



DATE: 6 December 2023
MY REF: RW/CCouncil
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ORDER PAPER, QUESTIONS AND POSITION STATEMENTS SUPPLEMENTARY PACK

- Order Paper and Questions. (Pages 3 - 10)
5. To receive position statement under Standing Order 8.
- (i) Position Statement from the Leader of the Council. (Pages 11 - 16)



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MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL

WEDNESDAY, 6 DECEMBER 2023 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 16)

The CHAIRMAN will move and MR ORSON will second:

'That the minutes of the meeting of the Council held on 27th September 2023, 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 HUNT

"1. The Cabinet report on the Charnwood Local Plan 2021 -2037 in September 2022 stated that there would be "*a proportionate and reasonable deterioration in traffic conditions in the Borough as a result of developments being permitted prior to the overall mitigation package being put in place.*"

From a traffic management point of view, what should we understand to be a "*proportionate*" deterioration in traffic conditions, and how is it measured?

2. Traffic conditions in the above report are also described as a "*reasonable*" deterioration in traffic conditions, Highways improvements in Hinckley are described in the Annual Performance Report as meaning "*smoother and more efficient*" journeys. Cabinet members are apt to refer to roads as being "*congestion-busting*". All these may signify a level of congestion (or

in the latter case the complete absence!) but the authority commits considerable resources to obtain reliable estimates of peak hour congestion to support business cases. Why are members not provided with such proper estimates rather than these meaningless phrases?

3. What were (a) our best estimates of the peak hour congestion at the beginning of the Charnwood Plan period and (b) what are now projected for the end of the Plan period?"

Reply by MR O'SHEA

- "1. What constitutes a 'proportionate' deterioration in traffic conditions will vary according to circumstances, and correspondingly there is no single, universal way to define this, as is the case for other key terms used within the planning arena (perhaps most notably the term 'severe impacts' as referred to within the National Planning Policy Framework). As with such other terms, it should instead be understood as a principle, to be applied on a case-by-case basis to Local Plan site allocations as they come forward individually as planning applications, based on professional judgement (and where necessary informed by the outputs of transport assessment work undertaken as part of planning applications).

In coming to a decision about whether the deterioration in traffic conditions arising from particular developments is 'proportionate' or otherwise, the Local Highway Authority has to consider a range of factors in the round. For instance, the scope for proportionate deterioration in traffic conditions is likely to be lower at locations (normally junctions) where such deterioration is likely to result in wider network impacts (e.g. congestion spilling over to other locations/junctions, or displacement of traffic to less suitable roads), significant impacts on accessibility to key services and facilities or adverse effects on key road safety hotspots. Conversely, the scope for deterioration is likely to be greater in locations where the opposite is true. Furthermore, the Local Highways Authority's acceptance of proportionate deterioration in traffic conditions is conditional on securing proportionate (and reasonable in planning terms) contributions from development towards the delivery of the overall local plan mitigation package, which remains essential to ensure that the deterioration is addressed/minimised over the longer-term.

2. The transport evidence and forecasts produced to inform the development of Local Plans, scheme business cases and other comparable work are typically very complex and multi-faceted (for instance, the North and East Melton Mowbray Distributor Road business cases, including modelling work, ran to several thousand pages). In most cases, it would therefore be impractical and potentially misleading to try and 'cherry-pick' selected technical outputs and figures from such work to utilise for the purposes suggested in the question. The terminology used in reporting to members (such as those cited in the question) seeks to articulate the broad objectives and principles underpinning transport schemes or strategies in a form that is as widely understandable as possible whilst being sufficient to

the circumstances. In cases where members need more detailed data (e.g., to support decision making over specific proposals) this will be provided.

3. The most recent work to model the transport impacts of the draft Charnwood Local Plan was completed in June 2022, and is published on the Charnwood Local Plan Examination website as document [‘Exam 31’](#). This work assesses the impacts of the Plan against a comparator ‘do nothing’ scenario (essentially assessing how the transport network would perform without the additional growth proposed through the Plan), and subsequently goes on to identify and model the effects of proposed mitigation packages to address these impacts. Summary statistics produced as part of this work show that at a district/network-wide scale, the Local Plan growth causes a drop in network performance during peak-hours without mitigation, but that this drop is largely addressed by the proposed mitigation package: for instance, during the PM-peak, district-wide average speeds fall by 0.2mph without mitigation from 49.7mph to 49.5mph, but return to 49.7mph with the mitigation package (whilst this change may appear modest, it is actually very significant considering the area, level of growth proposed and number of trips covered by such statistics). As with the examples cited in response to the previous question, these outputs should not be taken in isolation: they are just one part of a much wider, more complex and multi-faceted suite of evidence produced as part of the modelling work, which need be read as a whole alongside the accompanying commentary provided within the report.”

(B) Question by MR HUNT

- “1. Why are we so short of secondary school places in the County?
2. How many more places in secondary schools will be needed in the future for children with special educational needs for whom mainstream secondary school is predicted to be the right setting?
3. How can we ensure there are enough places for children with special educational needs for whom mainstream secondary school is the right setting?”

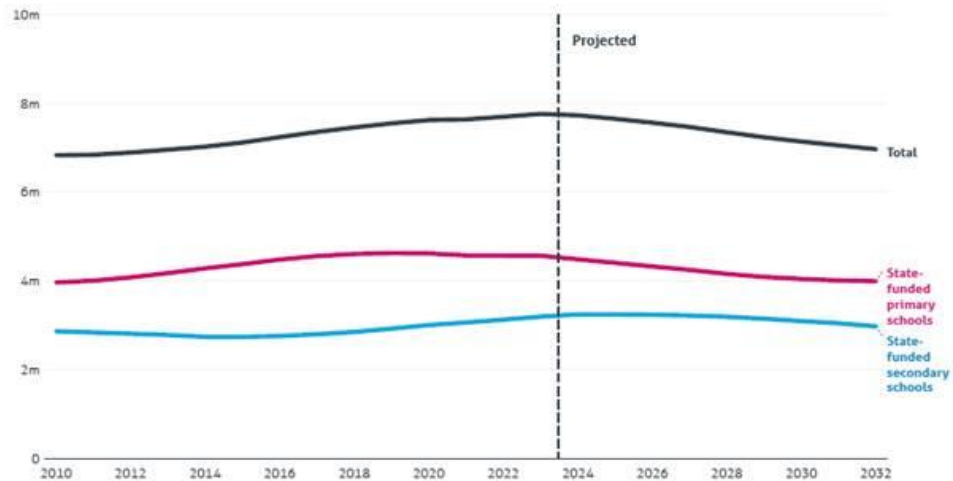
Reply by MRS TAYLOR

- “1. Nationally the number of pupils in secondary schools have hit a peak (as shown in the Chartered Institute of Public Finance and Accountancy (CIPFA) graph below). This is also reflected in Leicestershire, where the 2022, 2023 and 2024 Year 7 cohorts will be the largest and then a drop is expected.

Overall, there are enough secondary school places in Leicestershire. In the 2022/23 census there were 44080 pupils on roll and a capacity of 49237. There are enough places in each cohort. In 2023 97.6% of pupils gained one of their three preferences for starting secondary school and all on time

applicants were allocated a place.

Figure 6.1 Pupils, 2010–2032



Source: Institute for Government analysis of DfE, 'National pupil projections: Reporting year 2023', supported by CIPFA. Notes: Figures are as at January of the given year. Primary pupil numbers are higher than secondary pupil numbers as primary school covers more years of compulsory education. Primary pupil numbers also include pupils in nurseries at state primary schools.

The changes are not uniform across the country: primary pupil numbers have decreased by 5.1% in London since 2019, when numbers peaked nationally, while other areas have seen either more modest decreases or small increases.² Think tank and media reports have attributed this to a growing number of young people being unable to afford starting a family in the capital.^{3,4}

2. There are currently 1759 children with Education, Health and Care Plans (EHCPs) in mainstream education and this is projected to grow by 370 children in the next five years.
3. An EHCP names a provision and is not subject to basic needs admissions criteria, so, if a school place is named, the school is required to take the pupil. The Transforming SEND and Inclusion in Leicestershire (TSIL) programme has developed an inclusivity toolkit to ensure schools are able to meet the needs identified in children's EHCP as well as those children with SEN who do not have an EHCP. In addition to this, the School Organisation Service is working with a number of schools to improve their physical capacity to support SEN pupils to remain in mainstream schools. The mainstream school growth programme is responsible for ensuring there are sufficient school places across mainstream schools to support the projected population growth alongside ensuring sufficient mainstream provision is in place for children with SEN."

(C) Question by MR MULLANEY

"There was recently a collision at the junction of Olympic Way and Leicester Road in Hinckley. Cars often speed along the stretch of Leicester Road past Olympic Way making it difficult for cars to pull out safely. Parking around the

junction reduces visibility and makes it dangerous for cars pulling out of Olympic Way onto Leicester Road. I have requested double yellow lines at this junction on behalf of residents who have asked for them. I am aware that officers are looking into this request can I just urge the County Council Highways today to look favourably on putting yellow lines at this junction to make it safer”

Reply by MR O’SHEA:

“Whilst officers are aware of a recent incident at this location, no specific details have been received from Leicestershire Police of an incident being reported to them, or the police having been in attendance.

Without those details, unfortunately the causation factors for that collision are unknown at this stage, however, officers have contacted the force directly to seek clarity.

With regards to double yellow lines at the junction, all requests received by the County Council need to be considered based on an evidence-led appraisal, to ensure that the County Council’s limited resources to address traffic safety and parking problems are employed where most needed.

Officers will consider any information supplied by the Leicestershire Police alongside existing collision data to assess whether there is a safety issue at this location and if so, whether parking restrictions would help address. Mr Mullaney will be updated as soon as that work has been completed.”

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
REPORTS OF THE CABINET
(Pages 29 – 166)

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

(A) ANNUAL DELIVERY REPORT AND PERFORMANCE COMPENDIUM

MR RUSHTON will move and MR BRECKON will second:

“That the Annual Delivery Report and Performance Compendium 2023 be approved”

(B) ANNUAL REPORT OF THE DIRECTOR OF PUBLIC HEALTH

MRS RICHARDSON will move and MRS RADFORD will second

“That the Annual Report of the Director of Public Health 2023 be noted with support.”

AGENDA ITEM NO. 7
REPORTS OF THE EMPLOYMENT COMMITTEE
(Pages 167 – 182)

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

(A) PAY POLICY STATEMENT

MR BRECKON will move and MR BEDFORD will second:

“That the County Council’s Pay Policy Statement 2024/25, as set out in the Appendix to the report of the Employment Committee, be approved.”

AGENDA ITEM NO. 8
REPORTS OF THE CORPORATE GOVERNANCE COMMITTEE
(Pages 183 – 194)

Principal Speakers:
Chairman (Mr T Barkley)
Liberal Democrat Spokesman (Mr G A Boulter)

(A) REVISED PROTOCOL ON MEMBER/OFFICER RELATIONS

MR BARKLEY will move and MR RICHARDSON will second:

“That the revised Protocol on Member/Officer Relations be approved.”

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COUNTY COUNCIL MEETING – 6TH DECEMBER 2023**POSITION STATEMENT FROM THE LEADER OF THE COUNCIL****MTFS**

You could sum up the Autumn Statement in one word, growth. The outlook for the economy has weakened and the Chancellor obviously felt he needed to do something about it now. We will see in time whether it has had the desired impact, unfortunately the impact of no additional funding for public services will be felt much sooner.

Inflation has been higher than expected and the county's population continues to increase, which is putting a strain on services. We plan prudently so, whilst I had hoped for an improved settlement, an unchanged one wasn't a shock.

The substantial 10% rise in the National Living Wage will have been welcome news for workers. However, as the key determinant of the wages of social care workers the rise will add £20 million onto our budget compared to this year, equivalent to a 5% increase in Council Tax. The National Living Wage increase was far higher than expected and in response we will have to identify more savings than currently planned and seriously consider maximising Council Tax.

To continue balancing our budget will be extremely challenging and we must be realistic about how we best support the people of Leicestershire within the financial constraints that we have.

Outside of the Autumn Statement there was some positive news. Whilst you can debate whether the HS2 decision was right it is undoubtedly positive that the savings are being redirected to things that matter locally.

The Prime Minister's announcement in early October cancelling HS2 and diverting that money into Network North means that Leicestershire will see much more funding invested in our roads and rail networks over the next decade. We have been given an additional £4.05m for buses under the BSIP+ funding stream next year. This is on top of the already announced additional £1.79m for buses both this year and next year. Officers are working up proposals for this. However, I would stress that getting real value from such a significant allocation of an extra £5.8m in just one year on bus support will be difficult. There have been indications of further money following this, but until that is confirmed we face the situation of very short-term bus support and a potential cliff edge if future funding does not materialise.

Network North will also mean an additional £2.25m for highway maintenance this and next year. This will help with pressures we have in existing maintenance programmes and put us in a better position to deal with the winter pothole peak. I would remind members though that this funding will not stop our overall network deterioration and it is not until April 2025 onwards, when the Government has indicated a minimum uplift of £131m over a 9-year period for Leicestershire, that we would begin to slow the rate of deterioration and move towards improving the quality of our road network.

King's Award for Voluntary Service 2023.

You may recall in my statement in July last year that the Lord Lieutenant asked me to inform you of then called Queen's Award for Voluntary Service and for Members to encourage nominations within their Electoral Divisions. The Award is now called the King's Award for Voluntary Service and the 2023 winners were announced on 14th November, the King's birthday. I am pleased to inform you that the following five voluntary organisations within Leicestershire have been successful in receiving this prestigious award:

- **103TheEye:** a community run radio station which broadcasts 24/7 in Melton Mowbray. It is entirely volunteer run and is a pioneer in the community radio space. The station also runs training programmes for young people to learn about radio broadcasting.
- **Heartwize:** recognised for its efforts in increasing public awareness of the problem of out-of-hospital cardiac arrest. It also provides free CPR training programmes to businesses, schools and in the community, to ensure people have knowledge of CPR and use of AED (Automated External Defibrillators).
- Two groups from the Bosworth area were successful in this year's awards. These are **Bosworth In Bloom** which provides stunning floral displays each year, while maintaining a respect for the local environment and **Market Bosworth Community Library**, a community hub providing library services, resources and activities to benefit the surrounding rural community.
- **Swannington Heritage Trust:** rewarded for its efforts in transforming and preserving five industrial sites, including the Hough Mill, a restored 1790s corn mill. The Trust is also recognised for its work in researching and archiving records and artefacts for future generations to learn about Leicestershire history.

I am sure members will wish to join with me in sending congratulations to all the organisations concerned. The Lord-Lieutenant will be presenting their awards next year.

Devolution

I last updated the Council in my Position Statement in September following a very helpful and constructive meeting and correspondence with Dehenna Davison MP, then the Levelling Up Minister. As she had requested, later that month I wrote together with the City Mayor and the Leader of Rutland Council to her successor as Minister, Jacob Young MP, to say that we would collectively pursue a devolution deal at level 2 of the Government's framework and that mayoral devolution, also known as level 3, would not be pursued. The Council will be aware that agreement would have been required across the three Councils for mayoral devolution to be pursued and the Government required a joint response.

Towards the end of October we received a positive response from the Minister setting out the next steps towards a level 2 deal being concluded. The first step,

which we are aware follows the process used elsewhere, is for a meeting between senior officers of the three Councils and DLUHC civil servants. Officers had to chase for a time and date but that meeting is scheduled for next week. The following step will involve the three Leaders and Members of Parliament.

I still get enquiries from members about what is the difference between a level 2 deal and a level 3 deal. The answer is in the 'devolution framework' published with the Levelling Up White Paper in February 2022. It has been circulated widely but a further copy is attached to this statement. Members may have seen reference to new level 4 devolution in the recent Autumn Statement but that would only be available to areas with a level 3 deal.

I would also clarify the restrictions on the County Council in seeking a devolution deal. Level 2 and level 3 deals are only available across what Government calls a 'Functional Economic Area' (FEA). It has been made absolutely clear since February 2022 that Government do not regard the County of Leicestershire on its own as a FEA. The County plus the City of Leicester, or the County and the City plus Rutland, are regarded as a FEA.

Before the Levelling Up White Paper was published we did apply at the Government's invitation for what became known as level 3 deal for Leicestershire. The White Paper put an end to that. Therefore, if there is anyone who believes that after the White Paper we could have applied for a level 3 deal on our own, we could not – due to Government rules.

We are all aware that the Levelling Up Bill is now an Act and that other devolution deals have been announced. It is a pity that the Government's announcements have not included Leicester, Leicestershire and Rutland, but that is not a matter for me. I will continue to keep the Council updated about progress on the deal.

Hinckley National Rail Freight Interchange Update

The Hinckley National Rail Freight Interchange planning application is now going through the examination stage which is due to close on 12th March 2024 following which a report will be produced by the Examiners and forwarded to the Secretary of State with a recommendation on how he should determine the planning application. A decision is anticipated Autumn 2024.

A week of hybrid issue specific hearings took place during the week commencing 30th October which has resulted in the Examiners publishing a 72-page list of questions requiring further information and clarification. Whilst the majority of questions are directed to the applicant, Tritax, some additional information is sought from the County Council around highways, the socio-economic effects of the development and the contents of the draft development consent order. The deadline for responding to these questions is 9th January 2024 following which a further hybrid issue specific hearing will be held on 24th January to discuss traffic, transport and noise.

Whilst the applicant has submitted a significant amount of additional information to the Examination, to date this has not addressed the concerns expressed by the

County Council to the proposed development nor altered our recommendation that the application should be refused.

Mr N. J. Rushton
Leader of the Council

Table 2.3 Devolution Framework

Level 3 – A single institution or County Council with a directly elected mayor (DEM), across a FEA or whole county area

Level 2 – A single institution or County Council without a DEM, across a FEA or whole county area

Level 1 – Local authorities working together across a FEA or whole county area e.g. through a joint committee

Function	Detail	L1	L2	L3
Strategic role in delivering services	Host for Government functions best delivered at a strategic level involving more than one local authority e.g. Local Nature Recovery Strategies	✓	✓	✓
	Opportunity to pool services at a strategic level	✓	✓	✓
	Opportunity to adopt innovative local proposals to deliver action on climate change and the UK's Net Zero targets	✓	✓	✓
Supporting local businesses	LEP functions including hosting strategic business voice		✓	✓
Local control of sustainable transport	Control of appropriate local transport functions e.g. local transport plans*		✓	✓
	Defined key route network*			✓
	Priority for new rail partnerships with Great British Railways – influencing local rail offer, e.g. services and stations			✓
	Ability to introduce bus franchising		✓	✓
	Consolidation of existing core local transport funding for local road maintenance and smaller upgrades into a multi-year integrated settlement			✓
Investment spending	UKSPF planning and delivery at a strategic level		✓	✓
	Long-term investment fund, with an agreed annual allocation			✓
Giving adults the skills for the labour market	Devolution of Adult Education functions and the core Adult Education Budget		✓	✓
	Providing input into Local Skills Improvement Plans		✓	✓
	Role in designing and delivering future contracted employment programmes			✓
Local control of infrastructure decisions	Ability to establish Mayoral Development Corporations (with consent of host local planning authority)			✓
	Devolution of locally-led brownfield funding			✓
	Strategic partnerships with Homes England across the Affordable Housing Programme and brownfield funding			✓
	Homes England compulsory purchase powers (held concurrently)		✓	✓
Keeping the public safe and healthy	Mayoral control of Police and Crime Commissioner (PCC) functions where boundaries align [^]			✓
	Clear defined role in local resilience*		✓	✓
	Where desired offer MCAs a duty for improving the public's health (concurrently with local authorities)			✓
Financing local initiatives for residents and business	Ability to introduce mayoral precepting on council tax*			✓
	Ability to introduce supplement on business rates (increases subject to ballot)			✓

* refers to functions which are only applicable to combined authorities

[^] refers to functions which are currently only applicable to mayoral combined authorities

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