

Minutes of a meeting of the Cabinet held at County Hall, Glenfield on Tuesday, 12 December 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. J. B. Rhodes CC
Mr. R. J. Shepherd CC

Apologies

Mr. E. F. White CC

In attendance

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

71. Urgent items.

There were no urgent items for consideration.

72. Minutes of the previous meeting.

Subject to amendment to include Mrs Radford CC in the record of those in attendance, the minutes of the meeting held on 24 November 2017 were taken as read, confirmed, and signed.

73. Declarations of interest.

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

Mrs P. Posnett CC and Mr. J. B. Rhodes CC each declared a personal interest in agenda item no. 5, concerning the Melton Mowbray Distributor Road Proposals, as members of Melton Borough Council.

Mr. B. L. Pain CC declared a personal interest in agenda item no. 6, regarding the Market Harborough Transport Strategy, as a member of Harborough District Council.

74. Medium Term Financial Strategy 2018/19 to 2021/22 - Proposals for Consultation.

The Cabinet considered a report of the Director of Corporate Resources concerning the proposed Medium Term Financial Strategy for 2018/19 to 2021/22 (MTFS). A copy of the report, marked '4', and a supplementary report with the detailed proposals (circulated separately) are filed with these minutes.

Mr. Rhodes CC highlighted the pressures on the Adults and Communities and Children and Family Services Departments, which accounted for 81% of the Council's total spend, and reminded members that an £18m shortfall in 2020/21 still needed to be addressed.

RESOLVED:

- (a) That the proposed Medium Term Financial Strategy, including the 2018/19 revenue budget and capital programme, be approved for consultation and referred to the Overview and Scrutiny Committees and the Scrutiny Commission for consideration;
- (b) That the Director of Finance, following consultation with the Cabinet Lead Member for Resources, be authorised to -
 - (i) Agree a response to the draft Local Government Finance Settlement;
 - (ii) Decide on the appropriate course of action for the potential Leicester and Leicestershire 100% Business Rates Retention Pilot in 2018/19 and, subject to the acceptance of the submission made to the Government and the subsequent agreement by all member authorities, to implement this;
 - (iii) Decide on the appropriate course of action for the Leicester and Leicestershire Business Rates Pool in 2018/19 and, subject to agreement by all member authorities, to implement this;
- (c) That a further report be submitted to the Cabinet on 9th February 2018.

(KEY DECISION)

REASON FOR DECISION:

To enable the County Council to meet statutory requirements with respect to setting a budget and Council Tax precept for 2018/19 and to provide a basis for the planning of services over the next four years.

To ensure that the County Council's views on the Local Government Finance Settlement are made known to the Government.

A submission was made to the Department for Communities and Local Government (DCLG) for a 100% Business Rates Pilot in 2018/19 for the County Council, Leicester City Council, the Combined Fire Authority and all seven District Councils. The decision of DCLG is expected alongside the Local Government Finance Settlement.

Modelling of a Business Rates Pool with the pooling partners is being undertaken and, if the application for the pilot is unsuccessful, a decision on whether to proceed with the Pool will need to be taken 28 days after the release of the draft Local Government Finance Settlement.

75. Melton Mowbray Distributor Road Proposals.

The Cabinet considered a report of the Director of Environment and Transport regarding progress with the development of an outer distributor road for Melton Mowbray including the outcome of public consultation on the proposed northern and eastern route. A copy

of the report, marked '5, is filed with these minutes as is a supplementary report (circulated separately) concerning a financing agreement with Melton Borough Council and the comments of the Environment and Transport Scrutiny Committee.

Mr. Pain CC said that few local authorities were in a position to undertake significant road building. Much work had been done to develop the scheme and prepare the Outline Business case to bid for Government funding which he hoped would enable construction of the road. Mr. Rhodes CC noted that Melton Borough Council was fully behind the scheme.

RESOLVED:

- (a) That the responses to the consultation and evidence from the further work undertaken to develop the Outline Business Case for the northern and eastern sections of the Melton Mowbray Distributor Road (MMDR) be noted;
- (b) That the Cabinet reaffirms its decision to prioritise and progress the development of the northern and eastern sections of the MMDR;
- (c) That the route for the northern and eastern sections of the MMDR, as illustrated on the plan at paragraph 75 to the report, be agreed for the purposes of further development and consultation subject to (e) and (f) below;
- (d) That the decision of Melton Borough Council's Policy Finance and Administration Committee agreeing to proceed with the funding arrangements for the MMDR as set out in the Heads of Terms be noted;
- (e) That the basis for the agreement regarding the future funding of the northern and eastern MMDR as set out in the Heads of Terms be supported and that the Director of Finance in consultation with the Director of Law and Governance, following consultation with the Cabinet lead member for Resources, be authorised to record the agreement by an exchange of letters with Melton Borough Council;
- (f) That subject to an exchange of letters with Melton Borough Council before 22 December 2017 further funding be committed by the County Council in order to -
 - (i) Submit a planning application for the scheme in summer 2018 (including detailed design, environmental work, consultation, and preparation of statutory orders),
 - (ii) Complete all further work necessary to prepare the scheme for construction by spring 2020 (noting this is subject to Department for Transport (DfT) funding and full completion of all necessary processes),
 - (iii) Provide, in negotiation with the DfT, an appropriate local contribution, including underwriting forward-funding contributions to be provided by developers and/or third parties as necessary,

- noting that there could be additional scheme costs following submission of the outline business case and the Heads of Terms with Melton Borough Council will address how this will be financed;

- (g) That pursuant to the above, that the officers identified below be authorised, in consultation with the Director of Law and Governance and following consultation with the relevant Cabinet Lead Members, to
- (i) Continue discussions with landowners and stakeholders, with a view to reaching voluntary agreement over the purchase and/or reservation of land for the northern and eastern sections of the MMDR where possible - Director of Environment and Transport;
 - (ii) Undertake to acquire by agreement necessary land (and) rights to facilitate delivery of the northern and eastern sections of the MMDR and make preparations in parallel for use of Compulsory Purchase Orders pursuant to the Highways Act 1980 and the Acquisition of Land Act 1981, taking all steps to include the preparation of Draft Order and Statement of Reasons - Director of Environment and Transport and Director of Corporate Resources;
 - (iii) Undertake further engagement and consultation arising from any changes or improvements to the recommended route that may arise from detailed design work and feedback - Director of Environment and Transport;
 - (iv) Agree the preferred route for planning and acquisition purposes - Director of Environment and Transport;
- (h) That subject to agreement with Melton Borough Council regarding future financing as set out above, the Chief Executive be authorised to approve and submit the Outline Business Case for the northern and eastern sections of the MMDR to the DfT as part of the bid for Large Local Majors Funding;
- (i) That it be noted that, assuming DfT funding for the MMDR is forthcoming, a further report will be submitted to the Cabinet regarding the detailed funding agreement between the County Council and Melton Borough Council;
- (j) That a further report be submitted to the Cabinet prior to submission of a planning application to include, amongst other things -
- (i) Any alterations made to the recommended route as a result of detailed design work or further consultation;
 - (ii) The detailed design and updated cost estimates for the scheme which will form the basis for the planning application;
 - (iii) Requests for approval to make and implement any required Compulsory Purchase Orders and associated statutory orders.

(KEY DECISION)

REASON FOR DECISION:

The proposed route to the north and east of the town has been supported by the consultation responses and evidential work undertaken to date and it is considered to be the route that has the greatest chance of being awarded funding from the DfT Local Majors Fund.

The Council is working to an extremely tight timescale set by the DfT in order to be able to apply for Large Local Majors Funding, and further detailed work and consultation needs to take place before the OBC is submitted (on or prior to 22 December 2017) and planning permission sought (spring/summer 2018). This may include, for instance, alterations to the route and additional expenditure. It will not be feasible for reports to be submitted to the Cabinet to seek approval for this and the preparation of statutory orders, further engagement/consultation, and so on and it is therefore proposed that the relevant Chief Officers are authorised to progress such matters. The Cabinet, Environment and Transport Overview and Scrutiny Committee, and local members will be kept informed of progress and any significant issues would be the subject of a formal report.

The MMDR is included in the Melton Mowbray Transport Strategy, which is being developed jointly by the County and Melton Borough Councils and supports the planned growth in Melton Borough Council's Local Plan. Development of the northern and eastern MMDR will require financing from the County Council's capital programme in advance of DfT funding being received and a funding agreement with MBC will mitigate the risk to the County Council.

The Heads of Terms set out the basis for a financial agreement between the County Council and Melton Borough Council, and will need to be refined further to enable the OBC to be submitted to the DfT by 22 December 2017. It is considered appropriate that the final detailed funding agreement should be submitted to the Cabinet for approval.

The County Council must submit the OBC to the DfT by 22 December 2017 as part of its bid for Large Local Majors Funding, which is key to early provision of the MMDR.

76. Market Harborough Transport Strategy.

The Cabinet considered a report of the Director of Environment and Transport concerning the outcome of engagement and consultation on the Market Harborough Transport Study, and seeking approval of the Market Harborough Transport Strategy. A copy of the report, marked '6', is filed with these minutes.

Members noted comments of the Environment and Transport Overview and Scrutiny Committee and from Dr. S. Hill CC, copies of which are filed with these minutes.

Mr. Pain CC was pleased that the Strategy had received widespread support and commended it to the Cabinet.

RESOLVED:

- (a) That the feedback from the engagement and consultation exercise on the Market Harborough Transport Study be noted;
- (b) That the revised recommendations of the Transport Study outlined in paragraphs 31 to 40 of the report be approved;
- (c) That the Market Harborough Transport Strategy (Appendix D to the report) be approved;
- (d) That it be noted that as resources become available, the improvement schemes identified in the Market Harborough Transport Strategy will be developed further to ensure that advantage can be taken of any future funding opportunities.

(KEY DECISION)

REASON FOR DECISION:

The Market Harborough Transport Strategy will help to support the planned future growth of the town, and place the County Council in a strong position to secure public and private funding for the transport improvements necessary to support growth.

77. Progress with Implementation of the Working Age Adult Accommodation Strategy 2017-2022 'A Place to Live - My Home'.

The Cabinet considered a report of the Director of Adults and Communities concerning progress with the implementation of the Leicestershire Accommodation Strategy for Working Age Adults 2017-2022, and seeking approval to change the use of two sites to supported accommodation. A copy of the report, marked '7', is filed with these minutes.

Mr. Blunt CC said that providing the right accommodation and support was vital to help more people with long-term disabilities live independently. The project was part of the wider agenda to improve health and care services, hence the capital funding from the NHS England Transforming Care Programme

RESOLVED:

- (a) That progress with the implementation of the Leicestershire Accommodation Strategy for Working Age Adults 2017-2022 be noted;
- (b) That the change of use to the supported accommodation sites at Deveron Way, Hinckley and Loughborough Road, Mountsorrel be approved, to enable their conversion/reconfiguration, as detailed in paragraph 20 of the report, following the receipt of capital funding from NHS England.

REASON FOR DECISION:

The Leicestershire Accommodation Strategy for Working Age Adults and the associated delivery plan provides the Council with agreed priorities in relation to supported accommodation for adults aged 18-64 over the next five years. Although the County Council is not a housing authority, the Strategy has been developed to fulfil statutory duties relating to the Care Act, meet efficiency targets, and provide a basis for planning, partnership working and commissioning, in accordance with the overarching Adult Social Care Strategy to prevent, reduce, delay, and meet people's need for services.

In line with the aims of the Strategy, the change of use of the sites on Deveron Way, Hinckley and Loughborough Road, Mountsorrel will enable these properties to be converted/reconfigured so as to increase the accommodation options for individuals supported under a Transforming Care Plan. Funding from NHS England has been secured for these works.

78. Working Together to Build Great Communities - Leicestershire Communities Strategy 2017-21.

The Cabinet considered a report of the Chief Executive concerning the outcome of engagement on the Leicestershire Communities Strategy 2017-2021 'Working Together to Build Great Communities in Leicestershire' and seeking approval of the Strategy. A copy of the report, marked '8', is filed with these minutes.

Mrs Posnett CC said that it had been necessary to refresh the Strategy in the context of reduced funding available but the Council would continue to work with local residents and partners such as parish and town councils to make things happen.

RESOLVED:

- (a) That the outcome of the engagement on the Communities Strategy 2017-21 be noted;
- (b) That the Leicestershire Communities Strategy 2017-21 be approved.

REASON FOR DECISION:

To enable implementation of the Communities Strategy, which supports the Council's Strategic Plan.

79. Regulation of Investigatory Powers Act 2000 (RIPA) - Review of Policy Statement.

The Cabinet considered a report of the Director of Law and Governance regarding the Council's use of the Regulation of Investigatory Powers Act 2000 from 1 October 2016 to 30 September 2017, and advising that the Council's existing Policy Statement remained fit for purpose. A copy of the report, marked '9', is filed with these minutes.

RESOLVED:

- (a) That the Council's use of the Regulation of Investigatory Powers Act 2000 for the period from 1 October 2016 to 30 September 2017 be noted;
- (b) That it be agreed that the Council's existing Policy Statement on the use of RIPA powers (appended to the report) continues to be fit for purpose;
- (c) That the Cabinet continues to receive annual reports from the Corporate Governance Committee on the use of RIPA powers and whether the Policy remains fit for purpose.

REASON FOR DECISION:

The Codes of Practice made under RIPA require elected members of a local authority to review the authority's use of RIPA and set the policy at least once a year.

80. Recommended Change to Treasury Management Policy.

The Cabinet considered a report of the Director of Corporate Resources recommending a change to the treasury management policy to enable investment in pooled private debt funds, increasing interest earned. A copy of the report, marked '10', is filed with these minutes.

RESOLVED:

That the addition of pooled private debt funds to the list of acceptable investment types within the Annual Investment Statement, with a maximum cash investment of £40m, be approved.

REASON FOR DECISION:

The change to the treasury management policy will enable the Council to invest in private debt funds and thereby increase the interest earned relative to what could be earned by utilising cash deposits. Whilst this type of investment has a higher risk profile than cash deposits, the additional risk is not overly significant. Relative to the increase in risk, the additional income is considered to be highly attractive in an environment of low interest rates and significant pressure on the Council's revenue budget.

81. Items referred from Overview and Scrutiny.

There were no items referred from Overview and Scrutiny.

2.00 - 2.40 pm
12 December 2017

CHAIRMAN