Leicestershire County Council

Minutes of a meeting of the Cabinet held at County Hall, Glenfield on Friday, 15 September 2017.

PRESENT

Mr. N. J. Rushton CC (in the Chair)

Mr. R. Blunt CC
Mr. I. D. Ould CC
Mr. B. L. Pain CC
Mrs. P. Posnett CC
Mr. R. J. Shepherd CC

Apologies

Mr. J. B. Rhodes CC and Mr. E. F. White CC

In attendance

Dr. R. K. A. Feltham CC, Mrs. C.M. Radford CC, Mr. T. J. Pendleton CC, Mr. D. Jennings CC, Mrs. R. Page CC, Mr. S. J. Galton CC, Dr. T. Eynon CC

22. Minutes of the previous meeting.

The minutes of the meeting held on 23 June 2017 were taken as read, confirmed and signed.

23. Urgent Items.

The Chairman advised that there was one urgent item for consideration, a report of the Director of Children and Family Services entitled “Early Support and Inclusion for Children with Special Educational Needs and Disabilities”, which concerned the Council's current position in relation to the Early Support and Inclusion contract the Department had with Menphys and plans for the delivery of the services post December 2017.

The report was urgent because the issue had arisen after the agenda for the Cabinet meeting had been published and the subject needed to be addressed at the earliest opportunity.

With the agreement of the Cabinet the report was taken under item 20 on the agenda (minute 42 refers).

24. Declarations of interest.

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

Mrs P. Posnett CC declared a personal interest in item no. 17 on the agenda (Melton Local Plan – Addendum of Focused Changes Consultation Response) as a member of Melton Borough Council.

Mrs P. Posnett CC also declared a personal interest in the urgent item (Early Support and Inclusion for Children with Special Educational Needs and Disabilities) as Chairman of Melton Mencap Group which worked with Menphys.

Mr. B. L. Pain CC declared a disclosable pecuniary interest in item no. 10 on the agenda (Special Educational Needs and Mainstream Home to School Transport Policies – Approval to Consult) as the Director of a taxi firm and undertook to leave the meeting whilst that item was considered.

25. Change to the order of business.

The Chairman sought and obtained the agreement of Members to vary the order of business from that set out in the agenda.

26. 2017/18 Medium Term Financial Strategy Monitoring (Period 4) and Investment Proposals.

The Cabinet considered a report of the Director of Corporate Resources which set out the 2017/18 revenue budget and capital programme monitoring position and sought approval for investment in two transport projects using funding from the central inflation contingency. A copy of the report, marked '4', is filed with these minutes.

Members noted the comments of the Scrutiny Commission, a copy of which is filed with these minutes.

Mr. Rushton CC said that the pressures on the Council's Children and Family Services budget was worrying and other counties were also experiencing similar shortfalls in funding.

Mr. Ould CC said that whilst the Children and Family Services Department continued to overspend he was pleased to report that the Service had managed to generate some savings by reducing the number of children in its care as a result of an invest to save programme. He added that the Government could not expect local authorities to continue to take on extra responsibilities without allocated additional funding or giving them the ability to raise council tax as was permitted for Adult Social Care.

Mr. Pain CC welcomed the proposal to release funds from the inflation contingency balance in order to fund two important transport initiatives which would be welcomed by Leicestershire residents across the County.

RESOLVED:

(a) That the comments of the Scrutiny Commission be noted;

(b) That the current year financial position as outlined in the report be noted;

(c) That the release of £0.7m of the £5.4m inflation contingency balance be approved in order to provide funding for the Environment and Transportation Department, to

(i) improve response times for repairing reported potholes (£0.5m), and

(ii) manage school parking concerns better, through enforcement of 'zig zag' zones (£0.2m).

(KEY DECISION)

REASON FOR DECISION

To enable the investment of spare resources to improve response times for repairing reported potholes and address school parking issues.

27. Medium Term Financial Strategy Update.

The Cabinet considered a report of the Director of Corporate Resources which detailed the overall financial position of the Council and the proposed approach to updating the Medium Term Financial Strategy. A copy of the report, marked ‘5’, is filed with these minutes.

Members noted the comments of the Scrutiny Commission, a copy of which is filed with these minutes.

Mr. Shepherd CC said that the financial pressure on the Authority continued to be extremely challenging and stressed the importance of a successful outcome to the fair funding campaign.

RESOLVED:

(a) That the significant financial challenge faced by the County Council be noted;

(b) That the approach outlined in the report to updating the Medium Term Financial Strategy be noted;

(c) That the Director of Finance following consultation with the Cabinet Lead Member for Corporate Resources be authorised to -

  (i) submit an application for the County Council to participate in the 100% business rates retention pilot programme for 2018/19;

  (ii) if the County Council’s application is successful, take all action necessary to proceed with the pilot;

(d) That the comments of the Scrutiny Commission be noted;

(e) In respect of comments made in the Scrutiny Commission about the accuracy of references in the report to Council Tax collection and the rejection by District Councils of an external review with the intention of improving performance and collection rates to benefit local authority, Police and Fire budgets, the Cabinet is satisfied with the accuracy of the references.

(KEY DECISION)

REASON FOR DECISION:

To formalise the County Council’s approach to develop plans to address the worsening financial position.

To enable an application to be made to participate in the business rates retention pilot and, if successful, to ensure that arrangements are put in place at the earliest opportunity.

28. Special Educational Needs and Mainstream Home to School Transport Policies - Approval to Consult.

(Mr. B. L. Pain CC, having declared a disclosable pecuniary interest in the matter, left the meeting whilst this item was considered).

The Cabinet considered a report of the Director of Environment and Transport which sought the Cabinet's approval to consult on proposed changes to the Special Educational Needs Transport Policy and the Mainstream Home to School Transport Policy so far as they relate to non-compulsory school age children. A copy of the report, marked '10', is filed with these minutes.

Members noted comments received from Mr Max Hunt CC and the Liberal Democrat Group, copies of which are filed with these minutes.

Mr. Rushton CC reminded members that Phil Crossland, the Director of Environment and Transport, would be retiring shortly and on behalf of the Cabinet, thanked him for all his work with the County Council and wished him a long and happy retirement.

In relation to the proposal to reduce the Council's discretionary element of transport provision for children not of statutory school age, Mrs. Posnett CC said that such a decision would not be taken lightly and she welcomed the proposed consultation exercise which would allow service users to share their views and ideas.

RESOLVED:

(a) That the proposed changes to the Special Educational Needs Transport Policy and the Mainstream Home to School Transport Policy as set out in paragraphs 22 to 24 of the report, be approved for consultation, including any low income contribution;

(b) That a further report be submitted to the Cabinet in spring 2018 regarding the outcome of the consultation and presenting the final revised Policies for approval.

(KEY DECISION)

REASON FOR DECISION:

Significant growth pressures on the Council's Special Educational Needs (SEN) transport budget mean that a review of the discretionary element of transport provision for children not of statutory school age is required to ensure future expenditure on this Service can be contained within the funding available.

(Mr. Pain CC then returned to the meeting).

29. LTP3 Hinckley Area Project Phase Zone 4 - Proposed Transport Improvements.

The Cabinet considered a report of the Director of Environment and Transport concerning the LTP3 Hinckley Area Project Zone 4 - Proposed Transport Improvements. A copy of the report, marked "11" is filed with these minutes.

Members noted the comments of the Environment and Transport Overview and Scrutiny Committee, a copy of which is filed with these minutes.

Mr. Pain CC said that whilst it was regrettable that further funding had not been made available for the Hinckley Area Project – Zone 4 under the Government's Single Local Growth Fund, £12 million had already been invested into the Project to deliver works as part of Zones 1 – 3, which equated to a considerable part of the Council's budget.

RESOLVED:

(a) That the comments of the Environment and Transport Overview and Scrutiny Committee be noted;

(b) That the outcome of the LLEP's Growth Deal 3 bid to the Government's Single Local Growth Fund submitted in July 2016 which did not secure funding for the Hinckley Area Project Zone 4, and the effect of this on the proposed package of works previously considered by the Cabinet in September 2016 be noted;

(c) That the outcome of the stakeholder consultation on the prioritisation of schemes to be included within Zone 4 of the Hinckley Area Project in light of the significantly reduced funding available be noted;

(d) That the revised list of schemes for Zone 4 of the Hinckley Area Project, detailed in Appendix D attached to the report, for implementation in 2017/18 using the remaining £800,000 of the LLEP's 2014 successful Single Local Growth Fund bid, be approved.

(KEY DECISION)

REASON FOR DECISION:

In order for a revised number of Zone 4 works of the Hinckley Area Project to commence using the significantly reduced funding available as a result of the Council failing to secure funding through the LLEP Growth Deal 3 bid.

30. Highway Infrastructure Asset Management Plan.

The Cabinet considered a report of the Environment and Transport Overview and Scrutiny Committee concerning the Highways Infrastructure Asset Management Plan. A copy of the report, marked "12" is filed with these minutes.

Members noted the comments of the Environment and Transport Overview and Scrutiny Committee and Mr Max. Hunt CC, copies of which are filed with these minutes.

Mr. Pain CC said that despite continued reductions in the Environment and Transport budget, a recent national highways and transportation survey recognised the County as having the best road conditions in the country and whilst the Plan prepared for a deterioration in future years he hoped the Authority could continue to defy the national trend and maintain or even further improve Leicestershire's roads.

RESOLVED:

(a) That the comments of the Environment and Transport Overview and Scrutiny Committee be noted;

(b) That the Highway Infrastructure Asset Management Plan (HIAMP) appended to the report, be approved;

(c) That the Director of Environment and Transport, following consultation with the Cabinet Lead Member, be authorised to make such minor amendments to the Highway Infrastructure Asset Management Plan as are considered necessary to ensure that it remains current and conforms to legislation;

(d) That the Director of Environment and Transport be authorised to develop and implement such operational procedures as are considered necessary to ensure the effective delivery of the HIAMP.

REASONS FOR DECISION:

Authorities have until October 2018 to fully adopt the Government's new Code of Practice titled "Well-Managed Highway Infrastructure". The HIAMP embeds a risk-based approach in operational planning, as required by the latest Code, and it will form the high-level strategic document from which operational procedures will be derived.

The Plan supports the delivery of a service that is aligned to the Medium Term Financial Strategy (MTFS) and ensures that the Council, as Highway Authority, continues to meet its statutory duties under the Highways Act 1980.

The HIAMP will help the Authority secure the highest band (band 3) under the Government's Department for Transport (DfT) Incentive Fund scheme and it is increasingly being required as part of other funding bids. Its adoption therefore has financial implications for the Authority.

31. <u>Permit Scheme for Street Works and Road Works.</u>

The Cabinet considered a report of the Director of Environment and Transport which sought approval to implement a Permit Scheme for Street Works and Road Works. A copy of the report, marked "13" is filed with these minutes.

Members noted the comments of the Environment and Transport Overview and Scrutiny Committee, a copy of which is filed with these minutes.

RESOLVED:

(a) That the comments of the Environment and Transport Overview and Scrutiny Committee be noted;

(b) That the Leicestershire County Council Permit Scheme as detailed in Appendix A and B to the report be approved for implementation from the 1st November 2017;

(c) That the Director of Environment and Transport, following consultation with the Cabinet Lead Member, be authorised to implement and oversee the on-going management, and to make minor changes to the Permit Scheme as he considers appropriate.

REASONS FOR DECISION:

To enable the County Council to introduce a Permit Scheme to better manage activities on the public highway and improve the County Council's ability to minimise disruption to highway users from street and road works.

To help fulfil the Authority's statutory network management duty under the Traffic Management Act (TMA) 2004 to ensure the expeditious movement of traffic.

Updating the County Council's approach to managing street and road works will support the delivery of the savings identified in the Medium Term Financial Strategy (MTFS) by replacing the current New Roads and Street Works noticing system with a Permit Scheme, which enables the County Council to recover all associated costs.

32. Draft Corporate Asset Investment Fund Strategy 2017/18.

The Cabinet considered a report of the Director of Corporate Resources which detailed the Council's intended approach to its future asset investments, utilising the Corporate Asset Investment Fund. A copy of the report marked '6' is filed with these minutes.

Members noted the comments of the Scrutiny Commission, a copy of which is filed with these minutes.

RESOLVED:

(a) That the comments of the Scrutiny Commission be noted;

(b) That the Corporate Asset Investment Fund Strategy as attached at Appendix A to the report be approved;

(c) That the investment acquisitions and development projects detailed in paragraphs 28 to 42 of the report be approved;

(d) That the proposed amendments to the delegations to the Director of Corporate Resources as set out in Appendix B to the report be approved;

(e) That the Cabinet receives an Annual Report on performance of the Corporate Asset Investment Fund.

(KEY DECISION)

REASONS FOR DECISION:

The Corporate Asset Investment Fund is increased to enhance the Authority's financial resilience and deliver other benefits, such as economic development. Given the level of investment now proposed it is necessary to have a detailed Strategy in place to govern the approach taken in respect of future investments and the development of these utilising the CAIF.

Property transactions are often time sensitive, so seeking the Cabinet's approval of each transaction is not always practicable. Delegating authority to the Director of Corporate Resources, following consultation with the Board, to agree any future investments utilising the CAIF will ensure that the Council can take advantage of investment opportunities as they arise.

33. Funding Requirements to Deliver the Ofsted Continuous Improvement Plan

The Cabinet considered a report of the Director of Children and Families concerning progress to date and future funding requirements to deliver the Ofsted Continuous Improvement Plan. A copy of the report, marked "7" is filed with these minutes.

Members noted the comments of the Children and Families Overview and Scrutiny Committee, a copy of which is filed with these minutes.

Mr. Ould CC welcomed the proposals which would enable the Authority to address the recommendations of the Ofsted inspection and achieve the required level of practice to attain a 'good' classification.

RESOLVED:

(a) That the comments of the Children and Families Overview and Scrutiny Committee be noted;

(b) That a growth bid of £2.5m for Children and Family Services for the 2018/19 financial year be approved.

(KEY DECISION)

REASON FOR DECISION:

The additional funding is required in order to deliver the 17 key Ofsted recommendations for improvements to Children and Family Services, to ensure that services for vulnerable children and families are consistently of a good standard. The funding includes £0.5m already agreed for the service.

34. Proposals to Consult on Removal (Closure) of Residential Facilities at Maplewell Hall Special School

The Cabinet considered a report of the Director of Children and Family Services which sought approval to consult on the removal of the residential facilities from September 2018 at the Maplewell Hall Special School in Woodhouse Eaves.

Mr. Ould CC said that the Council continued to look very carefully at how it spent its money and was forced to consider whether it could justify financing services for children with special needs which were not identified as necessary in their personalised Education Health Care Plan.

RESOLVED:

(a) That the current position regarding the use of the residential facilities at the Maplewell Hall Special School be noted;

(b) That the commencement of informal/pre-consultation, as part of the statutory prescribed alterations process, on a proposal to remove (close) the residential facilities with effect from the start of the school year in September 2018 be approved;

(c) That a further report be submitted to the Cabinet on 24 November 2017 on the outcomes of the consultation referred to in (b) above in order to determine the next steps.

(KEY DECISION)

REASONS FOR DECISION:

There are no pupils placed at Maplewell Hall who are assessed as having a need for residential provision stated in their Education Health and Care Plans (EHCP).

There is significant pressure on the Council's High Needs Block (HNB) budget which funds special needs provision. The closure of the residential facilities will allow savings to be made to the HNB budget and funding to be directed to other areas of increased demand where appropriate.

The closure of the residential facilities in September 2018 will allow for phased removal and adequate measures of support to be put in place (where appropriate) for families/pupils affected by the change.

Following the statutory process and undertaking consultation on the proposals is in keeping with the Council's corporate standards and the requirements of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.

35. Leicestershire and Rutland Local Safeguarding Children Board and Safeguarding Adult Board Annual Reports 2016/2017.

The Cabinet considered a report of the Independent Chairman of the Leicestershire and Rutland Local Safeguarding Children Board and the Leicestershire and Rutland Safeguarding Adult Board regarding the key findings of the Boards' Annual Reports for 2016/17. A copy of the report, marked 'item 9', is filed with these minutes.

Members noted the comments of the Adults and Communities and the Children and Families Overview and Scrutiny Committees, copies of which are filed with these minutes.

RESOLVED:

(a) That the comments of the Children and Families and the Adults and Communities Overview and Scrutiny Committees be noted

(b) That the Leicestershire and Rutland Local Safeguarding Children Board and Safeguarding Adult Board Annual Reports for 2016/17 be welcomed and noted.

REASONS FOR DECISION:

The LRLSCB and LRSAB are statutory bodies and local authorities have a duty to ensure that the Boards are able to operate effectively.

It is a requirement of (the statutory guidance) Working Together 2015 that the LRLSCB Annual Report be reported to the Leader of the Council together with the Chief Executive of the local authority, the Chairman of the Health and Wellbeing Board, and the Police and Crime Commissioner. It is a requirement of the Care Act 2014 statutory guidance that the LRSAB Annual Report is also reported to these individuals as well as the Chief Constable and Healthwatch.

It has been previous practice in Leicestershire to submit both the Annual Report and Business Plan for the LRSAB and the LRLSCB to the Cabinet and the relevant Overview and Scrutiny Committees.

36. Progress with the Implementation of the Communities and Wellbeing Strategy 2016-2020.

The Cabinet considered a report of the Director of Adults and Communities concerning the work undertaken to implement the Communities and Wellbeing Strategy 2016-2020 and sought approval to progress a number of actions to enable the next phase of implementation. A copy of the report, marked '14' is filed with these minutes.

Members noted the comments of the Adults and Communities Overview and Scrutiny Committee, a copy of which is filed with these minutes.

Mr. Blunt CC said that the proposals outlined in the report would deliver an improved offer for service users as well as make important efficiency savings.

RESOLVED:

(a) That the results of the SMART library pilot at Syston library and the business case for SMART libraries be noted;

(b) That the Director of Adults and Communities be authorised to implement full SMART library technology (Option 2), as outlined in the Business Case attached as Appendix B to the report, where possible, within the following libraries:

Ashby de la Zouch, Blaby, Broughton Astley, Birstall, Coalville, Earl Shilton, Glenfield, Hinckley, Loughborough, Lutterworth, Melton Mowbray, Oadby, Shepshed, Wigston Magna

(c) That the options appraisal for the development of a Collections Hub be noted and a full business case be submitted to the Cabinet in 2018 for consideration;

(d) That the Director of Adults and Communities be requested to carry out further work, including any necessary consultation and engagement with partners, stakeholders and service users, to:

(i) Develop a more sustainable and cost-effective delivery model for the Green Plaque Scheme;

(ii) Develop proposals to decommission the Care Online service;

(iii) Explore the decommissioning or possible development of a new model for the British Museum sponsored Portable Antiquities Scheme;

(iv) Review the Mobile Library Service to improve efficiency;

(v) Explore possibility of transferring the Century Theatre, Coalville, to alternative management;

(e) That it be noted that further reports will be submitted to the Cabinet as appropriate regarding progress with (d) (i)-(v) above;

(f) That it be noted that the current structure of the Communities and Wellbeing Service will need to be revised having regard to the proposed changes outlined in the report;

(g) That, noting the comments of the Adults and Communities Overview and Scrutiny Committee, a further review of the art collections be undertaken with a view to consolidating the collection and achieving efficiency savings.

(KEY DECISION)

REASONS FOR DECISION:

To enable the full implementation of the Communities and Wellbeing Strategy, which has been developed to fulfil statutory duties, meet budgetary requirements and the efficiency targets detailed in the Medium Term Financial Strategy (MTFS) and to provide a basis for the planning, commissioning and delivery of services.

The introduction of SMART library technology across the County-funded library network will realise circa £230,000 per annum savings whilst potentially increasing hours of access. Of the 16 libraries in the network, Market Harborough library is the only library where it is not proposed to have SMART technology installed. This is due to its layout and shared use arrangements.

The creation of a Collections Hub could realise circa £350,000 per annum savings whilst also providing a modern enhanced facility for the area.

It is considered that the balance of £750,000 savings can be achieved through a blend of remodelling or decommissioning of the Mobile Library Service, the Green Plaque scheme, the Care Online service, the Portable Antiquities scheme, transferring the Century Theatre and an end point restructuring of the Communities and Wellbeing Service.

37. <u>Delayed Transfers of Care.</u>

The Cabinet considered a joint report of the Director of Health and Care Integration and the Director of Adults and Communities which provided an update on the revised targets associated with improving delayed transfers of care (DTOC) which formed part of Leicestershire's Better Care Fund (BCF) Plan for 2017/18 – 2018/19. A copy of the report marked '15' is filed with these minutes.

The Director of Health and Care Integration reported that since the report had been published, NHS England had added additional pressure on Clinical Commissioning Groups (CCGs) locally and nationally to commit to improvements in delayed transfers of care by the original target of November 2017.

Mr. Blunt CC said that whilst it was important that the NHS ensure that its resources are used as effectively as possible it had set a target that Leicestershire simply could not meet and it would be irresponsible therefore to agree to this.

Mr. Ould CC and Mr Rushton CC added that NHS England's actions to place further pressure on CCGs to meet unrealistic targets, its unwillingness to compromise on a revised timescale and its threat to withdraw funding if targets were not met was perverse.

RESOLVED:

(a) That the target for improving performance on delayed transfers of care across Leicester, Leicestershire and Rutland by March 2018 be noted;

(b) That the inclusion of specific investments to improve hospital discharge within the Better Care Fund (BCF) expenditure plan as detailed in Appendix A and paragraphs 21 to 23 of the report be noted;

(c) That it be noted that poor performing areas which fail to implement such improvements could be subject to CQC review and potentially face a withdrawal of that national funding;

(d) That the preparation and governance arrangements for the submission of Leicestershire's BCF Plan for 2017/18-2018/19 to NHS England by 11 September 2017, such arrangements including the prior agreement of local NHS commissioning bodies and the Accident and Emergency Delivery Board, be noted;

(e) That the Cabinet notes with concern that NHS England are challenging the submission of the BCF Plan in respect of delayed transfers of care and that Cabinet wholly supports the Local Government Association and the County Councils Network in resisting NHSE interventions of this sort which seek to impose unrealistic and unachievable targets.

REASONS FOR DECISION:

In July 2017, after a lengthy national delay, technical guidance was published by NHS England for the preparation and submission of BCF Plans for the period 2017/18 – 2018/19. This technical guidance included new requirements for improving delayed transfers of care with challenging expectations placed on each health and wellbeing board area in terms of the rate of improvement to be achieved during 2017/18.

The guidance also highlighted that areas with poor performance on DTOC could be subject to external review and financial penalties; however there are no further details on the process for this at the time of writing the report.

The national conditions for the BCF Plan include a requirement that it is jointly agreed by the County Council and CCGs, including through the Health and Wellbeing Board.

38. Leicestershire Minerals and Waste Local Plan Proposed Changes and Future Programme.

The Cabinet considered a report the Chief Executive which sought the Cabinet's approval for proposed changes to the pre-submission draft Leicestershire Minerals and Waste Local Plan (MWLP) to be recommended to the full Council for publication and public consultation. A copy of the report marked '16' is filed with these minutes.

Members noted that the Environment and Transport Overview and Scrutiny Committee had considered the report at its meeting on the 7 September and supported the proposals.

RESOLVED:

(a) That the amendments to the Minerals and Waste Development Scheme as set out in Appendix B to the report be approved;

(b) That the County Council at its meeting on 27 September be recommended to:

(i) Agree that the Proposed Changes to the pre-submission draft Minerals and Waste Local Plan attached as Appendix A to the report be published for consultation as amendments to 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;

(ii) Authorise the Chief Executive, following consultation with the Cabinet Lead Member, 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 consultation on the Proposed Changes and issues raised by the Planning Inspector post-submission.

(KEY DECISION)

REASONS FOR DECISION:

In order to comply with the Planning and Compulsory Purchase Act 2004, and the Town and Country Planning (Local Planning) (England) Regulations 2012, the County Council must prepare a Minerals and Waste Local Plan for submission to the Secretary of State for independent Examination by a Planning Inspector before it can be adopted by the County Council.

Stakeholder consultation has taken place as part of the preparation of the MWLP and the Sustainability Appraisal report required to accompany it but there is a need to undertake further formal consultation on Proposed Changes prior to the submission of the Plan to the Secretary of State.

39. Melton Local Plan - Addendum of Focused Changes Consultation Response.

The Cabinet considered a report of the Chief Executive which sought the Cabinet's approval for the County Council's response to the Addendum of focused changes to the pre submission draft Melton Local Plan and the Community Infrastructure Levy consultation prepared by Melton Borough Council. A copy of the report marked ‘17’ is filed with these minutes.

In response to questions from members concerning school place planning, the Chief Executive reported that the Authority would continue to push Melton Borough Council for clarity regarding the sequence and size of its planned housing developments and how that would impact on the provision of school places in the area.

RESOLVED:

(a) That the detailed comments on the Addendum of focused changes to the pre-submission draft Melton Local Plan and the Community Infrastructure Levy consultation as set out in the Appendix to the report, be submitted to Melton Borough Council as the views of the County Council;

(b) That the key comments set out in paragraphs 35 to 52 of the report be specifically drawn to the attention of Melton Borough Council.

REASON FOR DECISION:

To ensure that the County Council provides appropriate input at this key stage in the Local Plan process, so that issues of importance for the County Council are clearly expressed and the authority influences the content of the Local Plan.

40. Local Code of Corporate Governance.

The Cabinet considered a report of the Director of Corporate Resources which detailed the publication of the revised CIPFA/SOLACE Delivering Good Governance in Local Government: Framework and sought approval for a revised Local Code of Corporate Governance to be presented to the County Council for approval. A copy of the report marked ‘18’ is filed with these minutes.

RESOLVED:

That the County Council be recommended to approve the revised Local Code of Corporate Governance appended to the report, at its meeting on 27 September 2017.

(KEY DECISION)

REASON FOR DECISION:

A review and revision of the previous Code of Corporate Governance was last approved by the County Council on 19 March 2008. It is therefore necessary for an updated local code to be adopted which reflects the revised Delivering Good Governance in Local Government: Framework (the Framework) issued in April 2016. The Annual Governance Statements prepared for the financial year 2016/17 was agreed by the Corporate Governance Committee on the 26 May 2017 and had regard for the updated code.

41. Items referred from Overview and Scrutiny.

There were no items referred from Overview and Scrutiny.

42. Urgent Item - Early Support and Inclusion for Children with Special Educational Needs and Disabilities.

The Cabinet considered an urgent report of the Director of Children and Family Services concerning the Council's current position in relation to the Early Support and Inclusion contract the Department had with Menphys and plans for the delivery of the services post December 2017. The report was urgent because the issue had arisen after the agenda for the Cabinet meeting had been published and the subject needed to be addressed at the earliest opportunity. A copy of the report is filed with these minutes.

Mr. Ould CC said that the Council had already made its position clear on how it intended to deliver its Early Support and Inclusion provision once its contract with Menphys ceased in December 2017 and its stance remained the same. He added that he had written to Local MPs to explain further the Authority’s position.

RESOLVED:

(a) That delivery of the Early Support and Inclusion Services on the basis of in-house provision be approved;

(b) That Menphys be advised that the Council’s contract and procurement rules do not allow a further extension to the contract, and the Council is under no obligation to re-tender the provision as Menphys has requested.

REASONS FOR DECISION:

There is significant pressure on the Department’s budgets to ensure that Medium Term Financial Strategy (MTFS) savings are met. Alongside this is a strong commitment to ensuring that Early Support Services are delivered to those children and families assessed as requiring support in order to meet needs and reduce the demand on specialist and high cost services.

The Department is concerned that the response from Menphys as a result of ending the current contract and reshaping how services are delivered may impact on relationships between the Department and children with special educational needs and their families.

11.00 am - 12.29 pm CHAIRMAN
15 September 2017