

**MINUTES OF THE MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL
HELD AT COUNTY HALL, GLENFIELD ON WEDNESDAY, 28 SEPTEMBER
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. G. A. Boulter 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. D. A. Gamble CC, Mr. S. J. Hampson CC, Mr. G. A. Hart CC, Mr. Dave Houseman MBE, CC, Mr. Max Hunt 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. M. T. Mullaney CC, Ms. Betty Newton 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. A. E. Pearson 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, Mrs. J. Richards 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. G. Welsh CC, Mr. E. F. White CC, Miss. H. Worman CC, Mr. M. B. Wyatt CC and Mr. L. E. Yates CC

24. CHAIRMAN'S ANNOUNCEMENTS.

Dr Alec Strachan

The Chairman reported the death of former Chairman of the County Council Dr Alec Strachan who died on 28 July 2016 aged 87.

Dr Strachan was first elected to the County Council in 1981 and had represented the Loughborough College electoral division until he stood down in 1997. He had served as the Chairman of the County Council from 1990 to 1992.

During his term of office he had served on a number of committees, notably as Chairman of the Public Protection Committee and as Vice-Chairman and then Chairman of the Social Services Committee.

The Chairman advised members that he had attended the memorial service for Dr Alec Strachan.

Mr Martin Hill

The Chairman also reported the death of Martin Hill, husband of Sarah, who had passed away on the 25th September following an illness. Martin had served as Under Sheriff for Leicestershire since 2013 and had been a partner with Bray and Bray Solicitors. The Chairman was sure that all members would wish to join with him in expressing heartfelt sympathy to Sarah at this very sad time for her.

Members joined the Chairman in standing in silent tribute to the memory of

Dr Alec Strachan and Mr Martin Hill.

Record Office

The Chairman reported that the Record Office for Leicestershire, Leicester and Rutland had been placed second in the Archives and Records Association's Record-Keeping Service of the Year Award.

The award had been given in recognition of the engaging way in which the county's archives are presented.

Members joined with the Chairman in congratulating the staff at the Record Office on their achievement.

Visitors

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

25. MINUTES.

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

"That the minutes of the meeting of the Council held on 29th June 2016, copies of which have been circulated to members, be taken as read, confirmed and signed."

26. 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 served as School Governors declared a personal interest in the Notice of Motion on Grammar Schools (minute 30(b) refers).

Mr Welsh, Mrs Fox, Ms Knaggs and Mr Spence also declared a personal interest in the Notice of Motion on Grammar Schools because of family connections with schools in the County.

Mr Snartt, Mr Ould, Mr Osborne, Mrs Posnett and Mr Liquorish declared a personal interest in the Notice of Motion on the 2021 Census and the Armed Forces Community - 'Count them in Campaign' as members of the British Legion (minute 30(a) refers).

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

(A) Mr Bray asked the following question of the Leader or his nominee:-

"Can the Leader please provide an update on progress towards providing pedestrian crossings in the Lancaster Road and Mount Road areas in Hinckley to serve the new leisure centre and Crescent developments?"

Mr Osborne replied as follows:-

“Raised junction tables at Lancaster Road /Station Road and Mount Street/Station Road were implemented as part of the County Council’s LTP3 Hinckley Area Project (Zone 2) to manage speed and make it easier for pedestrians to cross the road and access the new developments.

In March 2016 the County Council submitted a £11.9m funding bid, via the Leicester and Leicestershire Enterprise Partnership to Central Government’s Local Growth Funding towards the development and implementation of a fourth phase of transport improvements in the Hinckley area. The provision of further walking and cycling routes/crossings across Hinckley town centre is included in this bid including a pedestrian crossing on Lancaster Road.

A decision on the success of this bid is expected to be announced in the Government’s 2016 Autumn Statement. In the event that the bid is unsuccessful, it will still be important to proceed with early consultations and further design work to ensure that proposals have been fully developed, within the resources available, to ensure that the authority is best placed for any future bidding or to secure developer (Section 106) contributions.

A report was submitted to the County Council’s Cabinet on 16th September and approval given to begin key stakeholder consultation on priority measures identified in the bid.”

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

“Noting the recent survey by the Chartered Institute of Trading Standards citing a sharp decline in resources available to Trading Standards departments nationally, could the Leader inform Council:

- (a) by how much our Trading Standards department has shrunk in terms of budget and professional staff year by year since 2010?
- (b) how service to consumers have been affected?
- (c) how many investigations of regulatory compliance have been undertaken year by year since 2010 (in whatever metrics are available)?”

Mr Orson replied as follows:-

“(a) As at 1st September 2016, there are 27.2 permanent FTE posts and 4 FTE agency staff in the Trading Standards Service. A national workforce study undertaken by the Chartered Trading Standards Institute has identified a shortfall in suitably qualified trading standards staff. To meet this shortfall, and to ensure the County Council has appropriate trading standards expertise for the future, a further 3 FTE trainee positions will be in post by the end of October 2016. Taking these appointments into account there has been a 32.8 % reduction on the 2010/11 establishment which provided for 50.9 FTEs.

The budget allocation approved by the County Council for the Service is as follows:-

| | |
|---------|------------|
| 2010/11 | £2,024,400 |
| 2011/12 | £1,827,940 |
| 2012/13 | £1,788,700 |
| 2013/14 | £1,672,070 |
| 2014/15 | £1,548,060 |
| 2015/16 | £1,466,910 |
| 2016/17 | £1,422,190 |

- (b) The reduction in resources referred to above has resulted in a more 'intelligence led' approach in which the Service focusses on unfair trading practices which present the risk of greatest collective harm to consumers and seek to undermine the economic wellbeing of legitimate businesses. There is a need to balance the available resources between preventive strategies, such as providing business advice, and proactive enforcement, for example, tackling rogue traders who seek to prey on vulnerable members of society.

The consumer protection landscape has developed over the last 5 years. The National Trading Standards Board (NTSB) was set up in 2012 and provides influence, support and resources to help combat consumer and business detriment nationally, regionally and locally. It brings together trading standards representatives from England and Wales to prioritise, fund and coordinate national and regional enforcement cases. Leicestershire contributes and benefits from this collaboration. An example of this can be found at East Midlands Airport where Leicestershire officers work alongside UK Border Force officials, preventing unsafe goods from entering the marketplace. Over 27,000 unsafe or non-compliant consumer goods were prevented from entering the marketplace.

The National Audit Office is meeting with various Heads of Regulatory Services as part of a national study which seeks to examine how the current system for protecting consumers identifies problems and uses its resources to respond effectively to detriment. The report is expected to be published later this year.

- (c) The following table provides the number of incidents between financial years 2011/12 to 2014/15. An incident is an activity rather than a measure of demand and encompasses activities relating to the investigation of complaints, the gathering of intelligence, legal proceedings, referrals from partner agencies, self-generated intelligence-led projects and requests received from local businesses for advice.

| Year | Total number of incidents |
|-------------|----------------------------------|
| 2011/12 | 6302 |
| 2012/13 | 5673 |
| 2013/14 | 5714 |

| | |
|---------|------|
| 2014/15 | 5521 |
| 2015/16 | 5073 |

The number of incidents or investigations in any given period is not an appropriate indicator of enforcement activity as each case varies in terms of scale and complexity. Trading standards investigations may also result in advice, warnings, simple cautions, undertakings, legal proceedings or other alternative enforcement actions.”

Mr Hunt asked the following supplementary question:-

“In view of the importance of the service, would the Lead member bring forward progress reports more often?”

Mr Orson replied as follows:-

“I will get back to Mr Hunt with a full answer in the next few days.”

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

“People in East and West Closes in Burbage often find it very difficult to access their properties and find parking near to their properties. This is because of the close proximity to the railway station and people currently use the area as an unofficial “park and ride” scheme when catching trains.

Can the Leader please ask officers to look at this and work with the Rail authorities to try and alleviate the problems faced by local residents?”

Mr Osborne replied as follows:-

“I am pleased to inform Mr Bray that County Council officers have reviewed parking around the train station as part of the Hinckley Area Project.

Through this review officers have identified a number of residential areas, including East and West Close, where parking controls could potentially be introduced, subject to funding and scheme support, to address day-time commuter and shopper parking.

In March 2016 the County Council submitted a £11.9m funding bid, via the Leicester and Leicestershire Enterprise Partnership to Central Government’s Local Growth Funding towards the development and implementation of a fourth phase of transport improvements in the Hinckley area. The provision of residents parking forms part of this bid.

A decision on this bid is expected to be announced in the Government’s 2016 Autumn Statement. In the event that the bid is unsuccessful, it will still be important to proceed with early consultations and further design work to ensure that proposals have been fully developed, within the resources available, to ensure that the authority is best placed for any future bidding or to secure developer (Section 106) contributions. It may also be possible to explore opportunities for other local third party funding for measures to be introduced.

A report was submitted to the County Council's Cabinet on 16th September and approval given to begin key stakeholder consultation on priority measures identified in the bid. Officers will work closely with the Borough Council to ensure that any parking proposals developed are carefully aligned with the Borough Council's emerging parking strategy for off-street car parking in the town.

At the same time the County Council is looking to encourage more passengers to walk and cycle to the train station. Cycling and walking improvements have already been introduced in the Burbage area as part of the Hinckley Area Project. Officers are also continuing to work with East Midlands Trains to produce a Travel Plan for the station, which has led to East Midlands Trains introducing new improved cycle parking facilities and better travel information at the station."

(D) Mr Bray asked the following question of the Leader or his nominee:-

"Can the Leader advise me of the number of officers currently employed in the Environment and Transport Department dealing with Highways matters as compared to the number employed in 2010/11?"

Mr Osborne replied as follows:-

"The Environment and Transport Department has undergone a number of structural changes since 2010/11 including the merger of the previously separate Transportation Branch and Highway Branch into the current Highways and Transportation Branch and the ending of the previous highways works alliance contract, which make it difficult to make like for like comparisons, or for such comparisons to have much value.

However the number of staff employed in Highways and Transportation dealing with Highways matters in 2016/17 compared to the structure in 2010/11 is shown below:

| Year | 2010/11 (estimated) | 2016/17 |
|----------------------|----------------------------|----------------|
| Full Time Equivalent | 546 | 484 |

These figures exclude passenger transport, school transport, and SEN/social care transport and the council's in-house fleet transport service."

28. POSITION STATEMENTS UNDER STANDING ORDER 8.

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

- Glenfield Hospital – Heart Unit;
- Olympics and Paralympics;
- Combined Authority;
- Member Advisory Panel – Refugees and Unaccompanied Asylum Seeking Children;
- Local Government Association;
- Fair Funding Campaign;

- The Queen's 90th Birthday Celebrations.

The Deputy Leader presented a position statement on the Medium Term Financial Strategy.

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

29. REPORT OF THE CONSTITUTION COMMITTEE.

(a) Annual Review of the Constitution.

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

"That the proposed changes to the Constitution, as set out in Appendix A to this report, be approved."

(b) Appointment of Independent Persons.

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

"That Professor S Sharma, Mr G Grimes, Mrs J Kelly, Professor D Bonner and Mr M Pearson be appointed to serve as Independent Persons for a term of four years ending on 30 September, 2020."

30. NOTICES OF MOTION.

(a) 2021 Census and the Armed Forces Community - 'Count them in Campaign'.

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

"This Council notes:

1. The obligations it owes to the Armed Forces community within Leicestershire as enshrined in the Armed Forces Covenant.
2. The absence of definitive and comprehensive statistics on the size or demographics of the Armed Forces community within Leicestershire which includes serving Regular and Reserve personnel, veterans, and their families.
3. That the availability of such data would greatly assist the Council, local partner agencies, the voluntary sector, and national Government in the planning and provision of services to address the unique needs of the Armed Forces community within Leicestershire

In light of the above, this Council supports the Royal British Legion's call to include a new topic in the 2021 census that concerns military service and membership of the Armed Forces community and urges Parliament and local MPs to ensure that the 2021 census includes questions concerning our

Armed Forces community.”

(b) Grammar Schools.

It was moved by Mr Welsh and seconded by Mr Sheahan:-

“1. That this Council notes:-

- (a) That Leicestershire was one of the first authorities to abandon the grammar school system and is proud of the success of its schools within a fully comprehensive system.
- (b) The Prime Minister’s announcement that she intends to allow new selective schools to open, allow existing selective schools to expand and allow non-selective schools to become selective.
- (c) The reasons why grammar schools went out of favour including:
 - (i) The social segregation of students by ability.
 - (ii) Evidence that they depress overall educational achievement and perpetuate socioeconomic disadvantage.
 - (iii) That the countries with the most successful school systems do not utilise selective schools but instead focus on raising standards and attainment for all students.
 - (iv) That eleven years old is too early to determine a child’s life chances and discriminates against late developers.
- (d) The numerous criticisms that have been made of the policy, including those by Nicky Morgan, MP for Loughborough the previous Education Secretary.

2. That this Council therefore supports the warnings given by Nicky Morgan MP and others, and urges Government not to relax restrictions on, or provide extra support for, selective schools.”

An amendment was moved by Mr Ould and seconded by Mr Lewis:-

“That the motion be amended to read as follows:-

‘(1) That this Council notes:-

- (a) That the successes of the system of education in Leicestershire have reflected a historical mix of public and private provision, including grammar schools.
- (b) That the nature of the local education system has changed fundamentally since the 1990s in line with the policy of successive Governments to give parents greater choice and to give schools more responsibility and accountability.
- (c) That the Government’s current consultation covers proposals in four key areas:-
 - (i) Independent schools directly assisting the state-funded

- sector, through creating more good places, and giving more choice and control for parents.
- (ii) Universities playing a direct role in improving school quality and pupil attainment.
 - (iii) Selective schools providing more school places, and ensuring that they are open to children from all backgrounds.
 - (iv) Faith schools delivering more good school places, while meeting strengthened safeguards on inclusivity.
- (d) That in undertaking this consultation the Government is seeking to address three issues:-
- (i) Radically to expand the number of good school places available to all families, not just those who can afford to move into the catchment area, go private, pay for tuition to pass selective tests or belong to certain faiths.
 - (ii) Give all schools with a strong track record, experience and valuable expertise the right incentives to expand their offer to even more pupils, driving up standards and giving parents greater control.
 - (iii) Deliver a diverse school system that gives all children, whatever their background, the opportunity to help them achieve their potential.
- (2) That this Council therefore welcomes the Government Consultation paper as an important step in the debate about improving standards and attainment in schools, creating many more new good school places, providing diversity within the education system and thereby improving choice and opportunity for all.' ”

The amendment was put and carried, 30 members voting for the amendment and 18 against.

The substantive motion was put and carried, 30 members voting for the motion and 18 against.

2.30 pm – 5.00 pm
28 September 2016

CHAIRMAN