

**MINUTES OF THE MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL
HELD AT COUNTY HALL, GLENFIELD ON WEDNESDAY, 16 MAY 2018**

PRESENT

Mrs. J. Richards CC (in the Chair)

Mr. P. Bedford CC, Mr. I. E. G. Bentley CC, Mr. D. C. Bill MBE CC, Mr. R. Blunt CC, Mr. G. A. Boulter CC, Mr. S. L. Bray CC, Mr. L. Breckon JP CC, Dr. P. Bremner CC, Ms. L. Broadley CC, Mr. M. H. Charlesworth CC, Mr. J. G. Coxon CC, Mr. B. Crooks CC, Dr. T. Eynon CC, Dr. R. K. A. Feltham CC, Mrs. H. J. Fryer CC, Mr. S. J. Galton CC, Mr. D. A. Gamble CC, Mr. T. Gillard CC, Mrs. A. J. Hack CC, Mr. D. Harrison CC, Dr. S. Hill CC, Mr. Max Hunt CC, Mr. D. Jennings CC, Mr. J. Kaufman CC, Mr. W. Liquorish JP CC, Mr. J. Miah CC, Mr. J. Morgan 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. Parton CC, Mr. A. E. Pearson CC, Mr. T. J. Pendleton CC, Mr J. Poland CC, Mrs. P. Posnett CC, Mrs. C. M. Radford CC, Mr. J. B. Rhodes CC, Mr. T. J. Richardson CC, Mrs H. L. Richardson CC, Mr. N. J. Rushton CC, Mrs B. Seaton CC, Mr. S. D. Sheahan CC, Mr. R. J. Shepherd CC, Mrs D. Taylor CC, Mr. G. Welsh CC, Mrs. A. Wright CC and Mrs. M. Wright CC

1. TO ELECT A CHAIRMAN.

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

“That Mr Ozzy O’Shea be elected Chairman for the period until the next Annual Meeting of the Council.”

Mr O’Shea read out and signed his Declaration of Acceptance of Office which was witnessed and signed by the Chief Executive.

Mr O’Shea took the Chair and thanked his proposer and seconder and members of the Council for electing him.

The Chairman thanked Mrs Richards for her services to the County during her period of office as Chairman and Mr Richards for his services as her consort. Mr Rushton, Mr Galton and Dr Eynon each joined the Chairman in associating their Groups with the thanks to Mrs and Mr Richards. Mrs Richards thanked members for their generous remarks.

2. TO APPOINT A VICE - CHAIRMAN.

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

“That Mr David Jennings be appointed Vice-Chairman for the period until the next Annual Meeting of the Council.”

Mr Jennings read out and signed his Declaration of Acceptance of Office which was witnessed and signed by the Chief Executive.

Mr Jennings thanked his proposer and seconder for their generous remarks

and members of the Council for appointing him as Vice-Chairman.

3. CHAIRMAN'S ANNOUNCEMENTS.

Sitting Member and Former Member of the Council

The Chairman reported with great sadness the deaths of a sitting member and of a past Chairman of the Council.

Mr David Slater CC

County Councillor David Slater died on 29th April aged 70. He was first elected to the Council between 2009 and 2013 and was re-elected in 2017. He represented the Syston Ridgeway Electoral Division and had previously represented the Loughborough South Electoral Division.

Mr Slater was Chairman of the Environment and Transport Overview and Scrutiny Committee and served on the Scrutiny Commission and Corporate Governance Committee. He was also a member of the Leicester, Leicestershire and Rutland Combined Fire Authority. He had previously served on the Children and Young People's Overview and Scrutiny Committee and as a Cabinet Support Member.

Mr Slater also served on Charnwood Borough Council for 17 years, including as Leader, a position he held for seven years.

Members were advised that the memorial service for Mr Slater would be held at St Bartholomew's Church, Quorn, on Monday, 4th June at 1.00 p.m.

Mr David Knaggs

Mr David Knaggs died on 18th March. He served on the County Council from 1993 to 2005, representing the Thurmaston Electoral Division.

Mr Knaggs served on the Education Committee, including as its Chairman, and a number of its subcommittees. He was also a member of the Arts, Libraries and Museums Committee and the Policy and Resources Committee. When the Council moved to a Cabinet and Scrutiny model in 1999, Mr Knaggs served on the Education Scrutiny Committee and became one of the Spokesmen for that Committee.

Mr Knaggs was Chairman of the Council between 2003 and 2004. After retiring from the Council in 2005, he became an Honorary Alderman.

Those present joined the Chairman in standing in silent tribute to the memory of Mr David Slater CC and Mr David Knaggs.

Refreshments

The Chairman invited all Members to join him for light refreshments in the Members Lounge, immediately following the meeting.

Armed Forces Day

On Saturday 23rd June, together with the Lord-Lieutenant and Lord Mayor of Leicester, the Chairman would be hosting a special service at Leicester Cathedral to mark Armed Forces Day. The service would be followed by a parade of Standards, service personnel, veterans, and cadets through the streets of Leicester, behind the pipes and drums of the Seaforth Highlanders. During the course of the morning there would also be military stands and displays in Humberstone Gate. All Members were encouraged to attend.

On Monday 25th June the Chairman would be hosting an Armed Forces Day Flag-Raising ceremony at the Stand Easy Memorial, at 10.30 a.m. All Members would be invited to attend.

Chairman's Reception – Beaumanor Hall

Members were informed that the Chairman would be hosting the Chairman's Annual Reception at Beaumanor Hall on Thursday 26th July at 6.30 p.m. All Members of the County Council would be receiving invitations in due course.

County Service

The Chairman asked Members to note that the County Service this year would be held at Leicester Cathedral, on Sunday 7th October at 3.00 p.m. The Bishop of Leicester would be preaching and the service would be followed by modest refreshments. Invitations would be issued in due course.

Visitors

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

4. REPORT OF THE RETURNING OFFICER.

The Chief Executive presented the report of the Returning Officer on the election of the County Councillor for the Stoney Stanton and Croft Electoral Division on 3 May 2018.

The Chairman welcomed Mrs Maggie Wright CC to the Council.

5. 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 21st March 2018, copies of which have been circulated to members, be taken as read, confirmed and signed.”

6. 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.

Dr Terri Eynon CC declared a personal interest in the notice of motion on NHS Finance and Sustainability (minute 10 refers) as she was a registered medical practitioner.

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

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

“At the County Council Cabinet meeting held on 9th March it was agreed to “welcome the Strategic Growth Plan as a key, long term strategy for the future development and prosperity of Leicester and Leicestershire.

As there is now considerable concern being expressed by District and Parish Councils in the south of the County, both in relation to the Strategic Growth Plan itself and to other emerging plans being promoted by the private sector such as the Hinckley Rail Freight depot and other developments will steps now be taken to reflect these concerns in order to ensure that the quality of life and the environment is protected in the south of the County?”

Mr Rushton replied as follows:-

“The Strategic Growth Plan for Leicester and Leicestershire is a key document that will, in my opinion, help protect the quality of life and the environment across the county.

Local planning authorities are required to meet objectively assessed housing needs, and are under a duty to co-operate with each other and with the County Council across the housing market area to meet those needs. Failure to do this will only lead to key decisions about future housing provision being made by Government inspectors or by developers rather than by democratically accountable councils.

The approach proposed in the draft SGP, including focusing future housing provision along key strategic infrastructure corridors (in particular along the proposed new A46 expressway), is beneficial for a number of reasons:

- It will maximise the chances of securing funding which will ensure the new housing is provided as part of sustainable communities well-served by a range of infrastructure and facilities;
- It will minimise the provision of new homes in and adjacent to existing villages and small towns, and thereby protect the quality of life and environment of the residents of these areas;
- It will facilitate future economic growth to the benefit of the county’s businesses and residents.

I should perhaps remind Mr Bill that the Scrutiny Commission of which he is a member also recognised the benefits of the Draft SGP stating, and I quote,

that it 'welcomed the principle of the Strategic Growth Plan, to prevent unplanned growth which damaged the character of local areas and lacked infrastructure. The proposals in the Plan were generally felt to be sensible and it was felt that a long term strategic vision would benefit the area and provide a framework for the development of future Local Plans at District Council level.'

I am, however, aware that a substantial number of comments have been made on the Plan during the consultation period which ended last week. Some of these comments are very supportive but others raise important matters including in relation to quality of life and the environment in the south of the county and elsewhere. These will be looked at carefully by the Cabinet when it considers approving the final Plan later this year and I am sure both the Member Advisory Group and the Scrutiny Commission will do likewise."

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

"What are the County Council's plans regarding Sarah's Wood in Moira?"

Mr Rhodes replied as follows:-

"The County Council's current and ongoing plans are to continue to maintain Sarah's Wood for public access and enjoyment. This site is currently managed by Countryside Services, within Operational Property and Facilities Management Services. Day to day operations are delivered by a Community Ranger supported by a number of local volunteer groups.

There are plans in place to replace the children's play area, which was completely destroyed by fire, with a new children's sculpture trail, which was referred to at a previous meeting officers held with Mr Sheahan and the Ashby Woulds Town Clerk.

Consideration is also being given how best to maintain the toilet block which has been subject to on-going vandalism.

Discussions have started with the National Forest regarding any opportunities for joint working/funding. Further opportunities for community involvement on the site will also be explored."

Mr Sheahan asked the following supplementary question:-

"With respect to the last statement there, 'further opportunities for community involvement on the site will also be explored', I think it would be helpful if you could to talk to officers about the timescale for the replacement children's play area and the toilet block project and also try and ensure that there is more regular consultation on these issues with the parish council and myself as local member.

Mr Rhodes replied as follows:-

"I think Mr Sheahan raises a very good point. Clearly we need to do quite a bit more at Sarah's Wood to improve facilities there and in particular the toilet

block. What I can tell him is that yesterday two of our senior officers visited the site and had a look at the situation. As a result there will be some work done there pretty soon to bring it back into operation. That will make much better use of the site. As far as the co-operation goes with local people that's still got to be developed but I take note of what he says about parish councils."

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

"Could the Leader please update on the latest position with regard to providing a much-needed crossing on Lancaster Road and when he expects this now to be complete?"

Mr Pain replied as follows:-

"A zebra crossing was due to be installed on Lancaster Road at its junction with Station Road in March 2018. Due to unforeseen issues with buried services this crossing could not be safely constructed.

We remain committed to the provision of the crossing and are therefore looking at an alternative location approximately 30 metres west of the junction. This would mean that the crossing would be situated centrally between the junctions of George Street and Station Road.

We are currently undertaking work to confirm the feasibility of this location, including site investigations, trial holes and a Road Safety Audit.

It is expected that this work will be completed by the end of May 2018. We will then be in a position to review the proposals with the Police, local elected members and Hinckley and Bosworth Borough Council for their input ahead of wider public consultations over the summer. These consultations will include all stakeholders and legal advertisement of the crossing on site and in the local press.

If the crossing is supported, we would look to construct this on site in Autumn 2018."

Mr Bray asked the following supplementary question:-

"On both the issues I raise can I just ask that I be kept informed of the progress?"

Mr Pain replied as follows:-

"Of course Mr Bray will be kept informed, I'll ask the Director."

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

"Could the Leader advise what progress has been made in providing a new crossing patrol near to St. Peter's School in Hinckley?"

Mr Pain replied as follows:-

“The school crossing patrol at St. Peter’s School on London Road, Hinckley left at the end of the summer term 2017. The site meets our assessment criteria and usual recruitment methods were followed to seek a replacement person for this role. This has included sending three recruitment letters for the school to send to parents and using on-street vacancy boards at the crossing site. Because of the relatively short times of operation (45 minutes in the morning and 35 minutes in the afternoon) it is likely to appeal to someone with connections to the school and/or living in close proximity to the school. As Mr Bray will be aware the service is reliant on members of the community coming forward to fill these paid school crossing patrol roles. The school will be asked to send a further letter and I am sure the service would welcome applications from any interested candidates that Mr Bray may be aware of.”

(E) Mr Mullaney asked the following question of the Leader or his nominee:-

"The recent Cabinet report on the Enabling Growth Plan 2018-19 highlighted the County's plan for rolling out broadband coverage in Leicestershire, including securing funding to help deliver superfast broadband to more properties in the county. This included an aim for another 11,000 houses in the county to be covered by the end of this year. Residents of the Greens (Olympic Way) estate, off Leicester Road in Hinckley have to put up with extremely poor levels of broadband coverage and would benefit enormously from superfast broadband being extended to their estate. Could any future plans to include broadband roll-out please make extending it to this estate a priority?"

Mr Rushton replied as follows:-

“The Superfast Leicestershire Programme’s aim is to bring high speed broadband access to as many homes and businesses as possible. Within current funding constraints it is unlikely that the programme will be able to reach 100% of properties but the Council is actively seeking solutions for all residents and businesses.

For new developments such as the Greens in Hinckley, it is the developer’s responsibility to arrange provision of utilities, including broadband. Regrettably, many developers have failed to secure adequate service at the planning stage which means it is up to commercial telecoms operators to decide if it is financial viable to provide access. The result in this instance is that the area has been left with poor digital connectivity.

The Council has supported district counterparts to ensure that broadband coverage is reflected as a priority within Local Plans so that issues such as this are not repeated.

The Council’s Broadband team is also supporting a residents’ group representing the Greens in their attempt to negotiate a broadband upgrade paid for by the site developer.

All those who cannot currently access decent broadband in the area will be eligible to be targeted through the £5.7m Phase 3 of the Superfast Leicestershire programme. The Phase 3 procurement is expected to launch in June 2018 with a delivery partner to be appointed in the autumn and work to commence in 2019.

The areas which will benefit will not be known until the autumn and we will continue to seek solutions to ensure everyone across Leicestershire has access to the broadband speeds they need.”

Mr Mullaney asked the following supplementary question:-

“Obviously there are a high number of self-employed people who live on that estate so it’s particularly important that we do try and get the super fast broadband there and just obviously to say that if you could keep me informed of how things progress with the issue I would appreciate it”

Mr Rushton replied as follows:-

“I only recently had a briefing from the Chief Executive and Niall Mullin on broadband. I appreciate that you have got a very, very difficult estate there where the developer never put the ducting in. I’d have thought broadband now was as important to go into a house as water and sewers. I’m aware of the problem and I will prioritise trying to get it in there.

While I’m on my feet Chairman, can I just make a point that we had a very, very positive letter written to us by the Government department that’s in charge of broadband, congratulating us on the work we’ve done so far and the benefit that we’ve delivered for the money we’ve put in. In particular, there’s a whole paragraph at the end praising Niall Mullin who works under Tom Purnell. For a government department to write to us, congratulating us and to single out a particular officer for the praise that he received was quite fantastic. I too want to place on record my thanks to Niall Mullin and Tom Purnell and the work they do.”

8. POSITION STATEMENTS UNDER STANDING ORDER 8.

There were no position statements.

9. APPOINTMENTS MADE IN ACCORDANCE WITH ITEMS 11 AND 12 OF STANDING ORDER 4.

(a) To appoint the Leader.

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

“That Mr N J Rushton be appointed Leader of the Council for the period until the next Annual Meeting of the Council.”

(b) To note any changes to the membership of the Cabinet made by the Leader.

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

“That it be noted that the Leader proposes to appoint the members named on list ‘1’ attached to the Order Paper as members of the Cabinet.”

A copy of List ‘1’ is filed with these minutes.

(c) To appoint Cabinet Support Members as the Council considers appropriate.

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

“That the following members be appointed as Cabinet Support Members until the next Annual Meeting of the County Council, as provided for in Article 7 of the Council’s Constitution:-

Mr L Breckon
Mrs C M Radford
Mrs D Taylor”

(d) To appoint members of the Scrutiny Commission, Boards and Committees (including the naming of Spokesmen/Spokespersons).

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

“That the membership of the Scrutiny Commission, Boards and Committees as set out in List ‘2’ attached to the Order Paper be approved.”

(i) Spokesmen

Commissioners

Mr Shepherd named the members shown in the second and third column of list ‘S’, as Conservative Commissioners of the Scrutiny Commission.

Mr Charlesworth named the member shown in the fourth column of list ‘S’, as Liberal Democrat Commissioner of the Scrutiny Commission.

Mr Hunt named the member shown in the fifth column of list ‘S’, as Labour Commissioner of the Scrutiny Commission.

Scrutiny Committees and Development Control and Regulatory Board

Mr Shepherd named the members shown in the second and third column of list ‘S’, as Conservative Chairmen and Deputy Chairmen of the Scrutiny Committees and the Development Control and Regulatory Board.

Mr Charlesworth named the members shown in the fourth column of list ‘S’, as Liberal Democrat Spokesmen of the Scrutiny Committees and the Development Control and Regulatory Board.

Mr Hunt named the members shown in the fifth column of list ‘S’, as Labour Spokespersons of the Scrutiny Committees and the Development Control

and Regulatory Board.

Other Regulatory Bodies

Mr Shepherd named the members in the second column of list 'S', as Conservative Spokesmen of the bodies as shown.

Mr Charlesworth named the members in the third column of list 'S', as Liberal Democrat Spokesmen of the bodies as shown.

Mr Hunt named the members in the fourth column of list 'S', as Labour Spokespersons of the bodies as shown.

A copy of list 'S' is filed with these minutes.

(ii) Substitutes

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

“That the Chief Executive be authorised to make and terminate appointments to the Commission, committees, boards and other County Council bodies (not including the Cabinet) in accordance with the wishes of the political groups to whom the seat in question has been allocated, subject in the case of those bodies set out in list '2' to the Group giving one day's notice to the Chief Executive of its wishes.”

10. TO CONSIDER THE FOLLOWING NOTICE OF MOTION:

(a) NHS Finance and Sustainability.

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

“(a) That this Council notes:-

- i) The demographic and central government pressures on the NHS and Social Care;
- ii) The combined financial savings target in 2018/19 for all Leicester, Leicestershire and Rutland Clinical Commissioning Groups is of the order of £60million;
- iii) The quality improvement and performance targets for all LLRCCGs are challenging and that West Leicestershire CCG has publicly acknowledged that its target for 2018/19 is significantly higher than that planned or delivered in 2017/18.

b) That this Council notes with concern:-

- i) That the realignment of Community Hospital beds is still being considered at a time of significant bed pressures across the local health system;

- ii) That no agreed and financially sustainable transformation plan is yet in place to meet the challenges facing the local health economy despite the known on-going significant financial pressures;
 - iii) The impact on NHS and local authority services of the CCGs' financial savings targets;
 - iv) That whilst the three LLR CCGs have agreed to work together this is only at the level of a senior joint management board and not a full merger of the three CCGs;
 - v) That there is a lack of democratic accountability in the NHS decision making system.
- c) That this Council therefore calls on the Cabinet Lead Members to work closely with their counterparts in Leicester City and Rutland Councils:-
- i) To challenge the strategic direction of the financial and service plans for all LLR CCGs;
 - ii) To work to protect NHS community hospitals and district nursing services;
 - iii) To engage in national discussions on a medium term financial settlement for health and social care with the aim of achieving genuinely sustainable, adequately funded, integrated health and social care system for the LLR area.
- d) That this Council welcomes the decision of the LLR CCGs to accept the need for an externally led governance review of the NHS Sustainability and Transformation Partnership.
- e) That this Council welcomes the decision of the LLR CCGs to accept an invitation from the Health Overview and Scrutiny Committee to explain their proposals for a joint management board and request the Committee to explore why a full merger of the three CCGs was not pursued as this has the potential of reducing bureaucracy, management and administration costs; and to explain the consequences for services of their savings targets.”

2.00 pm – 3.20 pm
16 May 2018

CHAIRMAN