



## CABINET - FRIDAY 23 SEPTEMBER 2022

### ORDER PAPER

#### ITEM    DETAILS

#### **APOLOGIES FOR ABSENCE**

None.

#### **1. MINUTES (Pages 5 - 14)**

##### Proposed motion

That the minutes of the meeting held on 24 June 2022 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. MEDIUM TERM FINANCIAL STRATEGY (Pages 15 – 16 and supplementary report pages 3 - 54)**

- *The Scrutiny Commission considered a report at its meeting on 7 September and a draft minute is attached to this Order Paper, marked “4a”.*
- *Comments have been received on behalf of the Labour Group, attached to this Order Paper, marked “4b”*

##### Proposed motion

- (a) That the comments of the Scrutiny Commission be noted;
- (b) That noting the significant financial challenges faced by the County Council, including the period 4 monitoring from the current financial year, the proposed approach outlined in the report to updating the Medium Term Financial Strategy (MTFS), be approved;
- (c) That the revised Capital Programme for 2022/23 to 2025/26 as set out in Appendix C to the report be approved and that the Director of Corporate Resources be authorised:

- (i) To approve invest to save schemes for inclusion in the Capital Programme
  - (ii) In consultation with the relevant Chief Officer and following consultation with the relevant Lead Member, to pause capital schemes subject to further review and until additional cost information becomes available.
- (d) That each Chief Officer in consultation with the Director of Corporate Resources and following consultation with the relevant Lead Member(s), be requested to;
- (i) Take action as necessary to bring forward, where possible, savings already budgeted for within the MTFS 2023/24 to 2025/26, including the current (2022/23) financial year;
  - (ii) Undertake work to develop a savings programme including preliminary work such as consultation, as considered appropriate to enable the Council to develop further savings for inclusion in the roll forward of the MTFS;
- (e) That it be noted that no final commitments will be made on (i) and (ii) above before decisions on these matters are taken by elected members either as part of the County Council's MTFS for 2023/24-2026/27 or by the Cabinet following a report setting out full details of any proposed changes;
- (f) That the position regarding the level of income received from local NHS bodies to cover social care costs, and the proposals to work with NHS colleagues to help to increase this, be noted;
- (g) That the allocation of up to £0.4m in total for the provision of free school meal vouchers during October Half Term be approved, noting that additional Government funding is expected to reimburse the Council for a part or the whole of this sum.

**5. NORTH AND EAST MELTON MOWBRAY DISTRIBUTOR ROAD – APPROVAL TO SUBMIT FULL BUSINESS CASE. (Pages 17 - 24)**

Proposed motion

- (a) That the latest position with regard to the North East Melton Mowbray Distributor Road (NE MMDR) timetable for the implementation for the scheme including on-going work with the prospective contractor on a target cost price be noted;

- (b) That the Director of Environment and Transport in consultation with the Director of Corporate Resources and following consultation with the relevant Cabinet Lead Member be authorised to submit the Full Business Case to the Department for Transport (DfT) provided that the outcome of the target cost price exercise demonstrates the NE MMDR scheme still represents value for money;
- (c) That a further report be submitted to the Cabinet in December 2022 detailing the outcome of the target price exercise and confirmation of funding from the DfT to enable the Cabinet to consider whether to move to the formal construction phase.

**6. LEICESTER AND LEICESTERSHIRE AUTHORITIES – STATEMENT OF COMMON GROUND RELATING TO HOUSING AND EMPLOYMENT LAND NEEDS (Pages 25 - 670)**

- *The Scrutiny Commission considered a report at its meeting on 7 September and a draft minute is attached to this Order Paper, marked “6”.*

Proposed motion

- (a) That the comments of the Scrutiny Commission be noted;
- (b) That the completion of associated evidence work on the Housing and Economic Needs Assessment and Sustainability Appraisal (Appendices B to E of the report), which has informed the Statement of Common Ground, be noted;
- (c) That the County Council becomes a signatory to the Leicester and Leicestershire Statement of Common Ground Relating to Housing and Employment Land Needs, June 2022, (Appendix A to the report);
- (d) That the increased infrastructure requirements associated with the additional 18,700 homes and 23 hectares of employment land being accommodated in the County as a consequence of Leicester’s unmet need be noted;
- (e) That the increased financial burden to provide key infrastructure in the County be reflected in a revised allocation of Business Rate funding pool between the City Council, the County Council and the district councils and that this is considered during current discussions.

**7. CHARNWOOD LOCAL PLAN (2021 – 2037) LATEST POSITION. (Pages 671 - 674 and supplementary report pages 3 -16)**

Proposed motion

- (a) That it be noted that the position taken by Charnwood Borough Council on the first day of the Examination in Public was a change from the Local Plan it had submitted and which the County Council had agreed to support with conditions;

- (b) That the evidence, clarification and information the County Council requires to enable it to support Charnwood Borough Council's proposed changed strategy for dealing with unmet need from the City of Leicester, as put to the Inspectors, as set out in paragraph 50 of this report, be noted;
- (c) That the potential consequences for the County Council arising from the delay to the Examination in Public be noted;
- (d) That the interim approach to dealing with planning applications in Charnwood be approved and that, as the local planning authority, Charnwood Borough Council's support for its implementation be sought;
- (e) That Charnwood Borough Council be notified that it is the County Council's view that:
  - (i) the Borough Council needs to establish new formal governance and joint working arrangements with the County Council to oversee the preparation for the next stage of its Local Plan and beyond.
  - (ii) in the event that the Borough Council is required to reconsider its housing strategy following the Examination in Public in October 2022, it should give due consideration to the inclusion of new sites to accommodate additional housing as well as the distribution of additional housing across sites identified in the Charnwood Local Plan (2012 – 2037) submitted to the Inspectorate in December 2021.
- (f) That the Chief Executive, following consultation with the Leader of the County Council and the Lead Members for Children and Family Services and Highways, Transportation and Flooding, and on advice from the Director of Law and Governance, be authorised to:
  - (i) keep under review the basis for the County Council's position for the purposes of the Examination in Public; and
  - (ii) make such changes to that position as may be required in the light of evolving circumstances, including in respect of Charnwood Borough Council's position on how it proposes to deal with the City's unmet housing need and the Examination's progress, including to update and/or to prepare new documentation as required for the Examination in Public; and
  - (iii) take all required steps should it be necessary for the County Council to make any formal submission on the position taken by Charnwood Borough Council when the Examination in Public resumes.

**8. ADULT SOCIAL CARE REFORM – MARKET SHAPING AND CHARGING REFORM** (Pages 675 - 694)

- *The Adults and Communities Overview and Scrutiny Committee considered a report at its meeting on 5 September and a draft minute is attached to this Order Paper, marked “8”.*

Proposed motion

- (a) That the comments of the Adults and Communities Overview and Scrutiny Committee be noted;
- (b) That the significant developmental work underway to prepare for the Charging Reform be noted;
- (c) That the potential financial implications of implementing Adult Social Care Reforms requirements be noted;
- (d) That the Director of Adults and Communities, in consultation with the Director of Corporate Resources and following consultation with Lead Members for Adults and Communities and Resources, be authorised to:
  - (i) submit a response to the Government consultation on the distribution of funding to support the reform of the Adult Social Care Charging System in 2023 to 2024;
  - (ii) submit the final version of the outcome of the Fair Cost of Care exercise for care homes and home care and the initial Market Sustainability Plan, including commissioning proposals for 2023/24 and 2024/25, to the Department of Health and Social Care before the 14 October 2022 deadline.

**9. EXTRA CARE SERVICE REVIEW AND PROCUREMENT** (Pages 695 - 702)

- *The Adults and Communities Overview and Scrutiny Committee considered a report at its meeting on 5 September and a draft minute is attached to this Order Paper, marked “9”.*

Proposed motion

- (a) That the comments of the Adults and Communities Overview and Scrutiny Committee be noted;
- (b) That the outcome of the review of the Extra Care Service be noted;
- (c) That the proposed changes to the way in which the Wellbeing Service element of the Extra Care Service is delivered be approved;

- (d) That the Director of Adults and Communities be authorised to commence a procurement exercise for the care and support provided in the Leicestershire extra care housing schemes and enter into any contractual arrangements necessary to bring into effect the provision from 1 April 2023.

**10. LEICESTERSHIRE AND RUTLAND SAFEGUARDING ADULT BOARD ANNUAL REPORT 2021/22** (Pages 703 - 718)

- *The Adults and Communities Overview and Scrutiny Committee considered a report at its meeting on 5 September and a draft minute is attached to this Order Paper, marked "10".*

Proposed motion

- (a) That the comments of the Adults and Communities Overview and Scrutiny Committee be noted;
- (b) That the Leicestershire and Rutland Safeguarding Adult Board Annual Report for 2021/22 be noted.

**11 LEICESTERSHIRE AND RUTLAND SAFEGUARDING CHILDREN PARTNERSHIP ANNUAL REPORT 2021/22** (Pages 719-740)

- *The Children and Families Overview and Scrutiny Committee considered a report at its meeting on 6 September and a draft minute is attached to this Order Paper, marked "11".*

Proposed motion

- (a) That the comments of the Children and Families Overview and Scrutiny Committee be noted;
- (b) That the Leicestershire and Rutland Safeguarding Children Partnership Annual Report for 2021/22 be noted.

**12 LEICESTERSHIRE COUNTY COUNCIL COMMUNITY SAFETY STRATEGY 2022 – 2026** (Pages 741 - 752)

- *The Scrutiny Commission considered a report at its meeting on 7 September and a draft minute is attached to this Order Paper, marked "12".*

Proposed motion

- (a) That the comments of the Scrutiny Commission be noted;
- (b) That the response to the consultation exercise on the County Council's draft Community Safety Strategy 2022 - 2026 be noted;
- (c) That the Strategy be submitted to the Council for approval on 7 December 2022.

**13 EXCEPTION TO CONTRACT PROCEDURE RULES TO PROVIDE ADOPTION SUPPORT FUND – THERAPEUTIC SERVICES (Pages 753 - 756)**

Proposed motion

That an exception to the Contract Procedure Rules be approved to enable the Director of Children and Family Services to agree the direct award of contracts to therapeutic service suppliers referred to in paragraph 18 of the report for the provision of therapy to eligible adopted children, up to a maximum date of 30 June 2023 with a maximum combined spend of up to £865,000.

**14 CORPORATE ASSET INVESTMENT FUND ANNUAL PERFORMANCE REPORT 2021-22. (Pages 757 - 786)**

- *The Scrutiny Commission considered a report at its meeting on 7 September and a draft minute is attached to this Order Paper, marked "14".*

Proposed motion

- That the comments of the Scrutiny Commission be noted;
- That the performance of the Corporate Asset Investment Fund for the period April 2021 to March 2022 as set out in the Annual Report, be noted.

**15 CORPORATE ASSET MANAGEMENT PLAN 2022- 2026. (Pages 787 - 838)**

- *The Scrutiny Commission considered a report at its meeting on 7 September and a draft minute is attached to this Order Paper, marked "15".*

Proposed motion

- That the comments of the Scrutiny Commission be noted;
- That the draft Corporate Asset Management Plan 2022 – 2026 be approved.

**16 CORPORATE COMPLAINTS AND COMPLIMENTS ANNUAL REPORT 2021/22 (Pages 839 - 867)**

Proposed motion

That the Corporate Complaints and Compliments Annual Report, covering the period 1 April 2021 to 31 March 2022, be noted

**17. ITEMS REFERRED FROM OVERVIEW AND SCRUTINY**

None.

**18. ANY OTHER ITEMS WHICH THE CHAIRMAN HAS DECIDED TO TAKE AS URGENT -**

None.

**19. EXCLUSION OF THE PRESS AND PUBLIC**Proposed motion

That under Section 100A of the Local Government Act 1972, the public be excluded for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1, 3 and 10 of Part 1 of Schedule 12A of the Act and that, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

*East Midlands Development Company Limited*

**20. EAST MIDLANDS DEVELOPMENT COMPANY LIMITED.****Officer to contact**

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## **SCRUTINY COMMISSION – 7<sup>th</sup> SEPTEMBER 2022**

### **MTFS MONITORING AND STRATEGY UPDATE**

#### **MINUTE EXTRACT**

The Commission considered a report of the Director of Corporate Resources, which provided an update on the worsening short and medium term financial position in light of the current economic climate. The report also detailed the changes proposed to be made to the previously agreed 2022-26 capital programme following the latest review and covering the specific revenue budget monitoring position as at the end of period 4 (the end of July). A copy of the report marked 'Agenda Item 13' is filed with these minutes.

Arising from discussion, the following points were made:

- (i) The budget gap for this year would be addressed through the use of contingencies. Corrective action would also be taken to push back a number of capital programme schemes. The position would remain difficult for the following financial year and most likely for the next four years.
- (ii) It was recognised that the Council like many other organisations was facing overlapping crises. The capital programme had been affected by the Covid pandemic and was now further being affected by the cost of living crisis and rising inflation.
- (iii) Inflation had risen rapidly in a short space of time which was affecting many areas of the Council's budget. This was a matter outside the Council's control but the steps being taken to consider measures to mitigate this were welcomed. It was further noted that the Cabinet would be considering a report at its meeting later this month on what those potential measures might be. Members were assured those proposed to be taken forward would follow the usual member decision making and consultation processes at the appropriate time.
- (iv) It was noted that direct energy costs had risen from £3m to £5m and would likely increase further to £7m in the next financial year. The impact of such additional costs was alarming.
- (v) A member expressed concern that the Council, after years of austerity, had few options and many discretionary services had already been cut over the last decade.
- (vi) It was questioned what the Cabinet were doing to lobby Government to address the fundamental problem for Leicestershire, in that it was one of the

lowest funded authorities in the country. The Leader Member for Resources, Mr Breckon CC, confirmed that he and Cabinet colleagues were continuing to push its fair funding campaign. Though no government help was expected in the short term this work would continue.

- (vii) A member raised concerns if the Council froze vacancies at a time when recruitment and retention was already difficult and questioned what added pressure this would put on officers and service continuity. The Director confirmed that nationally recruitment was a difficult issue, and the Council was experiencing these pressures in services such as children's social care. Members were assured that any vacancy freeze would not be applied in such areas, but a considered and targeted approach would be taken.
- (viii) A member questioned what was being done to ensure the Council's suppliers were in good shape given how many small businesses were being particularly hard hit by the current economic pressures. The Director confirmed that the Council was in contact with its suppliers, but whilst targeted work to support them during Covid had been undertaken, the Council no longer had the resilience to continue this. Any further assistance provided would be dependent on further funding from Government.
- (ix) The Director clarified that the Council's exposure to lost business rates would be limited, due to the MTFs assumption that Business Rate growth would be "reset" next year. The growth for the Council was currently £6m and there was no on-going assumption of a benefit from the Business Rate Pool.
- (x) A member commented that the Council needed to speed up its decision making around the disposal of some assets which had become considerably costly. Members were assured that when considering whether or not to retain or sell an asset a rounded approach was taken with revenue costs being balanced against capital receipts.
- (xi) When property schemes for the Corporate Asset Investment Fund were appraised in line with the Strategy, a 6% minimum return was sought. This would be reviewed as interest rates increased and other types of investment also considered.

**RESOLVED:**

- (a) That the revenue budget monitoring position as at the end of period 4 (the end of July) be noted;
- (b) That the current economic pressures affecting the Council's budget be noted with concern and the steps being taken to mitigate this recognised.

**Submission to Cabinet**  
23<sup>rd</sup> September 2022



From the Labour Group

#### **Item 4: Medium Term Financial Strategy – Latest Position**

As the report says, the risks and uncertainties ahead are significant, but it is the actuality that has to be dealt with urgently to meet our statutory duty to balance the budget.

As the Leader says the county has “lost” £230million since austerity reigned under the 2010 Conservative led Coalition and the Secretary of State at the time, now Lord Pickles, was the most enthusiastic volunteer to cut spending on local services. Whilst the Government have been doing nothing for Local Authorities and the people we serve though the summer, our officers have been trying to uncover a solution to the latest financial challenge to the budget.

With the vanity of that football club proclaiming “No one likes us, we don’t care” our present third-rate Conservative government are setting out to further impoverish local services, as demonstrated in this report. As the Leader says, our financial situation is frightening, worse than the years of austerity.

The Labour Group will do all possible to minimise the effect on vulnerable residents and businesses. We urge the Conservative administration not to “normalise” this continuous erosion of public services by the use of euphemism and fanciful figures.

In that regard the statements from the Leader and the Chief Executive are frank and open. They deserve a hearing by our Members of Parliament who must not be allowed to simply smile sweetly whilst voting through more pain on Leicestershire’s residents.

We thank the officers for bringing forward such a clear report and note that the Council will be called upon to agree a revised budget. In the interim, we note that all new measures will be open to public scrutiny by members in committee.

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**SCRUTINY COMMISSION – 7<sup>th</sup> SEPTEMBER 2022**

**STRATEGIC PLANNING AND GROWTH RELATED MATTERS  
INCLUDING THE STATEMENT OF COMMON GROUND RELATING  
TO HOUSING AND EMPLOYMENT LAND NEEDS (JUNE 2022)**

**MINUTE EXTRACT**

The Committee considered a report of the Chief Executive which provided an update on the work being undertaken by the Growth Service and others with partners on a number of key strategic planning and growth related matters. The report also sought the Commission's views on the County Council becoming a signatory to the Leicester and Leicestershire Statement of Common Ground (SoCG) on Housing and Employment Land Needs 2022 which had been prepared by Leicester and Leicestershire local authorities to demonstrate that they are fulfilling the Duty to Cooperate in plan making. A copy of the report marked 'Agenda Item 8' is filed with these minutes.

The Chairman welcomed Mr Grant Butterworth, Head of Planning at Leicester City Council, and Alex Roberts, Interim Joint Strategic Planning Manager, to the meeting for this item.

Arising from discussion, the following points were made:

- (i) The evidence commissioned by the Members Advisory Group (MAG) was extensive and clear. The allocations set by national government were non-negotiable and it would be vital for local authorities to work together to deliver these in a sensible and planned way.
- (ii) Work undertaken by the City had been robust and whilst it was under significant pressure to deliver more houses, it was inevitably restricted by what land was available and suitable for development. Consideration had been given to building higher which was possible in some areas but not others, such as the old town areas which were subject to planning restrictions necessary to respect the heritage of the area.
- (iii) The SoCG would provide a degree of certainty which was what both residents and the County Council needed. District council local plans were more likely to be approved if they could clearly demonstrate they had satisfied the duty to cooperate. The agreement of local plans would in turn give the County Council the clarity it needed to properly plan the infrastructure needed to serve these Plans.

- (iv) Whilst the uplift in housing numbers for the City, which resulted in the increased unmet need being passed to districts, might be considered undesirable by some, this could not be avoided. It had been demonstrated that the County had a housing shortage and locally this had to be addressed to support those seeking to buy and live in the area.
- (v) Joint working on planning and housing delivery through the MAG which involved the City, County and all district councils had been extremely successful. The boundary between the City and the County was in reality not seen by residents as many lived and worked across the two areas. Members recognised the need for cooperation both at a strategic level, through the development of the SoCG, and at local plan level.
- (vi) Whilst the demand for retail space had been affected by the Covid pandemic, in Leicester City the latest figures suggested retail was holding up well compared to national trends. Mr Butterworth confirmed that this would be kept under review but reported that the City had not had many applications to convert office space to residential and so an increase in such applications could not be presumed. Members recognised the need to be realistic rather than over ambitious in their expectations given the challenge the Inspector would provide to the City Council's local plan.
- (vii) Some Members raised concerns regarding the potential that a district council might not support the SoCG and what impact this would have overall and for that particular area. A member commented that not being party to the SoCG would risk their Local Plan being found to be unsound which could result in speculative developments coming forward in that locality. This would not be of benefit to the County Council as it could not then ensure the required infrastructure could be provided in a timely way.
- (viii) Members agreed that it would be regrettable if one partner were not to sign the Statement but noted that this would not undermine the importance and benefit of the Statement for those party to it.
- (ix) A Member questioned the delay in the publication of the Housing and Economic Needs Assessment due to incorrect figures being included and sought assurance that officers had confidence in the evidence provided by the consultants. Mr Roberts confirmed that one of the assumptions in the report had been incorrect, but that a detailed review by the consultants had been undertaken to assure there were no other errors and that the Assessment provided the robust evidence needed to support the SoCG.
- (x) It was noted that the Strategic Transport Assessment and the Strategic Growth Options and Constraints Study which had also been commissioned by the MAG had not yet been completed. Members noted that for various reasons, these two pieces of work had been more complex and so were still being finalised. However, Mr Roberts reported that partners had agreed that it would not be prudent to await their outcome, as the delay would have a negative impact on district council local plan processes.

- (xi) A Member questioned the impact the City's increased unmet housing need had on housing numbers included within the Strategic Growth Plan (SGP). Mr Roberts confirmed that the SGP covered a much longer timeline (to 2050) and so the higher forecasted growth figures within that remained unchanged given it extended over a much longer period.
- (xii) Members challenged how the cost of infrastructure to support the increased growth being passed to districts would be met given the financial pressures facing the County Council. It was noted that this was a significant issue that required better coordination of local plan processes by the district councils and then the prioritisation of infrastructure required to support those plans.
- (xiii) Whilst building on green field sites in the County might be considered, this was not a matter for the County Council, but a matter for district councils to address through their local plan processes. District councils would also address issues such as affordable housing.

**RESOLVED:**

That the comments now made be submitted to the Cabinet for consideration at its meeting on 16<sup>th</sup> September 2022.

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**ADULTS AND COMMUNITIES OVERVIEW AND SCRUTINY  
COMMITTEE**

**5<sup>th</sup> SEPTEMBER 2022**

**ADULT SOCIAL CARE REFORM**

**MINUTE EXTRACT**

The Committee considered a report of the Director of Adults and Communities, the purpose of which was to provide a further update of the work being undertaken in preparation for the Government's planned Adult Social Care Reforms. The report set out the policy background to the Charging Reform and the key implications for adult social care in Leicestershire to set the current activity in context. It also provided information on the nationally mandated Fair Cost of Care analysis and Market Sustainability Plan which were intended to be submitted to the Cabinet for approval in September 2022. A copy of the report marked 'Agenda Item 9', is filed with these minutes.

Mrs. A. Wright CC entered the meeting at this point and declared a Non-Registerable Interest and Other Registerable Interest in agenda items 9, 10, 11, 12, 13 and 14 (Adult Social Care Reform – Market Shaping and Charging Reform, Extra Care Service and Procurement, Initial Consultation Findings on Draft Leicester, Leicestershire and Rutland Carers' Strategy 2022-2025, Commissioning and Procurement of Home Care Services, Performance Report for Quarter 1 2022/23 (April – June) and Annual Adult Social Care Complaints and Compliments Report) as she was a health and social care solicitor and partner for Browne Jacobson.

Mr. L. Hadji-Nikolaou also declared a Non-Registerable Interest and Other Registerable Interest in this particular item as he was a consultant for the NHS.

In introducing the report, the Director clarified that the Government's plan to introduce a new £86,000 cap on the amount anyone in England would have to spend on their personal care over their lifetime did not refer to an individual's 'total cost of care' but only to the components of any care package considered to be related to personal care. For example, daily living costs related to items such as food, rent, accommodation costs and electricity were not included (including those that the Local Authority provided support with).

Arising from discussion the following points arose:

- (i) Members noted with concern the severe financial impact the implementation of the Adult Social Reforms was expected to have on the Council's budget. As to how the £22m shortfall predicted over the next ten years would be offset, the Director emphasised that the figures cited in the report relating to cost were

estimates at this stage. However, it was clear that any such shortfall would be a significant issue to manage. He explained that each local authority was undertaking the same exercises and making similar assumptions on the figures and finding a shortfall. The ways of managing this issue were not yet clear but through means such as taxation was possible.

- (ii) In response to a question regarding the table at paragraph 61 of the report, which summarised the areas and estimated figures of additional expenditure/funding resulting from the Adult Social Reform Programme, it was clarified that the figures pertaining to the period 2032/33 had been included to give an example of a period in the future when the implications were expected to stabilise.
- (iii) It was questioned how financial contributions made by an individual towards the cost for care cap would be tracked, for example, if they moved from one area of the Country to another. In response, Members noted that the Government was still working on the details to confirm how this would work in practice, particularly given that local authorities currently used a range of different care systems. However, the plan was for each individual approaching their local authority for support to have their own care account set up which were expected to be portable and able to produce annual statements enabling the relevant financial information to be monitored by the appropriate users.
- (iv) There was no certainty at this time how the split between personal care costs and daily living costs would be determined and monitored. However, for the daily living costs element the Government had indicated that a national tariff of £200 would be set for the period of 2022/23.
- (v) In response to comments raised by a Member about the key proposal set out in the Government's "People at the Heart of Care" White Paper relating to local authorities and providers making the best use of Technology, Members were reminded of the work the Department had been undertaking, alongside Hampshire County Council and its strategic partner PA Consulting Group, to transform Leicestershire County Council's care technology services. This work was ongoing and expected to go a way to support the implementation of the Reforms, which would require extra systems to be in place. For example, further development of the Department's online care and financial assessments was something that was being considered in conjunction with the new care accounts process proposed under the Reforms.
- (vi) Whilst it was positive the 'quality of care' in Nursing Care Homes compared well with the national picture, it was questioned how the Department was seeking to address the bed capacity issues which it was commented had an impact on inpatient and secondary care delivered by the NHS. Members noted that the issue of the Council having a lower number of beds for a local authority of its size was historical. A key factor was the local care market being predominantly

made up of larger providers which impacted funding and the care provision available. A further issue was that, in Leicestershire, the local NHS funded just half of the number of people for Nursing Care (FNC) when compared to comparator areas.

- (vii) It was confirmed that there were a number of areas the Department was working on in conjunction with the care market to help stimulate the nursing care provision available. This included work on nursing care costs and the potential to set a specific fee rate. It was also possible that a number of people placed in residential care might have otherwise been placed in nursing care which was a further area being considered.
- (viii) In regard to the Fair Cost of Care analysis it was confirmed that the national survey issued to care homes would have been sent to every care home in Leicestershire. Though, it was important to note that a small proportion of these were not 'active' and the County citizens that resided in care homes in Leicester would be included in the City Council's analysis rather than the County's.
- (ix) It was clarified that the level of demand for long term residential care was relatively stable and potentially declining which was in line with the Department's Strategy to support people to live at home for longer and partly as a consequence of the Covid-19 Pandemic. However, it was possible that if growth relating to 'older people' increased over the coming years more provision would need to be available which would need reflecting in the County's Market Sustainability Plan at the appropriate time.

RESOLVED:

- (a) That the update regarding the work being undertaken to prepare for the Government's planned Adult Social Care Reforms be noted.
- (b) That the financial implications of implementing the Adult Social Care Reforms be noted with concern.
- (c) That the comments now made be submitted to the Cabinet for consideration at its meeting in September 2022.

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**ADULTS AND COMMUNITIES OVERVIEW AND SCRUTINY  
COMMITTEE**

**5<sup>th</sup> SEPTEMBER 2022**

**EXTRA CARE SERVICE REVIEW AND PROCUREMENT**

**MINUTE EXTRACT**

The Committee considered a report of the Director of Adults and Communities, the purpose of which was to advise the outcome of a service review that had been undertaken on the Extra Care Service, engagement with residents and stakeholders that had been carried out, and the proposed changes, including the way in which elements of the Service are commissioned. The report also invited the Committee's comments on the proposed way forward. A copy of the report marked 'Agenda Item 10', is filed with these minutes.

Arising from discussion the following points were raised:

- (i) Regarding the proposed removal of the Wellbeing Services (£70 per week) charge to tenants, it was clarified that this only related to 'unplanned' care services and that any care needs assessed as ongoing would be deemed as 'planned' with costs charged under the relevant Local Authority system in the usual way.
- (ii) Members commented on the vital role Extra Care Services played in society as a whole and the support they offered to individuals and their families. It was pleasing to note that the Department was looking at the potential to expand Extra Care Services in the County to provide people with more options. Supporting Extra Care Service providers to take on people with more complex needs in a balanced way was part of the considerations being made.
- (iii) The Committee welcomed the report and confirmed its support for the proposed way forward.

**RESOLVED:**

That the report regarding the Extra Care Service Review and Procurement be noted and the proposed way forward be supported.

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**ADULTS AND COMMUNITIES OVERVIEW AND SCRUTINY  
COMMITTEE**

**5<sup>th</sup> SEPTEMBER 2022**

**ANNUAL REPORT OF THE LEICESTERSHIRE AND RUTLAND  
SAFEGUARDING ADULT BOARD (LRSAB) FOR 2021/22.**

**MINUTE EXTRACT**

The Committee considered a report of the Director of Adults and Communities, the purpose of which was to seek its views on the draft Annual Report of the Leicestershire and Rutland Safeguarding Adult Board (LRSAB) for 2021/22. A copy of the report marked 'Agenda Item 8', is filed with these minutes.

The Chairman welcomed Ms. Fran Pearson, Independent Chair of the Leicestershire and Rutland Safeguarding Adults Board (SAB), to the meeting for this item.

Noting that the period being reported on was Ms. Pearson's final year in the role as the Independent Chair for the SABs, the Committee invited Ms. Pearson to give an overview of the three years she had held the post and her opinion on how Leicester and Leicestershire's position compared with other areas of the Country. In response, the following points were noted:

- (i) A key focus had been working to ensure a more joined up approach between the two local SABs and the various sub-groups, the process of which had been accelerated by the Covid-19 pandemic. It was felt that locally the strategic alignment between the various councils to enable urgent issues (such as responding to the needs of Ukrainian refugees) to be managed in a timely manner was exemplary.
- (ii) Over the years the Board had become more data driven to support a more strategic approach. The continuation of such an approach would be important, particularly when current and future priorities were being considered.
- (iii) The issues being identified by the local SABs were mostly similar to those of other partnerships across the Country. It was expected that most Boards would have a key priority identified in relation to 'self-neglect'. The local SABs referred to this as 'hidden harm' and there was concern that this issue, along with safeguarding issues in care homes, would become more relevant as time went on.
- (iv) Many SAB's across the Country were receiving a large number of Safeguarding Adult Review referrals. Leicestershire had been keen to trial a new process to improve the rate in which such reviews were conducted which had been welcomed. Whilst there had been some challenges adopting this

new process, those involved had felt the experience had been worthwhile and that much learning had been gained.

- (v) For a number of reasons children's services often benefitted from more frequent statutory guidance revisions. It was felt that adult services would very much benefit from the same approach.

In concluding her comments, Ms. Pearson offered thanks to Jon Wilson, the Director of Adults and Communities, for all of his support during her time as Independent Chair of the SAB.

Arising from discussion, the following points arose:

- (vi) In response to concerns raised by a Member around the lack of diversity in the group of people considered as subjects of the Safeguarding Adult Reviews (SARs), it was acknowledged that whilst a fair amount of engagement work had been undertaken during the period there was still more to be done locally to raise awareness of adults safeguarding in diverse communities. This was a key strategic priority in the joint LLR SABs Strategic Plan (Priority 4). An example of engagement work recently undertaken to raise awareness was that, as part of a joint campaign between the SAB and the Children's Safeguarding Partnership, a video had been produced which had been widely distributed and covered in the media.
- (vii) Looking ahead, plans were in place to progress the engagement work through an agreed set of principles with involvement from partners and the County's Health and Wellbeing Board. A key focus would be on reaching out to wider communities. Learning from some of the practices used by Leicester City was also being considered to determine any beneficial aspects to take forward for the County.
- (viii) It was confirmed that the outcomes of SARs were analysed to determine any patterns of issues in line with statutory guidance. However, in some parts this steered away from root cause analysis in its direct form. The analysis undertaken was usually contained in each individual case report and any learning identified published on the website of the relevant Board. In light of the comments now made consideration would be given to how information relating to SARs was presented in the Annual Report going forward.
- (ix) The Committee offered its thanks to Ms. Pearson for all the work she had undertaken during her time as the Independent of Chair of the SAB. The Chairman said that the way the SAB had moved forward with working strategically with partners was remarkable and something he had personally observed over time. The Lead Member offered her personal thanks for all the support Ms. Pearson had given to her and the Cabinet Support Member, including her input at regular meetings.



RESOLVED:

That the Annual Report of the Leicestershire and Rutland Safeguarding Adults Board for 2021/22 be welcomed.

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## **CHILDREN AND FAMILIES OVERVIEW AND SCRUTINY COMMITTEE**

**6<sup>th</sup> SEPTEMBER 2022**

### **ANNUAL REPORT OF THE LEICESTERSHIRE AND RUTLAND SAFEGUARDING CHILDREN'S PARTNERSHIP**

#### **MINUTE EXTRACT**

The Committee received a report of the Director of Children and Family Services on the Annual Report of the Leicestershire and Rutland Safeguarding Children Partnership for 2021/22 which sought the Committees views on the draft annual report. A copy of the report marked 'Agenda Item 11' is filed with these minutes.

The Chairman welcomed comments from Members on the draft Annual Report and asked that these be submitted to the Director of, and Lead Member for, Children and Family Services by no later than 20 September 2022.

Arising from discussion, the following points were made:

- i. Members raised concerns regarding the rising number of children with mental health needs. It was noted that the Department would utilise the feedback provided by children to develop its strategy for providing support to such children and to those involved in traumatic incidents. A range of mental health support would continue be provided through the delivery of services across the community and within schools. Members acknowledged that schools were the best place for a young person to access support and were pleased to hear that the Department had used additional Government funding to provide mental health training for school staff and to place support staff within schools to seek referrals. Low level support for young people with mental health needs would continue to be made available via the Council's website.
- ii. In response to concerns raised regarding how the wellbeing of babies was monitored, the Director assured members that the Safeguarding Partnership continued to scrutinise support provided to both children and their parents, with a particular focus on support provided to pregnant mothers and babies. Evidence and research conducted by the national Child Safeguarding Practice Review Panel indicated that children under the age of one were the most vulnerable group of young people. Across Leicestershire and Rutland, eight referrals had been made for Child Safeguarding Practice Reviews where a child had been harmed or had died. Five of these children were under the age of one. Where the child had survived, the Department had looked at the evidence and

circumstances involved to review its procedures and processes for supporting pregnant mothers and early age children. In cases where the child had not survived, a rigorous review had taken place which had indicated extremely unique circumstances had been involved and that there were no actions which could have been taken by the Department or its partners which could have prevented this. There had been a national increase in the number of babies being harmed during the period of COVID-19 restrictions, which a review panel had suggested may have been as a result of parents being isolated from family and friends, as well as not receiving regular visits from health visitors. Members were assured that the Council would continue to safeguard a robust level of multi-agency support offered to pregnant mothers and new parents across Leicestershire and Rutland.

RESOLVED:

- a) That the draft annual report assessing the impact of the work undertaken in 2021/22 on safeguarding outcomes for children in Leicestershire and Rutland be noted.
- b) That Members of the Children and Families Overview and Scrutiny Committee be requested to submit their views on the draft annual report to the Director of, and Cabinet Lead Member for, Children and Family Services by no later than 20 September 2022.



**SCRUTINY COMMISSION – 7<sup>th</sup> SEPTEMBER 2022**

**LEICESTERSHIRE COUNTY COUNCIL COMMUNITY SAFETY  
STRATEGY 2022 - 2026**

**MINUTE EXTRACT**

The Commission considered a report of the Director of Children and Family Services, the purpose of which was to set out the duties placed on the County Council and other statutory responsible agencies in relation to crime and disorder and to outline the current approach adopted in Leicestershire. The report also sought the Commission's views on the revised Leicestershire County Council Community Safety Strategy for 2022 – 2026 as part of the ongoing consultation. The Commission were asked to consider this report in its capacity as the County Council's designated crime and disorder committee. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

Arising from discussion, the following points were made:

- (i) Partnership working had inevitably been affected by lock downs imposed during the Covid 19 pandemic. However, partners were now coming back together, and a Community Safety Partnership (CSP) Conference would be held later this year. This would help target discussions around how partners would deliver their reviewed priorities which had been reflected in the Council's refreshed Strategy.
- (ii) A Member questioned the affect delivery of some outcomes had in practice. For example, the installation of additional lighting to help address violence against women and girls. The Director confirmed that this work had been led by the Office of the Police and Crime Commissioner, supported by partners including the County Council, and undertook to provide more information on the impact of this work outside the meeting.
- (iii) Anti Social Behaviour (ASB) continued to be an issue but was heavily affected by the weather. Figures had increased over recent summer months but were expected to now plateau and drop slightly. The Strategic ASB Group and Officer Subgroup continued to review data and specific cases as appropriate and the Council had a dedicated officer appointed to drive this work forward.
- (iv) The Lead Member for Children and Family Services emphasised that it was very difficult for the Council and its partners to build up evidence of where ASB was happening and therefore how best to address this, as many people no longer reported it, instead choosing to post issues on-line. Members acknowledged that it was vitally important for incidents to be reported either to the Police or the Authority to help it build that intelligence. It was suggested

that this could be a point raised with CSPs through the planned CSP Conference.

- (v) A member commented that many residents no longer reported cases of ASB due to the lack of response received. The Director confirmed that the public's expectations had to be managed and it had to be recognised that reporting an incident would not necessarily result in immediate action. Cases were often complex and subject to other contributing factors that also needed to be addressed.
- (vi) Members noted that a tiered response to ASB had been adopted and only when all other avenues had been exhausted were the police involved. Up to that point, a range of partnership activities and responses were adopted to try and resolve issues.
- (vii) The Lead Member commented that cuts to funding had been a contributing factor in the work undertaken to address ASB. For example, cuts to youth work had had a knock-on effect. Members recognised that the County Council with its partners was seeking to deliver the best outcomes with the limited resources now available.
- (viii) A Member commented that the cost of obtaining an injunction through the courts had increased and had now become prohibitive. Access to youth services was key to prevent ASB, but access to the legal process when problems arose was also critical. The Director acknowledged that this was an issue and commented that this further emphasised the need for a partnership approach.

RESOLVED:

That the comments now made be reported to the Cabinet at its meeting on 16<sup>th</sup> September 2022.



**SCRUTINY COMMISSION – 7<sup>th</sup> SEPTEMBER 2022**

**CORPORATE ASSET INVESTMENT FUND ANNUAL REPORT 2021-2022**

**MINUTE EXTRACT**

The Commission received a report of the Director of Corporate Resources, which set out the performance of the Corporate Asset Investment Fund (CAIF) in 2021/22. A copy of the report marked 'Agenda Item 12' is filed with these minutes.

Members were pleased to note that the Fund had increased in value for the seventh year in a row. Whilst more modest returns had been seen in recent months, the Fund had substantially over performed during the Covid pandemic. Members agreed that the Fund had generated much needed income for the Council and whilst economic pressures continued, the Fund would help to bridge the increasing revenue funding gap.

In response to questions raised, the following information was provided:

- (i) Lutterworth East Strategic Development Area – Progress had been delayed due to the judicial review application by the Health Service against Harborough District Council's planning decision. Once the outcome of this had been confirmed further consideration would be given to potential development options for the site.
- (ii) Firs Farm – The planned review of the Council's processes for monitoring its county farms estate had been delayed due to focus being given in the first instance to resolving the issue on site following considerable consultation with the Environment Agency. Whilst a concern, especially given the high clean-up costs expected to be incurred, it was emphasised that the County Council owned a number of farms and that this had been the first time in decades (Firs Farm itself had been owned for over 70 years) that an incident such as this had occurred.

RESOLVED:

That the performance of the Corporate Asset Investment Fund during 2021/22 be noted and welcomed.

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**SCRUTINY COMMISSION – 7<sup>th</sup> SEPTEMBER 2022**

**CORPORATE ASSET MANAGEMENT PLAN 2022 – 2026**

**MINUTE EXTRACT**

The Commission considered a report of the Director of Corporate Resources which sought its views on the draft Corporate Asset Management Plan (CAMP) for 2022 – 2026. The Plan set out the strategic direction for the use, management and development of Leicestershire County Council’s corporate property resources over the next four years. A copy of the report marked ‘Agenda Item 11’ is filed with these minutes.

In response to questions raised, Members were advised of the following:

- (i) The Council already had a contract in place with Weston Power for the Quorn Solar Farm site.
- (ii) Consideration would be given to non-operational property sale processes with a view to speeding these up wherever possible. Properties identified for sale were considered by the Corporate Property Strategy Group and all departments were consulted to ensure they were surplus to requirements before being sold.
- (iii) The income figures detailed in the report were net of costs.
- (iv) To transfer the risk as far as possible, the Council would seek to ensure that, in future, developers built the schools required to support new housing developments. Section 106 planning agreements were being adapted to ensure inflation was accounted for. A more prescriptive approach to what developers could build was also being developed to ensure schools met the required standards.
- (v) In light of the latest financial challenges, initiatives that delivered a financial benefit would be prioritised.

RESOLVED:

That the Corporate Asset Management Plan for 2022 – 2026 be supported.

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