors, that is children not travelling with a parent/legal guardian but could be alone or with another relative. Sponsors for these children should be known to the child and their parents prior to the conflict beginning and it is likely they will be supported under Private Fostering Arrangements. The Children and Families Department is currently working through the implications of this decision to ensure children are placed safely.

Electric Vehicle Charging points

We are a 'green council' and we want to play our part in driving the EV revolution in Leicestershire. Research has shown people are making the EV switch now, and this will accelerate once the ban on new petrol and diesel engines in 2030 kicks in. This investment will help residents make greener choices and crucially underpin public confidence in the EV market.

Given the rural nature of our County, it is essential we have a comprehensive network of public charging points so that motorists can travel without the worry of finding a place to power up, and residents without driveways know they can charge their vehicles close to home.

We have therefore teamed up with Midlands Connect and four other local authorities to submit a bid for £935,355 Government funding to provide electric charging infrastructure. If successful, the bid will fund a

total of 349 EV charging points across the Midlands with up to 100 charging points across Leicestershire.

We are determined to become cleaner and greener, and a successful LEVI bid can only further emphasise our commitment to carbon reduction and shows effective action on climate change, as well as supporting the green economy.

Quorn Solar Farm

Yet another initiative to support our green ambition is a new £5.9 million solar farm near Quorn that will generate enough electricity each year to power all the County Council's properties and thousands of its streetlights.

Pride Week

Around the world, LGBT+ people and their communities are celebrating Pride month – many Pride festivals across the world are timed to coincide with the anniversary of the [Stonewall riots](#), which happened on June 28th, 1969 in New York.

This Pride month has been marred by the terrible news coming from Oslo Pride on 25th June – the event was hit by a terrorist attack, where two people were killed, and over 20 were injured. The incident is a reminder that whilst Pride exists to celebrate love and diversity, there is still much to do to fight hatred and stand up for LGBT+ rights across the world.

Other Prides across the UK will take place throughout the Summer, including our local Pride - [Leicester Pride](#) - the celebration of Leicester and Leicestershire's lesbian, gay, bi and trans + (LGBT+) communities which takes place on Saturday 3 September at Victoria Park in Leicester.

Colleagues from across the Council will be at the event to promote job opportunities and fostering and adoption. Council employees will also be marching in the parade, which starts at Curve and travels through the City Centre before arriving at Victoria Park.

All elected members are invited to join the parade and celebrate Pride together with colleagues from all Council departments, including members of the LGBT+ staff network.

Queens Award for Voluntary Service (QAVS)

As we all know we have just celebrated the Queen's Platinum Jubilee and with that in mind the Lord-Lieutenant has reminded me about the Queen's Award for Voluntary Service (QAVS).

The QAVS was set up twenty years ago to mark the Queen's Diamond Jubilee and it sets out to recognise and celebrate exceptional local volunteer groups across the United Kingdom. The standard expected is very high, as the award is an Honour equivalent to an MBE. A QAVS is given to a group of three or more people doing volunteering work and the group should have been running for three years or more.

Since 2019, ten of Leicestershire's most exceptional voluntary groups have received the award and that is a fantastic achievement. In June of this year, the Leicester Deaf Centre and Leicester Hospitals Volunteers were the latest recipients.

It is important that we recognise the work of our volunteers here in Leicestershire and the job they do in our communities. We as Members should be proud of them. However, we know our divisions and we as Members should do as much as we can to promote the QAVS in our communities and I therefore ask you to go out and promote the award within your division. The nomination process for the 2023 QAVS Awards is now open and closes on the 15th of September. With this in mind I have asked the Lieutenancy Office to send every member further information about the award including a link to the nomination form.

Please do what you can to encourage nominations within your division. Just think of the pride that organisations and the communities would have if they were to receive a QAVS in June next year.

Census 2021

The Census figures published this week underline that Leicestershire is growing - and confirms we are one of the fastest growing areas in the country in terms of economic growth and in population. With our population set to rise by 20 per cent in 20 years, it's clearly important we support growing communities by putting the right infrastructure in the right place. And with new homes and business space visibly taking shape across the County, we've created a short video setting out how we're doing just that and shaping the County of tomorrow. You can

watch the two-minute video on our website or through our social media channels.

Mr N. J. Rushton CC
Leader of the Council