



## CABINET – FRIDAY 10 FEBRUARY 2023

### ORDER PAPER

#### ITEM    DETAILS

#### **APOLOGIES FOR ABSENCE**

None.

#### **1. MINUTES (Pages 3 - 8)**

##### Proposed motion

That the minutes of the meeting held on 16 December 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. PROVISIONAL MEDIUM TERM FINANCIAL STRATEGY 2023/24 TO 2026/27 (Pages 9 - 294)**

- *Comments have been received from Mr. S. J. Galton CC which relate to this item and item 6 below, a copy of which is attached to this Order Paper, marked "4".*

##### Proposed motion

- I. That the comments of the Overview and Scrutiny Committees and the Scrutiny Commission as set out in Appendix Q to the report be noted;
- II. That the following be recommended to the County Council:
  - a) That subject to the items below, approval be given to the Medium Term Financial Strategy (MTFS) which incorporates the recommended revenue budget for 2023/24 totalling £512.1m as set out in Appendices A, B and E of this report and includes the growth and savings for that year as set out in Appendix C;

- b) That approval be given to the projected provisional revenue budgets for 2024/25, 2025/26 and 2026/27, set out in Appendix B to the report, including the growth and savings for those years as set out in Appendix C, allowing the undertaking of preliminary work, including business case development, consultation and equality and human rights impact assessments, as may be necessary to achieve the savings specified for those years including savings under development, set out in Appendix D;
- c) That approval be given to the early achievement of savings that are included in the MTFs, as may be necessary, along with associated investment costs, subject to the Director of Corporate Resources agreeing to funding being available;
- d) That the level of the general fund and earmarked reserves as set out in Appendix K be noted and the use of those earmarked reserves as indicated in that appendix be approved;
- e) That the amounts of the County Council's Council Tax for each band of dwelling and the precept payable by each billing authority for 2023/24 be as set out in Appendix M (including 2% for the adult social care precept);
- f) That the Chief Executive be authorised to issue the necessary precepts to billing authorities in accordance with the budget requirement above and the tax base notified by the District Councils, and to take any other action which may be necessary to give effect to the precepts;
- g) That approval be given to the 2023/24 to 2026/27 capital programme as set out in Appendix F;
- h) That the Director of Corporate Resources, following consultation with the Cabinet Lead Member for Resources, be authorised to approve new capital schemes, including revenue costs associated with their delivery, shown as future developments in the capital programme, to be funded from funding available;
- i) That the financial indicators required under the Prudential Code included in Appendix N, Annex 2 be noted and that the following limits be approved:

	2023/24 £m	2024/25 £m	2025/26 £m	2026/27 £m
Operational boundary for external debt				
i) Borrowing	262	262	275	309
ii) Other long term liabilities	1	1	1	1
<b>TOTAL</b>	<b>263</b>	<b>263</b>	<b>276</b>	<b>310</b>
Authorised limit for external debt				
i) Borrowing	272	272	285	319
ii) Other long term liabilities	1	1	1	1
<b>TOTAL</b>	<b>273</b>	<b>273</b>	<b>286</b>	<b>320</b>

- j) That the Director of Corporate Resources be authorised to effect movement within the authorised limit for external debt between borrowing and other long-term liabilities;
- k) That the following borrowing limits be approved for the period 2023/24 to 2026/27:
- (i) Upper limit on fixed interest exposures 100%;
  - (ii) Upper limit on variable rate exposures 50%;
  - (iii) Maturity of borrowing:-

	<u>Upper Limit</u>	<u>Lower Limit</u>
	%	%
Under 12 months	30	0
12 months and within 24 months	30	0
24 months and within 5 years	50	0
5 years and within 10 years	70	0
10 years and above	100	25

- (iv) An upper limit for principal sums invested for periods longer than 364 days is 20% of the portfolio.
- l) That the Director of Corporate Resources be authorised to enter into such loans or undertake such arrangements as necessary to finance capital payments in 2023/24, subject to the prudential limits in Appendix N;
- m) That the Treasury Management Strategy Statement and the Annual Investment Strategy for 2023/24, as set out in Appendix N, be approved including:
- (i) The Treasury Management Policy Statement, Appendix N, Annex 4;
  - (ii) The Annual Statement of the Annual Minimum Revenue Provision as set out in Appendix N, Annex 1;
- n) That the Capital Strategy (Appendix G), Investing in Leicestershire Programme Strategy (Appendix H), Risk Management Policy and Strategy (Appendix I), Earmarked Reserves Policy (Appendix J) and Insurance Policy (Appendix L) be approved;
- o) That it be noted that the Leicester and Leicestershire Business Rate Pool will continue for 2023/24;
- p) That the Director of Corporate Resources, following consultation with the Cabinet Lead Member for Resources, be authorised to make any changes to the provisional MTFs which may be required as a result of changes arising between the Cabinet and County Council meetings, noting that any changes will be reported to the County Council on 22 February 2023;
- q) That the Leicestershire School Funding Formula is subject to capping and scaling continues to reflect the National Funding Formula for 2023/24;

- r) That the funding rates for Early Years providers, as set out in paragraph 114 of the report, be approved.

**5. INVESTING IN LEICESTERSHIRE PROGRAMME – STRATEGY 2023-2027**  
(Pages 295-336)

- *The Scrutiny Commission considered a report at its meeting on 30 January and a draft minute is attached to this Order Paper, marked “5”.*

Proposed motion

- a) That the comments of the Scrutiny Commission be noted;
- b) That the Investing in Leicestershire Programme Strategy for 2023-2027 be approved;
- c) That the Terms of Reference for the Investing in Leicestershire Programme Board be approved.

**6. PASSENGER TRANSPORT POLICY AND STRATEGY** (Pages 337 - 370)

- *Comments have been received from Mrs. A. Hack CC and Mr Max Hunt CC which are attached to this Order Paper, marked “6”.*

Proposed motion

- a) That the recommencement of the review of all supported passenger transport services in line with the Council’s Passenger Transport Policy and Strategy be noted;
- b) That the proposed programme of local focussed engagement and consultation to inform affected communities of the review outcomes and intended course of action as set out in paragraphs 58 to 66 of the report, be approved;
- c) That it be noted that the Director of Environment and Transport, following consultation with the Cabinet Lead Member, will exercise existing delegated authority to implement the outcome of the service reviews.

**7. OUTCOME OF CONSULTATION ON ELIGIBILITY FOR CARE TECHNOLOGY SERVICES** (Pages 371 - 392)

- *Comments have been received from Mr. M. Charlesworth CC which are attached to this Order Paper, marked “7”.*

Proposed motion

- a) That the outcome of the consultation be noted;
- b) That from 1 April 2023 requests for repairs and maintenance for legacy equipment be considered as part of a care and support assessment review

and be subject to Care Act eligibility criteria, to ensure fairness across the service and those it supports.

**8. THE ARMED FORCES ACT 2021 (Pages 393 - 402)**

Proposed motion

- a) That the implications of the new Armed Forces Act 2021 for the County Council as an employer and service provider be noted;
- b) That the updated Armed Forces Covenant Duty Delivery Plan be approved.

**9. INTERIM APPROACH TO PLANNING ISSUES IN CHARNWOOD BOROUGH (Pages 403 - 532)**

Proposed motion

- a) That the County Council's interim approach to securing development contributions and managing development in respect of highways and education needs in Charnwood Borough as set out in the Transport Contributions Strategy and Education Infrastructure Evidence Base, pending the adoption of the Charnwood Local Plan, be approved;
- b) That the Director of Environment and Transport, following consultation with the Cabinet Lead Member, be authorised to make such refinements to the Transport Contributions Strategy as might be required in the light of ongoing discussions with Charnwood Borough Council about its implementation through the development management process.

**10. RESPONSE TO THE CITY OF LEICESTER LOCAL PLAN (2020-2036) SUBMISSION DRAFT CONSULTATION (Pages 533 - 542)**

Proposed motion

- a) That the County Council's initial response to the Leicester City Council's Submission Draft Local Plan as outlined in paragraphs 35 to 37 of the report, be agreed as a basis for the formal response to the consultation;
- b) That the Chief Executive following consultation with the Cabinet Lead Member be authorised to submit the County Council's formal response to the consultation on Leicester City Council's Submission Draft Local Plan (2020-2036) by 27 February 2023.

**11. LEICESTERSHIRE'S POLICY ON ADMISSIONS TO MAINSTREAM SCHOOLS: DETERMINATION OF ADMISSION ARRANGEMENT (Pages 543 - 614)**

Proposed motion

That the Leicestershire School Admissions Policy for entry from September 2024 and associated coordinated admissions schemes for first-time admissions, infant to junior transfers, secondary transfers and mid-term transfers, as set out in the Appendix to the report, be approved.

**12. COUNTY COUNCIL'S REPRESENTATIVE ON THE EAST MIDLANDS FREEPORT BOARD**

*At its meeting on 26 April 2022, the Cabinet resolved that the County Council would become a member of the Freeport Company and the Leader of the Council was nominated as the member to serve on the East Midlands Freeport Board. Since the membership of the Board confers a directorship of the Freeport Board, it is appropriate that the change in membership now proposed be approved by the Cabinet and formally recorded.*

Proposed motion

- a) That the resignation of the Leader as the member of the Freeport Board be noted and that Mr. L. Breckon CC be appointed to serve on the Board in his place;
- b) That authority be granted to the Chief Executive to deal with any future appointments to the Freeport Board in accordance with the usual process for appointments to outside bodies.

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

None.

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

None.

**Officer to contact**

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**Submission to Cabinet – 10 February 2023****Comments in relation to Items 4 and 6****Proposed Reduction in funding for Public Bus services and specifically the 747 Service – Leicester to Uppingham.**

I am writing to request Cabinet not to implement a further reduction in the budget for supporting local bus services. It was reported to the Scrutiny Commission that an additional £1 million is now available and this could and should be used to offset some of the savings in the MTFS.

Since the Passenger Transport Policy was introduced a number of supported bus services have already been reviewed under the Policy and retained. It would be inherently unfair to put those routes through another review with all the uncertainty this will cause passengers who depend on the service.

I am also concerned about the intention to restrict County Council support to “Lifeline services.” Whilst this needs to be explained and defined, I am not clear if this will include getting to work, food shopping, hospital and doctors’ appointments and school children and students who use public bus services to get to school / college. I would urge Cabinet to ensure all these journeys are included in the definition of “Lifeline Services.” At a basic minimum level, the Policy also needs to ensure that all major routes into the City and County Towns have a public bus service which connects the villages and communities along these routes. DRT is not and never will be a substitute for a basic network of Public Bus Services covering the whole County.

The only remaining supported Bus Service in my Division is the 747. The Service is jointly funded by Leicestershire County Council and Rutland County Council. The 747 has already been through separate reviews by both Councils and was found to meet their respective policies for a subsidy. The funding arrangement represents good value to the Council and the Council taxpayer. This route provides an essential transport link for communities along the A47 between Thurnby and Uppingham and I would urge Cabinet to protect this and other vital bus services by not subjecting them to another review.

Simon Galton CC

Launde Division

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**SCRUTINY COMMISSION – 30<sup>th</sup> JANUARY 2023**

**MINUTE EXTRACT**

**Corporate Asset Investment Fund Strategy 2023 – 2027**

The Commission considered a report of the Director of Corporate Resources which sought members views on the revised Corporate Asset Investment Fund (CAIF) Strategy for 2023 to 2027. The report set out the proposed approach to management of the CAIF and future acquisitions, the strategy utilising the Capital Programme funding, together with amended Terms of Reference for the CAIF Advisory Board which reflected the core provisions of the Strategy and would support the future management of the estate. A copy of the report marked 'Agenda Item 12' is filed with these minutes.

In response to questions raised the Director commented as follows:

- (i) The CAIF had been established in 2014 to address the acute budget pressures and reductions in government grants faced at that time. These pressures still remained and the CAIF therefore remained relevant to the Council's MTFS.
- (ii) The Fund had been a success, now generating over £7m in revenue income, which had year on year reduced the level of savings required.
- (iii) The Council had been prudent and never borrowed to support CAIF investments, these having been funded from underspends.
- (iv) The Fund had been robust and performed well despite the pandemic and economic pressures arising from the war in Ukraine, including rising inflation costs. The Council had invested sensibly over the years and ensured it maintained a varied portfolio which meant the impact of such external factors had been minimised.
- (v) The County Council's external auditors had not raised any issues or concerns regarding the CAIF since its inception.
- (vi) Recent changes in CIPFA (Chartered Institution of Public Finance and Accountancy) rules meant that the CAIF would now be repurposed. Some authorities had been reckless in the level of commercial investments made, spending billions of pounds and borrowing significant sums. This had resulted in the rules being changed so that borrowing was not permitted purely to generate income.
- (vii) The investment appraisal process outlined in the Strategy included all costs and income. The stated 7% target would therefore be the net return

sought. Although the primary focus of the fund would no longer be to generate an income, it was still considered good financial management to ensure through the Strategy that Council assets achieved a good return.

- (viii) Sites purchased and ongoing developments held in the CAIF would be unaffected by the change in CIPFA rules. Schemes such as Airfield Farm and Leaders Farm would not only generate a future income but would provide jobs and regeneration in the area which was still permitted.
- (ix) The Scrutiny Commission would continue to receive reports regarding the performance of the Fund. It was suggested that a more detailed explanation of the changes and impacts of the new CIPFA rules would be helpful and the Director undertook to provide this as part of the next planned report to the Commission.

The Lead Member for Resources commented that the Fund had supported Council Services well but would now be rebranded to ensure the Strategy reflected the change in tone and focus of the Fund in line with the new CIPFA rules. These changes would be made to the Strategy in time for its presentation to the Cabinet and full Council in February.

**RESOLVED:**

- (a) That the update now provided be noted;
- (b) That it be noted that the revised Strategy would be presented to the Cabinet on 7<sup>th</sup> February and thereafter to full Council on 22<sup>nd</sup> February as part of the MTFS for approval.

**Submission to Cabinet**10<sup>th</sup> February 2023

From Amanda Hack CC & Max Hunt CC

**Item 6: PASSENGER TRANSPORT POLICY AND STRATEGY**

The report as presented to cabinet recommends

‘The recommencement of the review of all supported passenger transport services in line with the Council’s Passenger Transport Policy and Strategy be noted;’

The paper also states that there is no need to consult more widely as this was undertaken in 2018.

The Labour Group would like to request that the PTPS document is fully refreshed (as suggested in para 13) and the requirement to consult more widely based on the following:

- The PTPS was written in 2018 and superseded the 2013 plan. Meaning that the current document replaced the previous version after 5 years. It will be 5 years since the current plan was last consulted upon.
- The current plan references the 2018-2022 Strategic Plan, which has been replaced by the 2022-26 Strategic Plan. The current plan references five strategic outcomes Clean and Green, Great Communities, Improved Opportunities, Strong Economy, Safe and Well. A refreshed PTPS will enable alignment with the Councils five strategic objectives.
- A case-by-case bus service review on as many services loses strategic direction as it will not consider the wider impacts of bus service changes.
- The situation in 2023 is much more significant than in 2018. The MTFS presented in 2022 identified a deficit position by year 2 of the MTFS, and this was before the papers presented to Cabinet today. We do need to consider how this is reflected in the PTPS.
- The current PTPS already presents some inconsistencies of approach eg: the importance of securing infrastructure from developers is noted but this raises expectations of bus users for raised curbs, bus laybys, flags, information, lighting and shelters which are not being met in para 11.1

Finally, the Highways and Transport Scrutiny Committee have recently agreed to a review of bus services (including non-subsidy routes), recognising that some communities are seeing inconsistent and unreliable services. The PTPS being refreshed would enable the County to consider the passenger experiences across all services.

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**CABINET - 10 FEBRUARY 2023****AGENDA ITEM 7 - OUTCOME OF CONSULTATION ON ELIGIBILITY FOR CARE TECHNOLOGY SERVICES****COMMENTS FROM MR. M. H. CHARLESWORTH CC**

I have been contacted by several residents regarding the proposed changes to the Care Technology Services. They are concerned that the preferred option regarding eligibility will affect their ability to lead safe and independent lives. Some have used this service for many years and feel that if they are not eligible they will feel isolated. The report says that if someone is not eligible they will be signposted to other services, but there is no guarantee they will receive or be able to afford the technology they need. Paragraph 73 of the report states that smoke alarms are £55 and other devices are £40, this fails to take into account many of these users (most are elderly) are on fixed incomes and that budgets are already stretched to breaking point. Whilst the report states that the proposal is to ensure fairness across the service, is the real reason about saving money?

Michael Charlesworth CC  
East Wigston Division

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