

Minutes of a meeting of the Cabinet held at County Hall, Glenfield on Tuesday, 22 October 2019.

PRESENT

Mr. J. B. Rhodes CC (in the Chair)

Mr. L. Breckon JP CC
Mr. I. D. Ould OBE CC
Mr. B. L. Pain CC

Mr. T. J. Pendleton CC

Apologies

Mr. N. J. Rushton CC, Mr. R. Blunt CC, Mrs H. L. Richardson CC and Mr. R. J. Shepherd CC

In attendance

Mrs. C. M. Radford CC, Mrs. D. Taylor CC, Mr. O. O'Shea CC, Mr. S. J. Galton CC.

321. Minutes of the previous meeting.

The minutes of the meeting held on 13 September were taken as read, confirmed and signed.

322. Urgent items.

There were no urgent items for consideration.

323. 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.

Mr. L. Breckon CC declared a Personal Interest in item 7 (A Vision for Local Government in Leicestershire) and item 15 (Response to Blaby District Council's New Local Plan Issues and Options Consultation) as a member of Blaby District Council.

324. Special Educational Needs and Disabilities Funding - Latest Funding Position (High Needs Block) and Development of New Provision.

The Cabinet considered a report of the Director of Children and Family Services concerning funding for Special Educational Needs Provision (SEND). A copy of the report marked 'Agenda item 4' is filed with these minutes.

Mr Ould CC said that the Schools' Forum had recently discussed the potential transfer of up to 0.5% from the Schools Block to the High Needs Block and there was a general understanding of the significant financial issues faced by the Council concerning SEND funding.

In response to questions from members the Director confirmed that whilst the Authority would benefit from additional one-off High Needs funding in the region of £5.4m for the 2019/20 financial year, it would not be enough to address the overall deficit which continued to rise.

RESOLVED:

- (a) That the current forecast High Needs Block overspend of £6.1m at the end of the financial year be noted;
- (b) That it be noted that Leicestershire schools and the Schools Forum will be consulted on the proposed transfer of up to 0.5% of Schools Block funding to the High Needs Block for 2020/21 or for 2021/22 to help manage the revenue budget position as soon as the relevant information is available;
- (c) That the Director of Children and Family Services be authorised to apply to the Secretary of State for approval of the transfer at (b) above should it not be agreed by the Schools Forum;
- (d) That the Director of Children and Family Services be authorised:
 - (i) after the necessary consultation, to progress the transfer of Oakfield Short Stay School to new locations in north and south Leicestershire,
 - (ii) following consultation with the Cabinet Lead Member for Children, Families and Safer Communities, to agree a shortlist of potential academy trusts to be recommended to the Department for Education (Regional Schools Commissioner) for a decision on a preferred Trust to operate the new 50-place Social Emotional and Mental Health (SEMH) needs school to be developed on the vacant Oakfield site in Blaby.

(KEY DECISION)

REASONS FOR DECISION:

The High Needs Block, part of the Dedicated Schools Grant (DSG), funds SEND provision and is currently overspent. The High Needs deficit is forecast to increase up to 2020/21 before being recovered in 2024/25. The transfer of up to 0.5% from the Schools Block to the High Needs Block will reduce the overall DSG deficit.

It is a requirement to consult Leicestershire schools and the Schools Forum for proposed transfers of up to 0.5%. Should the Forum not approve the transfer, the Council may seek approval from the Secretary of State; such a request would need to be submitted to the Department for Education (DfE) by 28 November 2019 for a transfer within 2020/21. If the request is made after this date, the transfer would be sought for 2021/22.

The High Needs Development Plan seeks to introduce a number of measures to reduce the forecast overspend and subsequent deficit.

Seeking expressions of interest from suitable academy proposers (sponsors) to operate the new SEMH school in Blaby, is in keeping with the requirements placed upon the Council by section 6A (the Free School Presumption) of the Education and Inspections Act 2006, as introduced by the Education Act 2011. Authorising the Director of Children

and Family Services to agree the shortlist to be recommended to the Regional Schools Commissioner, will help ensure that the process for the new school remains on schedule for September 2020 opening.

Although the transfer of the Oakfield school site to new locations is regarded as outside of the normal DfE 'prescribed alterations' process applicable to the movement of maintained schools (but not Pupil Referral Units), the publication of a Statutory Notice would ensure that the process follows good public law principles of transparency and effective consultation.

325. Request for an Addition to the 2019/20 Capital Programme for the Social Care Accommodation Development Plan.

The Cabinet considered a joint report of the Director of Adults and Communities and Director of Corporate Resources which sought agreement for a process by which the Council could purchase and develop properties to provide additional adult social care accommodation. Approval was also sought for an allocation of £10m to begin the process. A copy of the report marked 'Agenda Item 5' is filed with these minutes.

Members noted the comments of one of the local members Dr. T. Eynon CC, a copy of which is filed with these minutes.

Mr Rhodes CC said that the proposals highlighted the Council's commitment to increase the availability of supported living accommodation which was a positive alternative to residential care.

RESOLVED:

- (a) That £10m be added to the capital programme for the Adults and Communities Department to enable the purchase and development of priority supported living properties and a specialised dementia care facility;
- (b) That with regard to the purchase of assets to fulfil social care accommodation needs identified in the Social Care Accommodation Development Plan:
 - (i) the process will be subject to the governance arrangements outlined in the report;
 - (ii) the Director of Corporate Resources, in exercising his existing delegated powers to purchase property assets for operational purposes, will first consult with the relevant Chief Officer and Cabinet Lead Member(s);
- (c) That the Council-owned property Workspace 17, at Highfield Street, Coalville be developed as a specialist dementia care facility, noting that the overall cost is expected to be in the region of £5.5m.

(KEY DECISION)

REASONS FOR DECISION:

Additional capital funding is necessary to proceed with urgent objectives in the Council's Social Care Accommodation Development Plan and the Adult Social Care Strategy.

The Director of Corporate Resources has delegated powers to purchase land for schemes within the approved capital programme and for other operational purposes, up to a maximum of £2m per transaction. Given the particular requirements of schemes within the Social Care Accommodation Development Plan, a governance process, outlined in Part B of the report, has been developed for this.

The Coalville property is suitable for the development of a much-needed specialist dementia facility.

326. Exceptions to Contract Procedure Rules for Supported Living Provision.

The Cabinet considered a report of the Director of Adults and Communities which sought approval for an exception to the Council's Contract Procedure Rules in respect of three current and two future placements with supported living providers. A copy of the report marked 'Agenda Item 6' is filed with these minutes,

RESOLVED:

- (a) That approval be given to an exception to the Contract Procedure Rules to enable Creative Care, Voyage and Chartwell to provide services for the five individual placements listed in paragraph 8 of the report;
- (b) That in recognition of the special circumstances relating to the delivery of services, and the need to ensure that the individuals' best interests are paramount in any care package commissioned, the Director of Adults and Communities be authorised to engage and commission support from non-framework providers;
- (c) That any exceptions agreed as part of (b) above be included in the Annual Report on Exceptions made to the Corporate Governance Committee.

REASONS FOR DECISION:

The County Council's Contract Procedure Rules (Part 4G of the Constitution) require that, where the estimated value of a contract exceeds £181,302, formal tenders must be invited.

Where the estimated value of the proposed contract exceeds £181,302, Rule 6 (b) (ii) requires the Cabinet to approve an exception to the Rules where this is justified on its merits.

It is considered necessary to commission supported living from non-framework providers for the five individuals for the reasons outlined in the report to ensure the Council is fulfilling its statutory responsibility to meet their care and support needs.

327. A Vision for Local Government in Leicestershire.

The Cabinet considered a report of the Chief Executive which sought the Cabinet's approval for the draft strategic business case for the development of a unitary structure for Local Government in Leicestershire to be presented to the Scrutiny Commission. A copy of the report marked 'Agenda Item 7' is filed with these minutes.

Mr Rhodes CC welcomed the business case and the supporting document produced by PwC which agreed with the Council's assessment that a saving of £30m per annum could

be realised if a unitary council was established. He added that the Scrutiny Commission had provided valuable feedback following its consideration of initial plans earlier in the year and looked forward to its consideration of the proposals.

Mr Breckon CC said that the Council continued to be interested in the views of all external stakeholders and encouraged them to comment on the proposals.

RESOLVED:

- (a) That the draft strategic business case for the development of a unitary structure for Local Government in Leicestershire be approved for engagement with the Scrutiny Commission;
- (b) That the findings of the PwC review of the unitary financial savings proposal for Leicestershire be noted;
- (c) That the draft strategic business case, amended as necessary to take into account the views of the Scrutiny Commission, be submitted to the Cabinet at its meeting on 22 November 2019 for further consideration.

(KEY DECISION)

REASONS FOR DECISION:

To enable the Scrutiny Commission to comment on the draft strategic business case for the development of a unitary structure for Local Government in Leicestershire.

328. Country Parks and Open Spaces Strategy 2019-2029.

The Cabinet considered a report of the Director of Corporate Resources which sought approval to consult on the draft Country Parks Open Spaces Strategy and for the Director to progress the associated action plans. A copy of the report marked 'Agenda Item 8' is filed with these minutes.

Mr Rhodes CC said that whilst the maintenance and development of parks and green spaces was not a statutory responsibility of the County Council, they were valued by local residents and a great asset for Leicestershire.

RESOLVED:

- (a) The draft Country Parks and Open Spaces Strategy be referred to the Scrutiny Commission for comment;
- (b) The Director of Corporate Resources be authorised to progress work on action plans for the six main destination Country Parks for consideration by the Scrutiny Commission;
- (c) That the final Country Parks and Open Spaces Strategy be submitted to the Cabinet in early 2020.

REASONS FOR DECISION:

To enable the Scrutiny Commission to comment on the proposed approach for maintaining, preserving and developing the Authority's country parks and open spaces.

329. East of Lutterworth Strategic Development Area.

The Cabinet considered a joint report of the Director of Corporate Resources and Director of Environment and Transport which sought agreement for the allocation of additional resources to support the planning application, pre-highway construction costs and delivery appraisal associated with the East of Lutterworth Strategic Development Area (SDA). A copy of the report marked 'Agenda Item 9' is filed with minutes.

Mr Pendleton CC said that the allocation of additional funding would ensure continued progress with the project, which supported the previously approved Strategic Growth Plan.

RESOLVED:

That additional funding of £4.62m be allocated for delivery of the East of Lutterworth SDA project for work relating to the planning application, pre-highway construction costs and work associated with the delivery options appraisal for the project.

(KEY DECISION)

REASONS FOR DECISION:

To ensure that the delivery of the planning consent, commencement of highway works and the development of the delivery options appraisal are completed in time to ensure the Council complies with the terms of the Homes England Local Authority Accelerated Construction (LAAC) grant funding, which requires construction to start on the residential units by March 2021.

330. Draft Equality Strategy 2020-2024 and Progress Report for 2016-2020.

The Cabinet considered a report of the Chief Executive which detailed progress made in relation to the Council's current Equality Strategy and sought approval for consultation to begin on a Strategy for 2020 – 2024. A copy of the report marked 'Agenda Item 10' is filed with these minutes.

RESOLVED:

- (a) That the work and achievements in promoting equality, diversity, community cohesion and human rights under the eight corporate equalities objectives which were agreed in 2016 and which form the basis of the Equality Strategy 2016-20 be noted;
- (b) That the Council's draft Equality Strategy 2020-24 be approved for consultation.

(KEY DECISION)

REASONS FOR DECISION:

The Council is required under the specific duties of the Equality Act 2010 to publish information to show compliance with the Public Sector Equality Duty and to set and publish specific, measurable equality objectives at least every four years.

To provide continued oversight of work undertaken under the current Equality Strategy 2016-20.

To enable formal consultation on the draft Equality Strategy 2020-24 to be undertaken with a wide range of stakeholders.

331. Development of a New Model for Homelessness Prevention and Housing-Related Support.

The Cabinet considered a report of the Director of Public Health which advised the Cabinet of the outcome of consultation on a proposed new model for homelessness prevention and housing related support. A copy of the report marked 'Agenda Item 11' is filed with these minutes.

Mr Ould CC welcomed the proposals and noted that the significant consultation undertaken had significantly shaped the revised approach.

RESOLVED:

- (a) That the comments of the Health Overview and Scrutiny Committee be noted;
- (b) That an external provider be commissioned to deliver a combination of both hostel-based accommodation and outreach housing-related support for people at risk of, or experiencing, homelessness in Leicestershire, which would:
 - (i) reflect the alternative proposal (the 'Consultation Counterproposal') put forward as part of the consultation on changes to the current housing-related support service,
 - (ii) deliver hostel-based accommodation which matches the current level of provision (30 beds),
 - (iii) provide more than 3 full-time equivalent specialist housing-related support workers,
 - (iv) ensure cross-Leicestershire outreach housing-related support and equality of access;
- (c) That the Director of Public Health be authorised
 - (i) to agree the detailed specification of the model for homelessness prevention and housing-related support;
 - (ii) in consultation with the Director of Corporate Resources, to procure services for homelessness prevention and housing-related support in line with the agreed option at (b) above.

(KEY DECISION)

REASONS FOR DECISION:

The consultation indicated mixed support for the initial proposal and the alternative would maintain both the residential and out-reaching housing-related support service provided by an external provider as well as a number of other benefits including sustaining specialist expertise, bringing in added value with extra complementary services, and giving opportunities to build on existing partnership work.

OTHER OPTIONS CONSIDERED:

The original consultation proposal was to decommission the floating outreach service, replacing it with a redesigned community outreach service involving the in-house Local Area Coordination Service (no change was proposed to the in-reach hostel support).

332. Leicestershire Suicide Prevention Programme - "Start a Conversation" and the Suicide Bereavement Support Service.

The Cabinet considered a report of the Director of Public Health which detailed developments in suicide prevention in Leicestershire over the past 12 months. A copy of the report marked 'Agenda Item 12' is filed with these minutes.

Mr Breckon CC said that the Suicide Prevention conference held on the 10 September was well attended and the recently launched Suicide Bereavement Support Service would provide vital help for those bereaved by suicide.

RESOLVED:

- (a) That progress with the Leicestershire Suicide Prevention Programme and work to tackle the issue of suicide through the 'Start a Conversation' website and programme be supported;
- (b) That the recent launch of the local Suicide Bereavement Support Service be noted.

REASONS FOR DECISION:

To note progress with the work taking place in Leicestershire to help prevent suicide and support those who have been bereaved.

333. Leicester and Leicestershire Tourism Growth Plan.

The Cabinet considered a report of the Chief Executive which sought approval for a Tourism Growth Plan which had been jointly developed with Leicester City Council. A copy of the report marked 'Agenda item 13' is filed with these minutes.

Mr Pendleton CC said that the Plan had successfully combined the key tourism destinations across Leicester and Leicestershire into a single succinct document which would promote and support tourism businesses.

RESOLVED:

- (a) That the comments of the Scrutiny Commission and response thereto be noted;

- (b) That the Tourism Growth Plan be approved.

REASONS FOR DECISION:

The Plan will provide a framework for the growth of the sector over the next five years. It will help to focus effort, reduce duplication, inform, guide and influence decisions on investment and bring individual partners together to increase their impact. By visualising the area as a single, integrated visitor destination, the sector can achieve more growth, more visitors, more economic value and more jobs. By working collaboratively with Leicester City Council and the district councils, a more joined up approach to developing tourism across the sub-region can be achieved.

334. Proposals from Leicester City Council Regarding the Transforming Cities Fund and Air Quality Directive.

The Cabinet considered a report of the Director of Environment and Transport concerning the development of proposals by Leicester City Council in preparation for a bid to the Transforming Cities Fund and in response to Government's Air Quality Directive. A copy of the report marked 'Agenda Item 14' is filed with these minutes.

Mr Pain CC said that if successful, Leicester City Council would be allocated a share of £840m of Government funding which it had indicated could be spent on initiatives such as improving public transport, cycling and walking provision. Whilst the responsibility for air quality in the area lay with the City Council (in Leicester) and seven district councils (In Leicestershire), improvements as the result of a successful bid could also help the County Council to meet its environmental targets.

RESOLVED:

- (a) That the Cabinet confirms its support in principle for Leicester City Council's
- (i) emerging Tranche 2 proposals to the Transforming Cities Fund (TCF);
 - (ii) proposed response to the Government's Air Quality Directive (AQD);
- (b) That it be noted that the Director of Environment and Transport, following consultation with the Cabinet Lead Member for Environment and Transport, will continue to engage with Leicester City Council in finalising its AQD response and TCF bid;
- (c) That the timescales indicated in the report for submission of the AQD response and TCF bid by Leicester City Council and further work, including consultation be noted;
- (d) That the likely content of the joint TCF bid by Nottingham and Derby City Councils be noted;
- (e) That members be advised of the outcome of Leicester, Derby and Nottingham City Council's TCF bids and Leicester City Council's AQD proposals.

REASONS FOR DECISION:

The Council's support will assist Leicester City Council in its application for funding to improve sustainable transport and enhance transport links and to improve air quality, which will benefit residents of both the City and County.

Continued engagement with the City Council will help ensure that its proposals accord, so far as possible, with the County Council's transport and wider environmental approach and maximise their effectiveness.

335. Response to Blaby District Council's New Local Plan Issues and Options Consultation.

The Cabinet considered a report of the Chief Executive regarding the County Council's response to the consultation issued by Blaby District Council relating to its 'New Local Plan Issues and Options Consultation'. A copy of the report marked 'Agenda Item 15' is filed with these minutes.

Mr Pendleton CC said it was important that district council's local plans aligned with the principles agreed as part of the Leicester and Leicestershire Growth Plan.

RESOLVED:

That the comments set out in paragraphs 18 to 52 and the detailed consultation response appended to the report be approved as the County Council's response to Blaby District Council's New Local Plan Issues and Options Consultation.

REASONS FOR DECISION:

To confirm the County Council's response to Blaby District Council (further to the comments submitted by officers on 10 October). To seek to ensure alignment with the strategic outcomes of the County Council's Strategic Plan, with the Leicester and Leicestershire Strategic Growth Plan, and to influence the content of the Local Plan in the interests of local communities.

336. Waste Transfer Station at Interlink Business Park, Bardon.

The Cabinet considered a report of the Director of Environment and Transport which sought approval for land owned by the Council in Bardon to be used as a waste transfer station. A copy of the report marked 'Agenda Item 16' is filed with these minutes.

RESOLVED:

That the use of the land at the Interlink Business Park, Bardon (indicated on the plan appended to the report) for a waste transfer station be approved subject to a satisfactory full business case being agreed by the Director of Environment and Transport and the Director of Corporate Resources.

REASONS FOR DECISION:

To clarify plans for the use of the Bardon site which has been the subject of various proposals since the cessation of the PFI project in 2011.

337. Items referred from Overview and Scrutiny.

There were no items referred from Overview and Scrutiny.