



DATE:
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ORDER, QUESTIONS AND POSITION STATEMENT

Order Paper and Webcast.

5. To receive position statements under Standing Order 8. (Pages 11 - 16)



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MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL

WEDNESDAY, 24 SEPTEMBER 2024 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 disabled persons.

AGENDA ITEM NO. 1
CHAIRMAN'S ANNOUNCEMENTS

The CHAIRMAN will make his announcements.

AGENDA ITEM NO. 2
MINUTES
(Pages 5 – 16)

The CHAIRMAN will move and MR SHEPHERD will second:

“That the minutes of the meeting of the Council held on 10th July 2024, 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 BRAY

“I have reported on numerous occasions the problem of surface water flooding on Rugby Road, Hinckley opposite Domino's Pizza. This floods every time there is heavy rainfall, blocking the road in a busy part of the town centre. Could the Leader please give me a timetable for when work will be undertaken to resolve this long-standing issue?”

Reply by MR O'SHEA

“The County Council is aware of the drainage issue on Rugby Road in Hinckley. The highways teams have carried out cleansing and jetting of the highway gully and the drain connection that is understood to connect to the combined Severn Trent Water Sewer, but these works have not resolved the issues at this location.

An excavation on the drain connection was also undertaken to try and understand the cause of the flooding and performance issues with the drainage system

The County Council is now investigating an alternative solution and is engaging with Severn Trent Water seeking authorisation to connect the highway gullies to a different surface water sewer on Rugby Road.

The solution being investigated will need a road closure on Rugby Road and co-ordination with the affected businesses, the car park entrance, and the bus stops in Waterloo Road.

As soon as permission is granted to divert the highway drainage into an alternative sewer, co-ordination of the work will take place. This will include a planned road closure which requires 3-month notice period. In addition, the need to engage with a third party means a timescale for a permanent resolution cannot be given at this point in time, however it is likely to be in the early part of 2025.”

(B) Question by MR BRAY

“Thank you to officers for looking into the situation around access to Westfield Schools. I understand the need for surveys to be done to update data, however there is a real concern locally that more urgent action is needed. There have been a number of incidents including a person being knocked off a bike and other near misses that I have passed through to highways officers and I have spoken to the police to raise similar concerns. Would the Leader look at what immediate action can be taken, with partners, to ensure no injuries occur?”

Reply by MR O’SHEA

“On-street parking issues around the many schools in Leicestershire are not uncommon. These issues are often highlighted at the start of the new school term, particularly in the autumn/winter when temperatures decrease, and weather conditions worsen. Poor parking habits and behaviour at arrival and dispersal times, to some extent, occurs outside most schools across the Country.

Often, there is no easy solution to the parking problems being experienced with no one highway/traffic management solution yet to be found that entirely removes the parking issues that arise during school term times. There are ways to try and reduce parking pressures around schools which are developed through a partnership approach with the school. These solutions often lie within the local community through parents, school governors and school staff, together with Leicestershire County Council providing advice and support. These partnerships are particularly important to develop as the parking problems outside schools are localised, and the best solutions lie with the local community in reducing the number of vehicles attending the schools.

It is recommended that the school contacts the Sustainable Travel team, who may be able to provide further assistance with active travel to and from the school, which may reduce the number of cars accessing Ashford Road each day. The Sustainable Travel team may be contacted on the following email: ChooseHowYouMove@leics.gov.uk.

As Ashford Road (Hays Lane could be included) is an existing 'no through road' and not subject to through traffic, the school could request to take part in 'School Streets', which is a scheme where the road outside of a school is closed to vehicular access during drop off and pick up times. Marshalls stand at the end of the road closure to restrict access to certain vehicles i.e. those who live or work on the street, who will have to adhere to safety protocols, such as reduced speeds. This allows parents and children to travel to the school with a reduced chance of interaction with moving vehicles.

With appropriate permissions park and stride sites could be established at Clarendon Park or at the Hinckley Hub.

As Hays Lane is not publicly maintained highway, residents would need to seek legal advice on how they could close this route to traffic.

It is appreciated that the community centre has closed on Rosemary Way, which has removed the access for walking to the school using that route (additionally, parents used to park in the community centre's car park thus reducing vehicular traffic on the mentioned roads).

It is acknowledged that the reintroduction of pedestrian access previously provided through the community centre site could be replaced and this would provide some improvement to the situation. Both the Council's Children and Family Services and officers in Hinckley and Bosworth Borough Council (HBBC) are looking for ways to achieve this.

The 'School Keep Clear' marking on Westfield Road has not been put forward by the school to be included in the School Keep Clear project which makes advisory markings mandatory giving the opportunity for enforcement. The Westfield Road markings therefore remain advisory (the marking on Ashford Road is mandatory and is included on the enforcement route).

Given the concerns raised and the various roles and responsibilities involved, there is a multi-agency meeting proposed on 26th September with officers from the Council, HBBC, the Police, the Fire Service and both schools. Interested parties will be advised of the actions taken forward from this meeting."

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.)

ACTING LEADER

The Acting Leader will make a statement.

LEAD MEMBER FOR HIGHWAYS, TRANSPORT AND FLOODING

The Lead Member will make a statement.

AGENDA ITEM NO.6
REPORT OF THE CABINET
(Pages 17 – 76)

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

(A) EQUALITY, DIVERSITY AND INCLUSION STRATEGY

MRS POSNETT will move and MRS RICHARDSON will second:

“That the Equality, Diversity and Inclusion Strategy 2024 – 2028 and associated Action Plan, set out in Appendix B to the report, be approved.”

AGENDA ITEM NO. 7
REPORT OF THE CONSTITUTION COMMITTEE
(Pages 77 - 82)

Principal Speakers:
Deputy Chairman (Mrs D Taylor)
Liberal Democrat Spokesman (Mr M Mullaney)

(A) APPOINTMENT OF INDEPENDENT PERSONS

MRS TAYLOR will move and MR POLAND will second:

- “(a) That Richard Gough, Gordon Grimes, Surinder Sharma, Pamela Roberts, John Pilgrim and Kimberley Kingsley be appointed to serve as Independent Persons for a term of four years ending on 30 September 2028;
- (b) That Ms T Herring and Ms H Kotecha be thanked for their valuable work in supporting the Monitoring Officer in the operation of the Members’ Code of Conduct complaints process over the last four years.”

AGENDA ITEM NO. 8
REPORT OF THE CORPORATE GOVERNANCE COMMITTEE
 (Pages 83 - 92)

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

(A) CHANGES TO THE FINANCIAL PROCEDURE RULES

MR BARKLEY will move and MR RICHARDSON will second:

“That the proposed amendments to the Financial Procedure Rules, set out in Appendix A to the report, be approved.”

AGENDA ITEM NO. 9
APPOINTMENTS IN ACCORDANCE WITH ITEM 11 OF STANDING ORDER 4

(A) TO APPOINT SUCH CABINET SUPPORT MEMBERS AS THE COUNCIL CONSIDERS APPROPRIATE

MRS TAYLOR will move and MR POLAND will second:

“That Mr B Champion CC be appointed as Cabinet Support Member until the next Annual Meeting of the County Council, as provided for in Article 7 of the Council’s Constitution.”

AGENDA ITEM NO.10
TO CONSIDER THE FOLLOWING NOTICE OF MOTION

(A) WINTER FUEL PAYMENTS – MR M MULLANEY CC

Mr MULLANEY will move and MRS TAYLOR will second:

- “(a) That this Council notes the recent announcement by the Labour Government to end universal winter fuel payments and restrict eligibility to only those in receipt of Pension Credits and other benefits.
- (b) That, though many agree that universal Winter Fuel Payments are not necessary, this Council is deeply concerned that many pensioners on lower and middle incomes will now not receive the payments, and that across England and Wales the number of people eligible for winter fuel payments will fall by 10 million (from 11.4 million to only 1.5 million).
- (c) That, in Leicestershire the number of pensioners affected by the change in eligibility criteria is 129,537, which means that 92.5% of pensioners currently eligible for winter fuel payments will no longer be able to claim the payment from this winter onwards.
- (d) That this Council believes that the Labour Government has set the threshold at which pensioners do not qualify for Winter Fuel Payments far too low. Only those receiving a pension of less than £218.15 a week (or £332.95 a week for couples) are eligible for pension credits. This is significantly lower than the living wage rate.
- (e) That this Council is also concerned by the low take up of pension credit with only 63% of those eligible nationwide receiving them – and over 880,000 pensioners not doing so. This Council recognises the role it has to play to increase awareness of benefits such as Pension Credit to ensure people are aware of the support they are entitled to.
- (f) That this Council further notes that the Energy Price Cap is due to rise by 10% in October, which combined by the removal of Winter Fuel Payments will push thousands of local pensioners into fuel poverty.
- (g) That this Council supports the criticism from Age UK, the Countryside Alliance and other charities, highlighting the social injustice and potential health risks posed by this abrupt policy change and believes that decision to means-test Winter Fuel Payments, especially with such short notice and without adequate compensatory measures, is deeply unfair and will disproportionately affect the health and well-being of our most vulnerable older residents.
- (h) That, given the expected impact the withdrawal of the Winter Fuel Payment will have on vulnerable older people, and the analysis carried out by charities that 71% of disabled people will lose their entitlement,

despite their greater dependence on heating their homes, this Council is deeply concerned that the Government did not carry out an impact assessment before putting the matter to a vote.

- (i) That this Council is also concerned that the government is suggesting the use of the Household Support Grant to fill the gap, diverting much-needed funding away from children receiving Free School Meals.
- (j) That this Council therefore resolves to:
 - (i) Request that the Chief Executive of Leicestershire County Council writes to the Chancellor of the Exchequer, urging a review of the decision to means-test the Winter Fuel Payment and asking the government to ensure that vulnerable pensioners, particularly those who do not claim Pension Credit, are protected from fuel poverty.
 - (ii) Commit this Council to signing the 'Save the Winter Fuel Payment for Struggling Pensioners' petition being run by Age UK and write to all members offering them the opportunity to sign the petition themselves.
 - (iii) Encourage local efforts to promote Pension Credit uptake through council services and partnerships with local charities and community organisations to ensure that all eligible pensioners in Leicestershire are supported in claiming their entitlement.

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COUNTY COUNCIL MEETING – 25TH SEPTEMBER 2024

POSITION STATEMENT FROM THE ACTING LEADER OF THE COUNCIL

Ofsted inspection of Children's Services

I am now pleased to be able to share publicly the outcome of the inspection of Leicestershire's Children's Services that was undertaken in April this year and published in July. The inspection judged the overall effectiveness of our services as Outstanding. This is a remarkable achievement for the department and for the County Council, moving the grade from Requires Improvement in 2019 to Outstanding in 2024. The Outstanding outcome is reflection of the hard work and commitment of staff and leaders across the department as well as the support from the County Council as a whole.

Hinckley National Rail Freight Interchange

Members will no doubt already be aware that a written Ministerial statement was issued on the 10th September extending the deadline for a decision. The Examining Authority (Planning Inspectorate) has recommended that the Secretary of State (SoS) for Transport refuses the application. Weighted heavily against granting the Development Consent Order are the following issues:

- the highway safety risk at Sapcote caused by the re-routing of HGV traffic;
- the Applicant's failure to adequately assess the impacts at the M69 J2 and M1 J21/M69 J3;
- the severe impacts on the living conditions of the occupiers of the Aston Firs Travellers site from the proposed acoustic barriers

The SoS has said that she is "minded to agree" with the recommendation and refuse. However, she has extended the deadline for the decision to allow further information to be submitted and analysed.

The decision will now be issued on or before 10th March 2025. Tritax, the developer, has until 10th December to submit further information. The County Council will have 28 days from the date of publication of this information to make further comments, but these must relate to the new information provided by Tritax.

I'd like to take this opportunity to place on record my thanks to officers for their hard work in analysing the evidence and submitting the County Council's response to the application.

Murder in Franklin Park, Braunstone

Following the incident on September 1st 2024, and tragic murder of Bhim Kohli, I would like to send my deepest condolences to his family and friends at this very difficult time.

I also acknowledge that this remains a troubling and anxious time for the community. We are working with the City Council and Blaby District Council to provide support to the area over this difficult time.

VAT Charge on Private School fees

Members will be aware of the plan to introduce a VAT charge on private school fees from January 2025. There are an estimated 5,407 Leicestershire children who attend private schools and whilst the impact of the VAT charge is yet to be understood, the impact for Leicestershire could be twofold. Firstly, increased pressure on mid-terms admissions requests into schools that are already full from the normal admissions round. Secondly, there is a risk that children who are attending private schools with additional needs may not always have an Education Health and Care Plan. The increased charge for parents of children with additional needs may therefore lead to increased requests for EHCP assessment or for specialist education places in an already heavily challenged system.

Offender Early Release Scheme

As Members will be aware, under changes to the standard determinate sentence, a number of prisoners were released under End of Custody Supervised Licence on Monday 9th September. Across Leicestershire there has been a strong partnership response between the Probation Service, the Police, the County Council and a range of other agencies to ensure this release has gone smoothly and that those prisoners who have returned to Leicestershire have been robustly managed and supported.

Devolution

The week after the last Council meeting, the Deputy Prime Minister wrote to the Leaders of all upper tier councils about the new Government's ambitions for devolution. This is the first chance I have had to report to the Council since then. Her letters were addressed to councils who had sought to start negotiations during

the last Government and those who had not. There was no doubt about a presumption in favour of the mayoral model and restrictions on geography, but the Deputy Prime Minister would welcome proposals from upper tier authorities by the end of September.

In response, Sir Peter Soulsby and I signed a joint letter to the Government registering our interest in devolution, requesting a meeting, and expressing hope that the promised new devolution framework would not be as rigid as that first published in the Levelling Up White Paper in 2022. Ministers have made it clear there is no point in either authority bidding on its own.

We have had responses from the Government but as yet no meeting has been arranged. We are also, like others, waiting for the new devolution framework to be published.

I will keep the Council updated when there is any more information but there is no point in the County Council doing any more work for now. Our first submission was made almost three years ago to the day. Although the Government changed the rules we put forward several ideas in the subsequent period for both Leicester and Leicestershire, and Leicester, Leicestershire and Rutland. Ultimately, the support of the City Mayor and the Leader of Rutland was not forthcoming.

It will be interesting to see if the Deputy Prime Minister's stated willingness to resolve issues which have stalled previous devolution deal negotiations, not just in Leicester and Leicestershire, can bring about the change and flexibility we need to get a good devolution deal.

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COUNTY COUNCIL MEETING – 25TH SEPTEMBER 2024

POSITION STATEMENT FROM THE CABINET LEAD MEMBER FOR HIGHWAYS, TRANSPORT AND FLOODING

Flooding Update September 2024

Everyone will be aware of the serious flooding in Leicestershire due to heavy rainfall on 21st and 22nd September. On Saturday afternoon, 21st September, calls started to the highways Duty Officer regarding flooding and adverse weather and continued through the weekend with over 200 calls being received. Many of the usual flood locations in the north of the County were affected initially and roads closed included:

- a) Slash Lane near Sileby,
- b) Mountsorrel Lane, Sileby,
- c) Sileby Rd, Mountsorrel,
- d) Churchill Rd, Thurmaston (under the railway bridge).

In addition, Market Harborough town centre experienced flooding; it is understood the Surface Water Sewer manhole surcharged at the top of the town (near Bowden Lane) and the town flooded between 6.00pm and 7.00pm on Saturday. Council officers met with Harborough District Council and Anglian Water on Monday 23rd September to discuss the situation further.

Since the weekend, further roads have been affected by rising water levels, these include:

- a) Mythe Lane, Witherley,
- b) Countesthorpe Road, Wigston (Crow Mills),
- c) Leicester Road, Blaby.

Highways operational gangs will continue to monitor locations affected by adverse weather to understand the status and keep them safe as well as clear detritus left by floodwater.

It is understood that a number of commercial properties were internally flooded in Market Harborough town centre on Saturday 21st September. There have also been reports of two schools in the Harborough district being internally flooded as well as commercial property in the Blaby district. Details relating to the above are still being collated.

As the Lead Local Flood Authority, the Council's Flooding team will continue to collate reports of internal property flooding and any such instances should be reported to flooding@leics.gov.uk .

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