

**MINUTES OF THE MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL
HELD AT COUNTY HALL, GLENFIELD ON WEDNESDAY, 29 JUNE 2016**

PRESENT

Mr. W. Liquorish JP CC (in the Chair)

Mr. I. E. G. Bentley CC, Mr. D. C. Bill MBE CC, Mr. R. Blunt CC, Mr. S. L. Bray CC, Mrs. R. Camamile CC, Mr. M. H. Charlesworth CC, Mr. J. G. Coxon CC, Mrs. J. A. Dickinson CC, Dr. T. Eynon CC, Dr. R. K. A. Feltham CC, Mrs. J. Fox CC, Mr. S. J. Galton CC, Mr. S. J. Hampson CC, Mr. G. A. Hart CC, Mr. Dave Houseman MBE, CC, Mr. Max Hunt CC, Mr. D. Jennings CC, Mr. J. Kaufman CC, Mr. A. M. Kershaw CC, Ms. K. J. Knaggs CC, Mr. P. G. Lewis CC, Mr. K. W. P. Lynch CC, Mr. J. Miah CC, Mr. M. T. Mullaney CC, Ms. Betty Newton CC, Mr. L. J. P. O'Shea CC, Mr. J. T. Orson JP CC, Mr. P. C. Osborne CC, Mr. I. D. Ould CC, Mrs. R. Page CC, Mr. B. L. Pain CC, Mr. T. J. Pendleton CC, Mrs. P. Posnett CC, Mrs. C. M. Radford CC, Mr. J. B. Rhodes CC, Mr. T. J. Richardson CC, Mr. N. J. Rushton CC, Mr. R. Sharp CC, Mr. S. D. Sheahan CC, Mr. R. J. Shepherd CC, Mr. E. D. Snartt CC, Mr. L. Spence CC, Mr. D. A. Sprason CC, Mr. E. F. White CC and Mr. M. B. Wyatt CC

10. CHAIRMAN'S ANNOUNCEMENTS.

Jo Cox MP

The Chairman asked all Members of the Council to join with him in extending sympathies and condolences to the family of the late Jo Cox MP.

What had happened in the streets of West Yorkshire had been an attack on democracy. The Chairman said that he hoped that politicians would learn lessons from this tragedy, were more measured in the language used which sometimes had served to inflame and stir up hatred, and stated the need to become a more tolerant society and one that accepted and recognised differences.

Jo had been a hard working local MP who, both in Parliament and prior to becoming an MP, had worked tirelessly to help those less fortunate both at home and abroad.

Members joined the Chairman standing in silent tribute to the memory of Jo Cox.

Armed Forces Day

The Chairman reminded Members that the County Council had led the planning for the joint City and County celebration of Armed Forces Day each year. This year's celebrations had started on 21st June when the Vice-Chairman and the Lord-Lieutenant, the Leader, many veterans and school children had taken part in a ceremony at Stand Easy, which marked the raising of the Armed Forces Day flag. That flag had flew outside County Hall leading up to the main celebration which had been held in Leicester on Saturday, 25th June.

The Cathedral had hosted a service of Thanksgiving, which had been attended by more than 650 service personnel, cadets, veterans and other guests, and had featured the Cottesmore Military Wives Choir. The Service had been followed by a parade through the City of more than 400 personnel who had marched behind the pipes and drums of the Seaforth Highlanders. The Chairman said that he had been proud to be present alongside the Lord-Lieutenant and Lord Mayor for the Salute and March Past.

Battle of The Somme

The Chairman reminded Members that the City and County's commemoration of the Battle of The Somme would be a Service at Leicester Cathedral on Friday, 1st July at 10 a.m. This would be preceded by a half muffled quarter peel of the Cathedral bells and would conclude with a two minute silence at 11 a.m. The Schools Music Service would be involved at the Cathedral.

There would also be a Whistle for The Somme event at 7.15 a.m. at Stand Easy on Friday, 1st July. Members were encouraged to attend. Organisations across Leicestershire had been encouraged to observe a two-minute silence and to lower the Union Flag on Friday; District Councils would be taking part in this.

The Chairman advised that, given the significant contribution of Commonwealth countries in the Great War, the County Council had been encouraging temples, mosques and other places of worship to join in prayers on Friday. A number of churches would also be ringing their bells half-muffled as a tribute to the fallen.

Myra Brodie and John Wallace

The Chairman was delighted to announce that Myra Brodie and John Wallace had been recognised in The Queen's Birthday 2016 Honours List, receiving British Empire Medals for services to Education.

Myra has been a School Crossing Patrol Warden at Little Bowden Primary School, a role which she had performed for the past twenty five years.

John Wallace, who has been a LA Governor at The Latimer School, had served on the Governing Body for the past twenty eight years.

Members joined the Chairman in offering congratulations to Myra and John for the well-deserved national recognition of their work.

Lesley Hagger

The Chairman reminded Members that this was the last Council meeting that Lesley Hagger would be attending before leaving Leicestershire to take up a new post of Director of Children's Services in Northamptonshire.

Lesley had been the permanent Director of Children's Services since December 2013, having previously filled the role on a temporary basis for

twelve months.

Lesley first joined Leicestershire in 2003 as a Senior Education Officer and took on an Assistant Director role in 2005. In these roles, Lesley had been instrumental in creating integrated Early Help provision across the County.

The Chairman said that he was sure that all Members recognised Lesley as a chief officer, who before and since her appointment, had provided excellent access, advice and support, and stated that he would not wish this occasion to pass without placing on record the Council's appreciation of Lesley's special contribution to the operation of the Council.

Visitors

The Chairman welcomed to the meeting all visitors and guests of members and anyone who was viewing the meeting via the webcast.

11. MINUTES.

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

"That the minutes of the meeting of the Council held on 18th May 2016, copies of which have been circulated to members, be taken as read, confirmed and signed.

12. 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.

All members who were members of the Leicester, Leicestershire and Rutland Combined Fire Authority declared a personal interest in relation to the Notice of Motion on Combined Fire Authority Scrutiny Arrangements (Agenda item 8(a) refers).

All members who served as School Governors declared a personal interest in the Notice of Motion on Schools (Agenda item 8(b) refers).

There were no other declarations.

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

(A) Dr Eynon asked the following question of the Leader or his nominee:-

"What are the strategic options for the future management of the Arboretum, Sheepy Magna Wheelwright's shop, Century Theatre, Pit Top, Fishing Lakes and other properties associated with Snibston Country Park now that the Museum is closed and how will these options be developed?"

Mr Pain replied as follow:-

“As Dr Eynon has previously been advised, the County Council is assessing possible improvements to the Country Park including the associated amenities referred to in the question. Local consultation will be arranged at the appropriate time.”

Dr Eynon asked the following supplementary question:-

“I would like, Chair, to commend Councillor Pain on the brevity of his reply. I would like to follow up with some further questions about engagement and consultation, which he talks about. Which stakeholder and community groups, I’d like to ask, does the Lead Member consider essential to work with whilst assessing the possible improvements. What engagement has there been with Historic England and what position does the scheduled ancient monument hold in its ‘Buildings at Risk’ register? How will the assessment align with the work being done by North West Leicestershire District Council and their Coalville Project and, more specifically, what are the barriers and enablers to allowing pedestrian access from the town centre to the historic pit top and the popular Century Theatre which remains open.”

Mr Pain replied as follows:-

“I’m not sure that was a supplementary question to be answered, Chairman. The question was “what strategic options are being considered”. I can tell you a lot of hard work is going into a multitude of opportunities. That work will result in a business case towards the end of this year. Once that business case has been delivered we can then look to see how best to progress from that. Until then, I have nothing further to add.”

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

“In light of the most recent decision of the Cabinet on the Leicester to Burton Line, would the Leader confirm that the decision does not preclude the Council lobbying for improvements which would enhance the prospects of the line going ahead, nor does it prevent members informally working with officers to further their own understanding of the subject, in support of their role as community representatives?”

Mr Osborne replied as follows:-

“Realistically, lobbying could only be for Government funding. Without a sound business case, the prospects for which the Cabinet noted do not exist, there is no point in considering lobbying.

Given the vast amount of information about the Line, not least the study recently reported to the Cabinet, which is publicly available, I do not see what more the County Council can do to assist members’ understanding of the subject. Officers are already working with reduced resources and there are no reasonable grounds on which they could be asked to do further work on the Line in light of the very clear Cabinet decision.”

14. POSITION STATEMENTS UNDER STANDING ORDER 8.

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

- EU Referendum;
- Fair Funding;
- Combined Authority and Devolution Deal;
- Great Central Railway;
- Melton Mowbray;
- A50 Speed Reduction Scheme;
- Flooding;
- Jonny Walton;
- The Battle of the Somme.

A copy of the position statement is filed with these minutes.

15. REPORTS OF THE CABINET:-

16. LEICESTERSHIRE MINERALS AND WASTE LOCAL PLAN.

It was moved by Mr Blunt and seconded by Mr Rushton:-

- “(a) That the Leicestershire Minerals and Waste Local Plan (MWLP) – Pre-Submission Document attached as Appendix A to the report be published for consultation as the document to be submitted to the Secretary of State for Communities and Local Government in accordance with the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012 and subsequently to be submitted to the Secretary of State;
- (b) That the Chief Executive be authorised to undertake the statutory publicity and consultation required prior to submission to the Secretary of State and complete the preparation of the documents necessary to accompany the Submission Plan and comply with the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012;
- (c) That the Head of Planning following consultation with the Cabinet Lead Member be authorised to make such minor adjustments to the Pre-Submission Plan or accompanying documents as he considers necessary, including changes considered appropriate in response to the Pre-Submission consultation and issues raised by the Planning Inspector post submission.
- (d) That it be noted that the Minerals and Waste Local Plan will be submitted to the Cabinet and full Council in 2017 for formal adoption.”

An amendment was moved by Mr Sharpe and seconded by Mr Miah:-

“That part (a) of the motion be amended to read as follows:-

- ‘(a) That the Leicestershire Minerals and Waste Local Plan (MWLP) – Pre-Submission Document attached as Appendix A to the report be

published for consultation as the document to be submitted to the Secretary of State for Communities and Local Government in accordance with the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012 and subsequently to be submitted to the Secretary of State subject to Policy M10 be amended to read as follows:-

‘M10 – Planning permission will be granted for the exploration of conventional and unconventional hydrocarbons (oil and gas) provided that:-

- (i) The well site and associated facilities are sited in the least sensitive location from which the target reservoir can be accessed;
 - (ii) Operations are for a temporary length of time;
 - (iii) Evidence is produced that comprehensively assures against risk to:-
 - public health; and
 - the community from seismic activity.’
- (b) Evidence is provided to demonstrate that following consultation, the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.’ ”

The amendment was put and not carried, 17 members voting for the amendment and 29 against.

An amendment was moved by Mr Hunt and seconded by Mr Sheahan:-

“That part (a) of the motion be amended to read as follows:-

- ‘(a) That the Leicestershire Minerals and Waste Local Plan (MWLP) – Pre-Submission Document attached as Appendix A to the report be published for consultation as the document to be submitted to the Secretary of State for Communities and Local Government in accordance with the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012 and subsequently to be submitted to the Secretary of State subject to Policy W3 for Strategic Waste Facilities on Page 53 of the Plan (page 92 of the Council booklet) be amended as follows:-

‘Planning permission will be granted for new strategic waste facilities, including extensions to existing waste facilities which would in combination with the existing use(s) create a strategic facility, taking into account the principles set out in Policy W5.’ ”

The amendment was put and not carried, 9 members voting for the amendment and 37 against.

An amendment was moved by Mr Bill and seconded by Mr Charlesworth:-

“That consideration of the Leicestershire Minerals and Waste Local Plan (MWLP) Pre-Submission Document, attached as Appendix A to the report,

be deferred, and that the Chief Executive be requested to amend the Plan to provide stronger protections for local residents when considering unsuitable planning applications for waste facilities with a view to the revised MWLP being submitted to the Cabinet and then to the full County Council for approval in due course.”

The amendment was put and not carried, 17 members voting for the amendment and 29 against.

On the motion being put and before the vote was taken, five members rose asking that a named vote be recorded.

The vote was recorded as follows:-

For the motion

Mr Bentley, Mr Blunt, Mrs Camamile, Mr Coxon, Mrs Dickinson, Dr Feltham, Mr Hampson, Mr Hart, Mr Houseman, Mr Jennings, Mr Kershaw, Mr Lewis, Mr Orson, Mr Osborne, Mr O’Shea, Mr Ould, Mrs Page, Mr Pain, Mr Pendleton, Mrs Posnett, Mrs Radford, Mr Rhodes, Mr Richardson, Mr Rushton, Mr Shepherd, Mr Snartt, Mr White

Against the motion

Mr Bill, Mr Bray, Mr Charlesworth, Dr Eynon, Mrs Fox, Mr Galton, Mr Hunt, Mr Kaufman, Ms Knaggs, Mr Lynch, Mr Miah, Mr Mullaney, Ms Newton, Mr Sharp, Mr Sheahan, Mr Spence, Mr Wyatt

Abstentions

Mr Liquorish, Mr Sprason

The motion was put and carried, 27 members voting for the motion, 17 against and 2 abstentions.

17. YOUTH JUSTICE STRATEGIC PLAN 2016 - 2019.

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

“That the Youth Justice Strategic Plan covering the period 2016-2019, attached as Appendix 1 to this report, be approved.”

18. EQUALITY STRATEGY 2016 - 2020.

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

“That the Equality Strategy 2016 – 2020 as referred to in Section C of the report of the Cabinet and Appendix A thereto be approved.”

19. REPORT OF THE SCRUTINY COMMISSION:-

20. OVERVIEW AND SCRUTINY ANNUAL REPORT 2015/16.

It was moved by Mr Galton, seconded by Mr Shepherd, and carried:-

“That the information contained in the Overview and Scrutiny Annual Report

2015/16, attached as Appendix 1 to this report, on its activities, be noted.”

21. NOTICES OF MOTION.

22. COMBINED FIRE AUTHORITY: SCRUTINY ARRANGEMENTS.

It was moved by Mr Charlesworth and seconded by Mr Bray:-

- “1. That this Council:-
 - (a) Notes that the Combined Fire Authority has for the last 12 months run without an Overview and Scrutiny Committee.
 - (b) Recognises the good work of its own Overview and Scrutiny Committees, where members of all parties work together to constructively scrutinise decisions, policies and proposed changes to services that impact on the people of Leicestershire and believes that the Combined Fire Authority would benefit from having a similar process.
 - (c) Notes the recent comments by the Leader of the County Council and Chairman of the Combined Fire Authority about valuing the input of Overview and Scrutiny and “The role it has in strengthening democracy in Leicestershire.”
2. That this Council therefore calls on its members that sit on the Combined Fire Authority to pass a resolution at the next available opportunity that would reinstate the Combined Fire Authority’s Overview and Scrutiny Committee.”

The motion was put and not carried with 7 members voting for the motion and 29 against.

23. SCHOOLS.

Mr Spence, with the consent of the seconder of the motion, sought the consent of the Council to move the following altered motion:-

It was moved by Mr Spence, seconded by Mr Ould, and carried:-

- “1. That this Council:-
 - (a) Welcomes the Government’s decision not to continue with proposals to force all schools to become academies by 2020;
 - (b) Notes the vital role all state funded schools play in our education system;
 - (c) Welcomes the positive culture of school to school support throughout Leicestershire.
2. That this Council is concerned about the financial risks facing smaller rural schools moving towards academy status.

3. This Council therefore resolves to:-

- (a) Commit to continue support of maintained schools in the County for as long as governors, management and communities determine it to be required;
- (b) Positively facilitate and work to prepare local Multi Academy Trust options for Leicestershire schools wishing to move towards academy status.”

2.30 pm – 6.03 pm
29 June 2016

CHAIRMAN