

**MINUTES OF THE MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL
HELD AT COUNTY HALL, GLENFIELD ON WEDNESDAY, 28 SEPTEMBER
2011**

PRESENT

Mrs. J. A. Dickinson CC (in the Chair)

Mr. A. D. Bailey CC, Mr. D. C. Bill CC, Mr. R. Blunt CC, Mr. G. A. Boulter CC, Mr. S. L. Bray CC, Mrs. R. Camamile CC, Mr. M. H. Charlesworth CC, Mr. J. G. Coxon CC, Dr. R. K. A Feltham CC, Mrs. J. Fox CC, Mr. S. J. Galton CC, Mr. B. Garner CC, Mr. T. Gillard CC, Mr. M. Griffiths CC, Mr. P. S. Harley CC, Mr. G. A. Hart CC, Dr. S. Hill CC, Mr. D. W. Houseman MBE, CC, Mr. Max Hunt CC, Mr. D. Jennings CC, Mr. G. Jones CC, Mr. A. M. Kershaw CC, Mr. P. G. Lewis CC, Mr. W. Liquorish JP CC, Mrs. H. E. Loydall CC, Mr. K. W. P. Lynch CC, Mr. J. Miah CC, Ms. Betty Newton CC, Mr. J. T. Orson JP CC, Mr. P. C. Osborne CC, Mr. I. D. Ould CC, Mr. M. B. Page CC, Mrs. R. Page CC, Mr. B. L. Pain CC, Mr. D. R. Parsons CBE CC, Mr. G. Partner CC, Mrs. L. A. S. Pendleton CC, Mrs. P. Posnett CC, Mrs. C. M. Radford CC, Mr. J. B. Rhodes CC, Mrs. J. Richards CC, Mr. P. A. Roffey CC, Mr. N. J. Rushton CC, Mr. R. J. Shepherd CC, Mr. D. Slater CC, Mr. D. A. Sprason CC, Mr. E. F. White CC, Mr. D. O. Wright CC and Mr. M. B. Wyatt CC

117. CHAIRMAN'S ANNOUNCEMENTS.

Death of Member and Former Member of the Council

The Chairman referred to the sad news of the deaths of both a sitting member and a former Leader of the Council.

County Councillor Mike Preston had died on 18 August 2011, aged 67 years, after a battle with cancer.

Professor Preston had been elected to the Council for the first time in 1993 representing the former Fosse Electoral Division and subsequently the Syston Ridgeway Electoral Division.

Following the move to a Cabinet and Scrutiny system in 1999 he had become a member of the Cabinet and was Deputy Leader of the Council between 2001 and 2003 supporting the then Leader, Harry Barber. Between 2003 and 2005 he had been Chairman of the Education Scrutiny Committee and a member of the Scrutiny Commission. He had returned to the Cabinet in 2005 where he served until April of this year.

He had served for a period on the Pension Fund Management Board and was Chairman from 1999 to 2003.

From 2005 to 2010 he had also represented the Council on the Combined Fire Authority.

He had also served as Conservative Chief Whip from 2005 until April 2011.

Former County Councillor Harry Barber had died on 26 August 2011 aged 81 years.

Harry Barber had been elected to the Council for the first time in 1989 and served until 2005 representing the former Loughborough Forest Electoral Division.

Following the move to a Cabinet and Scrutiny system in 1999 he had become Leader of the Council in a joint administration formed by the Conservative and Liberal Democrat Groups. He continued to lead the Council following the 2001 elections, this time leading a Conservative administration, when his deputy was the late Professor Mike Preston. He had given up the leadership of the Council in 2003 but continued as a Cabinet member until he retired from the Council in 2005.

Mr Barber had been made an Honorary Alderman of the County in July 2005 in recognition of the eminent services he had rendered to the people of Leicestershire.

Those present joined the Chairman in standing in silent tribute to the memory of Professor Mike Preston CC and Honorary Alderman Harry Barber.

Certificate of Outstanding Work

The Chairman reported with pleasure the good work of the County Council's Trading Standards Service which had recently been formally recognised by the Leicestershire Constabulary.

Louise Boyall and Sadie Hoyes, who worked for the Service, had each received a Certificate for outstanding work from Inspector Chris Brown, the Commander of the North West Local Policing Unit.

Both officers had showed impressive professionalism during a joint operation at this year's Download Festival at Donington Park aimed at combating counterfeit products and ticket touting.

Louise had organised the deployment of Trading Standards Officers and Sadie had been vigilant in recognising an organised crime group and bringing it to the attention of the Police.

Members joined the Chairman in congratulating these members of staff on their excellent work.

Accreditation by the Service Desk Institute

The Chairman indicated that she was pleased to report that the County Council's ICT Service Desk had recently been awarded a 'Three Star accreditation' in an initial assessment by the Service Desk Institute and was seeking to achieve 'Four Stars' in 2012. This was an international award held by only a select number of bodies. It demonstrated that the service was customer led and made a valuable contribution to the Council's high quality ICT provision.

Members joined the Chairman in congratulating everyone concerned.

Elizabeth McCalla

The Chairman reminded members that this would be the last Council meeting that Elizabeth McCalla would be attending before her forthcoming retirement. She felt sure that members would not want the occasion to pass without placing on record the Council's appreciation of Elizabeth's very special contribution to the operation and wellbeing of Leicestershire County Council.

Elizabeth had been County Solicitor since 1997. She had first joined the Council in 1983 as Senior Solicitor (Child Protection), later becoming Principal Solicitor and then Assistant County Secretary (Personal Services).

The County Council had a great deal to thank Elizabeth for. The fact that the County Council had a reputation for good governance and high standards of conduct owed a good deal to her hard work, professionalism and integrity.

In particular, every Chairman of the Council since 1997 would have good reason to be thankful to Elizabeth for her sound advice in the conduct of meetings of the Council and would have drawn confidence from having her calming presence beside them.

The Chairman on behalf of members of the Council was very pleased to wish Elizabeth well for a long and happy retirement.

Mr Parsons, Mr Galton and Mr Hunt each joined the Chairman in associating their Groups with the thanks to Elizabeth McCalla.

Visitors

The Chairman welcomed to the meeting all visitors and guests of members.

118. MINUTES.

It was moved by the Chairman, seconded by the Vice-Chairman and carried:-

“That the minutes of the meeting of the Council held on 6 July 2011, copies of which have been circulated to members, be taken as read, confirmed and signed.”

119. DECLARATIONS OF INTEREST.

The Chairman invited members who wished to do so to make declarations of interest in respect of items on the agenda for the meeting.

The following members declared personal non-prejudicial interests in minute No. 124 below as members of the National Trust:-

Mr A D Bailey, Mr D C Bill, Mr M H Charlesworth, Dr R K A Feltham, Mr G A Hart, Dr S Hill, Mr Max Hunt, Mr A M Kershaw, Mr K W P Lynch, Ms Betty Newton, Mr I D Ould, Mr M B Page, Mr J B Rhodes, Mrs J Richards,

Mr P A Roffey, Mr R Shepherd.

120. QUESTIONS ASKED UNDER STANDING ORDER 7(1)(2) AND (5).

(A) Mr Partner asked the following questions of the Leader or his nominee:-

- "1. Why has the County Council made permanent staff redundant when it has then had to recruit staff to carry out their work, for example in the case of occupational therapists?
2. Why have permanent staff been made redundant and then been written to offering them new posts in the customer service centre?
3. Why have permanent staff been made redundant when the County Council is employing so many temporary staff?"

Mr Rushton replied as follows:-

- "1. As part of the Personalisation programme within the Adults and Communities Department, (A&C), social care staff were offered the opportunity to express an interest in voluntary redundancy in order to meet the efficiencies target identified in the MTFS. As a consequence, the Department's Management Team agreed to a significant proportion of these requests, in order to minimise the need for compulsory redundancies. This included agreeing voluntary redundancies for occupational therapists as well as other social care staff.

However, in order to assist and stabilise the new arrangements, a small number of temporary resources have been required. In addition, temporary resources have also been required to cover maternity leave and long term sickness. These temporary measures have been put in place in order to maintain a safe and responsive Adult Social Care Service for Leicestershire residents.
2. The Adult Social Care Customer Service Centre has had some difficulty in recruiting experienced and skilled staff despite placing several advertisements externally. The Customer Service Centre has, therefore, explored alternative ways of recruiting staff who have an understanding of the service and service issues. As a transitional arrangement 2 former Adults and Communities Department employees have been appointed on a temporary basis for 3 months.
3. The County Council has an Organisational Change policy which sets out the process for managers to follow when making staff redundant. The Council makes every effort to avoid compulsory redundancy situations by ending temporary contracts, seeking volunteers and redeploying employees who are at risk of redundancy to alternative jobs within the Council.

Most reviews focus on specific service areas and if there are no temporary contracts in that area then permanent staff would be made redundant. In order to comply with the Fixed Term Workers Regulations, the Council treats temporary staff with two years service as permanent employees in service reviews.

The Council will make every effort to end a temporary contract before making a permanent employee redundant. However there are occasions when a temporary staff member may have a specific skill set that the permanent employee does not have."

Mr Partner asked the following supplementary question:-

"I presume that the Council has incurred considerable costs in redundancy and pension payments, particularly in the case of any over 55's, who I assume would have their contributions topped up to compensate for lost years. Would the Lead Member be prepared to reveal how much of this additional cost has been met by the County Council tax payer?"

Mr Rushton replied as follows:-

"I do not know but I will write to Mr Partner to let him know."

(B) Mr Pain asked the following question of the Leader or his nominee:-

"Can the Leader please outline how Social Impact Bonds could benefit this Council in the medium to longer term?"

Mr Parsons replied as follows:-

"Social Impact Bonds are an exciting new way to bring in external finance to deliver better public outcomes for less and have the potential to provide lasting benefits within the County. I am delighted that Leicestershire is one of four local authorities invited by the Government to work with the Cabinet Office to develop a Social Impact Bond for families with complex needs and will be referring to this later in the meeting, in my Position Statement.

The scheme is a win/win proposal. If it is a success there will be better preventative services which will reduce the need for expensive public services in the future. However, if the scheme does not produce good results then public bodies will not suffer because the risk will be born by external financiers."

Mr Pain asked the following supplementary question:-

"Initiatives such as Social Impact Bonds, the Big Society and Localism in my opinion all require further devolution from Whitehall in order to make a success. Could I ask Mr Parsons to tell us what else he is doing to persuade Whitehall to give up further sovereignty in order to

help us make a success of these policies and initiatives?"

Mr Parsons replied as follows:-

"Of course a difficult task. I am aided in this task by the Chief Executive who also spreads the Localism word. So I suppose that the answer to that is formally on Baroness Hanham's Localism Group I do my very best and it is not difficult with Baroness Hanham, because she is committed to Localism. I am meeting Nick Hurd, because he is the Minister who has been given responsibility for Social Impact Bonds, and I do try and spread the word as I know other members of this Chamber do. The more people who spread the word 'Localism' and look at the way in which local authorities actually run their budgets which is, in my view, mostly very very good or excellent, then the better and maybe we can overcome the slight reticence, if I could put in that way, of mandarins in Whitehall."

(C) Mr Sprason asked the following question of the Leader or his nominee:-

"The Leader recently opened the Bosworth Skills Academy for Construction at Bosworth Community College within my division. Can he please outline how this will be of benefit to younger people across the County and beyond in developing future job prospects and apprenticeships?"

Mr Parsons replied as follows:-

"This is a positive new opportunity for the young people and children in Desford and the surrounding area. It will widen the curriculum choice available and enable the development of local business interaction with the local education sector. It will assist with:-

- The re-engagement of learners who would otherwise not be in education, employment or training (NEET).
- An improvement in the attendance and behaviour of young people who will be on a learning programme that meets their needs.
- An improved progression pathway to Further Education or onto an Apprenticeship with local businesses.
- Improving the skills of the local labour market.
- Providing a better match between the skills demanded by businesses and the supply from the local community.
- An increase in the number of Construction Apprenticeships in Leicestershire.

In summary, it will provide a more varied education provision offer to the young people of the area and support the long term aim of raising the participation age of all young people involved in education or training to 18 years of age by 2015."

Mr Sprason asked the following supplementary question:-

"Could I ask Mr Parsons if this is not another example of an innovative approach locally led by this Authority that actually helps to address some of the gaps in skills and employment for younger people?"

Mr Parsons replied as follows:-

"I could not agree more with Mr Sprason. It was seriously 'nice', if I could use that word, to go to Bosworth and actually see, I forget how many now but it must have been about 40 young people, actually take up these apprenticeships in the building industry. These guys were actually building walls, making roofs, doing plumbing. That seems to me to be a jolly good thing to do and the more of that in Leicestershire we have the better."

(D) Mrs Page asked the following question of the Leader or his nominee:-

- "1. Can the Leader please outline how this Council is allocating its share of New Homes Bonus funding?
2. How will this allocation be utilised to develop schemes to benefit local residents?"

Mr Parsons replied as follows:-

- "1. This financial year the County Council has received just over £530,000 from Government as New Homes Bonus funding. This represents 20% of the total funding received by Leicestershire authorities, with the remaining 80%, amounting to over £2.1M, allocated to district councils.

I am pleased to confirm that the Cabinet has agreed to use this funding to support the delivery of rural affordable housing across the County. There is a great need for small schemes of affordable housing in our villages which local communities want. We will also support communities to identify and develop new affordable housing schemes.

This year the County Council will directly fund two schemes that were deemed to meet its criterion of being 'shovel ready'. The criterion ensures that the sites are deliverable and able to begin on the ground, with the key barrier to their development being a shortfall in the available funding. The first scheme in Sapcote, Blaby will receive a contribution of £332,000 from the County Council and £100,000 from Blaby District Council to deliver 12 affordable units. The second in Somerby, Melton would provide 7 units with a contribution of £188,000 from the County, the rest having been requested from Melton Borough Council.

2. The NHB funding will clearly benefit the communities of Sapcote and hopefully Somerby by providing much needed affordable housing in these rural areas. There are a number of other schemes across the County in varying states of development that will continue to be progressed, including schemes in Thurlaston and Carlton that will hopefully reach a shovel ready stage for the next financial year.

As well as delivering sites that would otherwise not have progressed, the County Council is part funding a Rural Housing Enabler post to ensure that future schemes are identified and supported through the development process. The Rural Housing Enabler will continue to work with communities across Leicestershire to identify and help bring forward affordable housing schemes, and this support has significantly helped the delivery of schemes.

The New Homes Bonus is designed to create a financial incentive to encourage housing growth. It gives us a powerful opportunity to help communities deliver the housing they want and need.

To ensure that the Council's investment in affordable housing is maximised, the District and County Councils need to work together, combining New Homes Bonus funding to deliver units on the ground, as we will see in Sapcote and hopefully Somerby later this year.

Not only will this bring clear social benefits to rural communities in desperate need of more affordable homes, but there is also a financial justification to combining County and District investment of New Homes Bonus in this way.

Using the New Homes Bonus directly to deliver more homes will generate additional New Homes Bonus funding in future years. Each affordable home delivered will raise approximately £11,000 over the next 6 years, with nearly £9,000 of this being paid to the relevant district council. So in the case of the two schemes proposed for this year, an additional £200,000 will be generated for future years of New Homes Bonus funding. The County Council wants this future New Homes Bonus to be reinvested in future rural affordable housing schemes, or in essential infrastructure which helps bring forward new homes, to perpetuate the social and financial benefits to communities across the County."

Mrs Page asked the following supplementary question:-

"Could I just clarify that the New Homes Bonus investments and rural housing initiatives will be for a period of six years. Will he be urging other housing authorities, and perhaps my local authority, to follow our example here at the County Council to enable these much needed facilities to be brought forward particularly in Lutterworth and the surrounding area?"

Mr Parsons replied as follows:-

"I have already been to Croft to see that scheme by Blaby District Council which is absolutely superb. We are now dealing with Melton on a scheme in Somerby. As it says in my answer, we also have Sapcote here which is in Blaby. So these are schemes which are very forward looking but much needed and if I can do anything to help Mrs Page's Division in Lutterworth and the surrounding areas then I certainly will."

(E) Mrs Richards asked the following question of the Leader or his nominee:-

- "1. With the EU ban on the manufacture of traditional light bulbs, what is this Council doing to encourage the use of energy saving light bulbs such as Compact Fluorescent Lamps (CFLs)?
2. What facilities are available to recycle CFLs safely at the end of their lifetime?"

Mr Osborne replied as follows:-

- "1. Within the corporate and schools estate the use of traditional light bulbs is comparatively small due to a policy decision taken 20 years ago, which has been to replace those few that remain with Compact Fluorescent Lamps (CFLs) or other units on failure or during alteration and/or refurbishment.

The County Council encourages energy efficiency in the community in a number of ways such as through the SHIRE Climate Change Grants, Big Switch Off and our support for the Communities Cutting Carbon project run by the Rural Community Council and De Montfort University. We do not run specific schemes promoting the use of Compact Fluorescent Lamps as legislation has addressed the issue, and national organisations such as the Energy Savings Trust, and the Act on CO2 campaign have raised public awareness of the issue.

2. For all lamp replacements carried out by contractors directly employed by LCC, the CFLs are removed to the contractor's own site and once a sufficient number have been accumulated, they are returned to the wholesale supplier who provides the contractor with a certificate and recycles the CFLs. For lamps replaced by schools where they are purchased through ESPO, the old lamps are returned to ESPO and they in turn return them to the wholesale supplier for recycling.

Recycling facilities for CFLs are available for the public to use at all fourteen Recycling and Household Waste Sites within Leicestershire. These sites are operated under contracts on behalf of the County Council."

Mrs Richards asked the following supplementary question:-

"How can the public find out more about recycling of Compact Fluorescent Lamps?"

Mr Osborne replied as follows:-

"The County Council website carries a list of materials which can be recycled at each and every one of the recycling stations that we have. Also on the website, the process by which the separation is done is explained and anything more that Mrs Richards would care to find out about CFLs."

(F) Mr Houseman asked the following question of the Leader or his nominee:-

"Will the Leader please comment upon the success of the newly launched Leicestershire Handyperson Service being offered to older people in the County?"

Mr Sprason replied as follows:-

"The Leicestershire Handyperson Service commenced on 1 April 2011 and is operated by Mears Group Plc.

Between April and August 2011, a total of 266 enquiries about the service were received by Mears. This has led to a total of 168 jobs being completed. Officers are working closely with Mears to look at ways of increasing the number of referrals and the sources they originate from so that the benefits of this service can be fully realised.

Mears are undertaking a wide variety of jobs for older people and providing them with successful outcomes, which illustrates the value of this service."

Mr Houseman asked the following supplementary question:-

"We hear a lot about rogue traders. How will this scheme help to tackle this very serious issue?"

Mr Sprason replied as follows:-

"This scheme has got tradesmen that have been checked out, which gives people peace of mind, particularly older people, and all the tradesmen have actually had CRB checks. It is really important that this Council promotes that scheme and to make sure that vulnerable people are not ripped off by those rogue tradesmen."

(G) Mr Wright asked the following question of the Leader or his nominee:-

"Can the Leader please give an update on the Youth Service, indicating whether, (a) the intended reorganisation of the Youth Service is on schedule and (b) the planned reductions in service costs have so far been achieved?"

Mr Ould replied as follows:-

"The reorganisation has been completed and the newly structured service became operational on 1 September 2011.

The planned reductions have been achieved and the restructured service will be delivered within budget.

As agreed by the Cabinet the Youth Service is now delivering targeted youth work through:

- More flexible and responsive service delivery.
- Resources allocated according to need.
- A focus on vulnerable young people and priority neighbourhoods."

(H) Mr Max Hunt asked the following question of the Chairman of the Scrutiny Commission:-

- "1. Would the Chairman of the Scrutiny Commission and his fellow Commissioners please consider how Scrutiny can best examine the time and project management of Traffic Regulation Orders (TRO) which often take much elapsed time, which is not always well understood by the public or elected members?
2. Could this examination focus in particular on TROs for Residents' Parking Zones and use as a case study the West Loughborough Parking project, which has only just completed its formal consultation after over three years in gestation?"

Mr Galton replied as follows:-

"The Scrutiny Commissioners, Deputy Commissioners and the Chairmen, Vice Chairmen and Spokesmen of the two Overview and Scrutiny Committees met recently (11 July) to consider potential issues for inclusion in the work programmes of Scrutiny bodies for the period up to January 2012. I note that Mr Hunt was unable to attend this meeting but had the opportunity to submit ideas/suggestions.

The Scrutiny Commissioners meet regularly to review the Overview and Scrutiny work programme and I will ensure that this request is considered by them. Their conclusions will be reported to the Scrutiny Commission in due course."

(I) Mr Wyatt asked the following question of the Leader or his nominee:-

- "1. Is the Leader aware of the recent purchase of a house by 'Advanced Childcare' in Greenhill, and the high level of concern among local residents?
2. Would the Leader be prepared to arrange a meeting between himself and/or the Lead Member and myself along with other local campaigners including the local MP Mr A Bridgen, to discuss the impact of this facility on the local community?"

Mr Ould replied as follows:-

- "1. The County Council's Children and Young People's Service became aware in July this year of a company purchasing a property in Greenhill with the intention of opening a children's home. It was clear from those initial contacts that there was a strength of feeling locally about this prospective children's home. Officers passed those concerns on to the company concerned. However, it is not the County Council's intention at this stage to have any of its children in care placed at this children's home, nor is it the County Council's responsibility to arbitrate between the company, Ofsted, and local people.
2. As the Lead Member, I will be happy to meet interested parties regarding this issue."

(J) Mr Wright asked the following question of the Leader or his nominee:-

"Can the Leader please give an additional update (further to the one provided by the Lead Member to Mr Jennings CC for the July meeting) concerning progress at the Blaby PRU and clarify any issues to do with management and leadership at that centre?"

Mr Ould replied as follows:-

"Staff and senior leaders at the Blaby Centre have started this term with enthusiasm and commitment in improving the attainment of children and young people at the Centre.

Since the Council meeting in July, the following are the key developments with regard to leadership and management:

- The amalgamation of the primary and key stage 3 PRUs on to the Blaby site to form the new 5 -14 Short Stay School bringing together key stages 1,2 and 3 .
- Interim leadership arrangements have been put in place following the departure of the previous Headteacher. In order to manage this period of transition, the Acting Headteacher has been given support from 2 experienced Headteachers who are

National Leaders in Education. Support is also being provided at Deputy Headteacher level from the School Improvement and Performance Service and also from the senior leadership from Redmoor School.

- A new Headteacher has been appointed to start at the Blaby Centre in January.

The Management Committee continues to be supportive and challenging."

Mr Wright asked the following supplementary question:-

"Is the Lead Member able to assure me that the new Headteacher appointed to start at the Blaby Centre in January will not require the same expensive outside support being provided by the experienced Headteachers just now?"

Mr Ould replied as follows:-

"I will need to take advice but I would not expect any external support to be required at that point in time."

(K) Mr Miah asked the following question of the Leader or his nominee:-

- "1. With regard to the projected shortfall in the Dedicated Schools grant of £2.3m this financial year, can the Leader please explain how this cut in funding has come about?
2. Can the Leader also give an assurance that funding to schools can be maintained at current levels?
3. Can he also explain why, after promises from the Tory and Liberal Parties before the election, as well as the introduction of the pupil premium, according to his own reports, Leicestershire is still the lowest funded education authority in the country?"

Mr Ould replied as follows:-

- "1. There is no cut to the grant. Dedicated Schools Grant is paid to local authorities on a per pupil basis and final allocations are not confirmed until June in the financial year in question. As such, the Schools Budget is set on a local calculation of resource. Regrettably, as a result of the structural changes to the settlement which saw an additional £48.6m in former grant funding absorbed into the settlement, the estimate taken into the budget setting exercise was 0.6% in excess of the entitlement to grant.

2. Funding for schools is set by the school funding settlement. There is no information available from the Department for Education on that funding settlement for 2012 onwards and therefore it is not possible to give an assurance. As soon as we have information we will be able to share that.
3. The current schools funding system is unchanged from that inherited from the previous Labour Government, with the exception of the national allocations of pupil premium. The Coalition Government has started to consult on a new revenue and capital funding system and we have made the case for change along with other low funded authorities. The Government proposes that a new 'fair formula' is established that will support the needs of pupils and is clear and transparent. I expect we would all welcome that."

(L) Mr Miah asked the following question of the Leader or his nominee:-

"With the welcome development of the Eastern Gateway new road and housing complex in Loughborough East, can the Leader give an up-to date time line as to when residents can expect 'residents' preference parking' to be delivered in the streets around Loughborough railway station?"

Mrs Pendleton replied as follows:-

"A 'residents' preference parking' scheme for the Burder Street area, Loughborough is currently being finalised and is due to go out to formal public consultation in October 2011. It is anticipated that, dependent upon the outcome of the consultation process, the scheme will be implemented in February 2012."

(M) Ms Betty Newton asked the following question of the Leader or his nominee:-

- "1. What is the cost of the service for enforcing parking for this and the last financial year?
2. What income has been received by the service for this and the last financial year?
3. Given the reports that there is a projected deficit on the management and income of this scheme, what are the reasons for this deficit and what is being done to manage this?
4. Where will the additional money come from to meet the deficit?"

Mrs Pendleton replied as follows:-

- "1. 2011/12 forecast outturn expenditure = £1,123,000.
2010/11 outturn expenditure = £1,156,000.
2. 2011/12 forecast outturn income = £874,000.
2010/11 outturn income = £929,000.
3. A decline in the number of Penalty Charge Notices issued and the nature of the current enforcement arrangements means that it is not possible for the service to break even. Future service provision is being reviewed with the district councils, who have presented outline proposals on how to make the on street parking enforcement more cost effective. Further work to develop these proposals is currently being undertaken. If the proposals from the districts are not practical or do not reduce costs sufficiently, then the provision of the service by the private sector will be explored. Work to obtain prices for private sector provision of the service is on-going.
4. This will be reviewed through the year but will be managed within the bottom line of the Environment and Transport Department's revenue budgets taking into account all potential areas of overspend and underspend."

Ms Newton asked the following supplementary question on the reply to question 3:-

"Will we be very careful about this in regard to using private sector companies, when you consider what happens with private sector clamping companies when people do not park properly? I would not like to see this as a money-raising exercise for the private sector."

Mrs Pendleton replied as follows:-

"Yes, we will be very careful but of course we have to make sure that we get better value and that the operatives actually carry out their jobs properly. This review will obviously look into that and then we will make a decision."

(N) Ms Betty Newton asked the following question of the Leader or his nominee:-

- "1. What changes in policy have there been to the delivery of free Home to School Transport in the County in respect of pupils eligible for this service since 5 May 2005?
2. What have been the financial implications for each of these changes?

3. Which schools in particular have been affected by these changes and how many pupils are there in each?
4. Are there any plans over the lifetime of the upcoming MTFS period to change the policy on free Home to School Transport; if so what are they, what would they cost, which schools would be affected and how many pupils in each would be involved?"

Mr Ould replied as follows:-

- "1. Changes were made to the Leicestershire home to school transport policy in 2008 in response to national requirements. These changes provided clarity regarding eligibility for:-
- Financial assistance with transport costs for low income families;
 - Financial assistance with transport for families with disabled children or where the parent/carer may be disabled;
 - Financial assistance with transport for families that have selected a faith school.

In 2010, a Scrutiny Review Panel was established to review the policy. The Panel was asked to consider:-

- a) how 'available' walking routes are assessed and the appropriateness of the current method of assessment;
- b) the issue of 'Historic Exceptions' and whether these services are still justified.

In undertaking the review the Panel was asked to have regard to the financial, environmental and health implications of any proposed changes to existing policies in the context of the legal obligations placed on the Local Authority. A range of outcomes was recommended and subsequently approved by the Cabinet. No changes were made to the eligibility criteria for free home to school transport. However, it was agreed that steps should be taken to improve the system that enables families to appeal any refusal of free home to school transport, and the process for requesting a route to be reviewed. These improvements have been implemented.

Whilst not as a result of changes in policy regarding eligibility for free home to school transport, an additional impact is currently being experienced by some families as a result of:-

- a) the use of the more accurate electronic mapping system that is now used to measure home to school distance;

- b) the ongoing re-assessment of routes which may mean that some routes previously determined 'unavailable' (and therefore requiring the provision of free home to school transport) may become 'available' (meaning that the free home to school transport will be withdrawn).

These issues were fully examined by the Scrutiny Panel.

- 2. There have been no direct financial implications as a result of the changes made to the policy in 2008.

The accuracy of the electronic mapping system has meant a sizeable number of families will no longer be eligible for transport as they fall short of statutory walking distances. Similarly, as a result of the re-assessment of some routes to school 14 routes have now been determined as available and therefore transport will be withdrawn in due course in accordance with Scrutiny Panel recommendations. The financial impact of these changes will not be fully known until the end of the financial year.

- 3. The changes made to the policy in 2008 are relevant to all schools.

Schools affected to date as a result of re-assessments of routes and walking distances are:- Fleckney Primary, Anstey Martin High, Birstall Stonehill High, Birstall Longslade College, Hinckley Redmoor High, Countesthorpe College, Castle Donington CC, Groby CC, Brookvale High, Enderby Brockington School, Limehurst High, Ashby Ivanhoe CC, Ashby School, and Barrow Humphrey Perkins High. The actual numbers of children affected are not known at this point in time.

- 4. A review of home to school transport policy is due to start shortly in order to consider how the Local Authority will address the new requirements of Academies, Studio Schools and Free Schools. The review will ensure that the Local Authority continues to meet its statutory obligations.

The review is unlikely to change the policy in relation to free transport because all local authorities must abide by the statutory walking distance criteria."

(O) Mr Max Hunt asked the following question of the Leader or his nominee:-

- "1. With land and facilities being required to be conveyed to Trusts under new legislation, what safeguards exist within the County's conveyancing procedures to ensure that:-

- a) Public access to non-educational facilities, such as swimming pools, footpaths and nurseries is maintained within the deeds;
 - and
 - b) Land with no traceable title, or adverse possession, is not conveyed into Trust ownership without consultation within the community and district authority?
2. In the case of the proposed conveyance of land and buildings to Academies, what public access is available prior to a formal agreement between the LA and an Academy?"

Mr Rushton replied as follows:-

- "1. Only land and buildings that are being used by the school at the relevant date transfer to the Academy Trust. In the case of Community Schools this is done by way of a lease – the freehold of the site remains with the County Council. The Secretary of State has prescribed a model form for the lease which runs for 125 years. In other cases the transfer may be by way of either a leasehold or freehold interest.

Land not used by the school at the time the Governing Body decides to become an Academy is reserved out of the lease.

Public Footpaths and other facilities not used by the school at the relevant date such as nurseries, or former caretakers' residences are excluded from the lease. Where premises do transfer trusts are encouraged by the Government to permit continued community use. Each case will depend on its own circumstances and will be examined carefully before any agreement is concluded.

Where there is land to which the County Council has no traceable title or which is subject to an adverse possession claim this will complicate the conveyancing process as the solicitors acting for the Academy Trust will wish to ensure that their client is able to use all the land transferring to it. It will be necessary to engage with all parties who can assist in establishing the true ownership of any land which is scheduled to transfer.

2. Where public access to facilities at the school such as a nursery, a library, a swimming pool or adult learning exists prior to the school becoming an academy, then this access will be preserved either in the Commercial Transfer Agreement or by way of a licence or lease back to the County Council. As I have said earlier, even if this is not the case, Academy Trusts are encouraged by the Government to permit continued community use."

Mr Hunt asked the following supplementary question:-

"Confirming the conveyance of land from the Local Authority to Educational Trusts or Academies, the answer appears to say that there will be no automatic public consultation on this and I would like to ask the Lead Member how he would respond to a parish council, a local group or an individual, who lays a claim to land, as indeed they did in Breedon, where there is a dispute after the conveyance has been made? Would that go to the High Court like the Breedon case? What safeguards have we got here?"

Mr Rushton replied as follows:-

"All I can say is that I do not know and that I will have to write to Mr Hunt."

(P) Mr Max Hunt asked the following question of the Leader or his nominee:-

- "1. Would the Leader please provide a breakdown for each Department of the number of full time equivalent staff currently employed?
2. Could he also please provide for each Department for the periods 2010/11 and 2011/12 (to August) the number of:-

Compulsory redundancies
Voluntary redundancies
Resignations
Early retirements
Retirements
New posts created
New recruits?
3. Finally, could he provide the number of staff expected to be lost in total by the end of this four year period for each Department?"

Mr Rushton replied as follows:-

- "1. The Council employs 5,425.41 (FTE) staff excluding schools/colleges (as at 30 June 2011). This is broken down by departments as follows:-

Chief Executive's	348.32
Environment and Transport	783.10
CYPS	1515.86
Corporate Resources	951.10
Adults and Communities	1827.03
Totals	5425.41

2.	<u>Compulsory redundancies:-</u>	<u>2010/11</u>	<u>2011/12</u>
	Chief Executive's	6	6
	Environment and Transport	4	7
	CYPS	35	13
	Corporate Resources	14	12
	Adults and Communities	20	7
	Totals	79	45

Voluntary redundancies

Chief Executive's	8	6
Environment and Transport	6	17
CYPS	27	11
Corporate Resources	13	6
Adults and Communities	31	60
Totals	85	100

Resignations

Chief Executive's	19	10
Environment and Transport	19	10
CYPS	66	25
Corporate Resources	31	15
Adults and Communities	170	57
Totals	305	117

Early retirements

Chief Executive's	0	0
Environment and Transport	0	0
CYPS	1	1
Corporate Resources	2	0
Adults and Communities	3	0
Totals	6	1

Retirements

Chief Executive's	8	2
Environment and Transport	16	7
CYPS	19	3
Corporate Resources	17	6
Adults and Communities	52	20
Totals	112	38

New posts created

- It was not possible to provide this information in the time available as the system does not record the creation of new posts, only those employees appointed to posts, and it would need to be produced manually.

New recruits (to new and existing jobs)

<u>2010/11</u>	<u>Casual</u>	<u>Temporary</u>	<u>Permanent</u>
Chief Executive's	6	5	4
Environment and Transport	8	3	2
CYPS	14	6	15
Corporate Resources	6	10	6
Adults and Communities	75	22	6
Totals	109	46	33

<u>2011/12 To date</u>	<u>Casual</u>	<u>Temporary</u>	<u>Permanent</u>
Chief Executive's	2	8	1
Environment and Transport	1	3	3
CYPS	16	7	18
Corporate Resources	2	19	4
Adults and Communities	43	48	2
Totals	64	85	28

3. The number of posts expected to be lost during the four year period is 1,000.

To date the Council has made 309 staff redundant.

Unfortunately, it is not possible to provide a more detailed estimate at this time."

121. POSITION STATEMENTS UNDER STANDING ORDER 8.

The Leader presented a position statement on the following matters:-

Social Impact Bond.
Enterprise Zone at MIRA.
Big Society.

The Lead Member for Climate Action presented a position statement on Flooding Issues.

The Lead Member for Children and Young People's Service presented a position statement on record breaking achievements in tests and examinations in 2011.

The Lead Member for Health presented a position statement on the following matters:-

University Hospitals of Leicester NHS Trust (UHL) Finances.
Safe and Sustainable Review of Children's Congenital Heart Services in England.

The Lead Member for Adults and Communities presented a position statement on the following matters:-

Reforming Adult Social Care.
Older People's Listening Month: September.
'Touching Minds'.
Multi Access Centre (MACs).
Heritage Events.

A copy of each position statement is attached to these minutes.

122. REPORTS OF THE CABINET:-

(A) LEICESTERSHIRE RURAL FRAMEWORK 2011-14.

It was moved by Mrs Pendleton, seconded by Mr Orson and carried:-

"That the Leicestershire Rural Framework 2011-14, as referred to in Section A of the report of the Cabinet, be approved."

(B) ENVIRONMENT STRATEGY 2011-2021.

It was moved by Mr Osborne, seconded by Mrs Page and carried:-

"That the Environment Strategy 2011-2021, as referred to in Section B of the report of the Cabinet, be approved."

(C) EAST MIDLANDS SHARED SERVICES: CONSULTANCY SUPPORT.

It was moved by Mr Rushton, seconded by Mr Rhodes and carried:-

"That the action taken by the Chief Executive, as referred to in Section C of the report of the Cabinet, be noted."

123. REPORT OF THE CORPORATE GOVERNANCE COMMITTEE:-

(A) PROPOSED CHANGES TO THE CONTRACT PROCEDURE RULES.

It was moved by Mr Slater, seconded by Mr Hart and carried:-

"That the proposed amendments to the Contract Procedure Rules, set out in Appendix A of the report of the Corporate Governance Committee, be approved."

124. NOTICES OF MOTION:

(A) DRAFT NATIONAL PLANNING POLICY FRAMEWORK - MR. D. C. BILL

It was moved by Mr Bill and seconded by Dr Hill:-

- "a) That this Council believes that the current draft National Planning Policy Framework fails to provide the necessary protection to local people and, therefore, urges the Government to think again about its proposals and to recognise the benefits of a genuine plan-led approach;
- b) That, accordingly, these views be incorporated into the Council's detailed response to the Department for Communities and Local Government's consultation on the draft Framework."

An amendment was moved by Mr Rhodes and seconded by Mr Sprason:-

'That paragraph (a) be deleted from the motion and the following inserted in its place:-

- "(a) That this Council believes:-
 - i) that the current draft National Planning Policy Framework is a welcome simplification of national planning guidance and provides a good basis for a genuine plan-led approach to future development;
 - ii) that an effective plan-led approach will require district councils to put plans in place as soon as possible, engage closely with local communities and take full account of community views in developing their plans, including the need to protect valued green spaces, and work together on future development needs and the use of available funding across the wider Housing Market Area;
 - iii) that the NPPF's introduction should give district councils time to put local plans in place, having due regard to the latest evidence of the impact of the economic downturn on the requirement for new homes and whether all the large 'Sustainable Urban Extensions' previously proposed for the Leicestershire Housing Market Area remain necessary;
 - iv) that East Midlands Councils' response to the Government on the NPPF should be supported;" '

The amendment was put and carried, 33 members voting for the amendment and 5 against.

An amendment was moved by Mr Max Hunt and seconded by Ms Betty Newton:-

- '1. That paragraph (a) (i) be deleted from the motion, as amended, and the following inserted in its place:-
 - "i) That the National Planning Framework should require local development plans (including LDFs) to prioritise development of previously developed land (brown field sites), more power for local authorities and communities to bring empty homes back into use and the right of communities of appeal against planning decisions should be asserted in legislation."
2. That the following paragraph (a) (v) be added to the motion as amended:-
 - "v) that links of Councillors and Members of Parliament with Developers should be declared;" '

The amendment was not carried, 14 members voting for the amendment and 32 against.

The substantive motion was put and carried as follows:-

- "(a) That this Council believes:-
- i) that the current draft National Planning Policy Framework is a welcome simplification of national planning guidance and provides a good basis for a genuine plan-led approach to future development;
 - ii) that an effective plan-led approach will require district councils to put plans in place as soon as possible, engage closely with local communities and take full account of community views in developing their plans, including the need to protect valued green spaces, and work together on future development needs and the use of available funding across the wider Housing Market Area;
 - iii) that the NPPF's introduction should give district councils time to put local plans in place, having due regard to the latest evidence of the impact of the economic downturn on the requirement for new homes and whether all the large 'Sustainable Urban Extensions' previously proposed for the Leicestershire Housing Market Area remain necessary;
 - iv) that East Midlands Councils' response to the Government on the NPPF should be supported;

- b) That, accordingly, these views be incorporated into the Council's detailed response to the Department for Communities and Local Government's consultation on the draft Framework."

2.30 pm – 6.30 pm
28 September 2011

CHAIRMAN