

Minutes of a meeting of the Cabinet held at County Hall, Glenfield on Tuesday, 24 March 2020.

PRESENT

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

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

Mr. J. B. Rhodes CC
Mrs H. L. Richardson CC
Mr. R. J. Shepherd CC

Apologies

Mr. T. J. Pendleton CC

In attendance

Mr. O. O'Shea JP CC, Mrs. C. M. Radford CC and Mrs D. Taylor CC
Dr. R. K. A. Feltham CC

377. Minutes of the previous meeting.

The minutes of the meeting held on 7 February 2020 were taken as read, confirmed and signed.

378. Urgent items.

The Chairman advised that there were two urgent reports for consideration:

- i. a report of the Chief Executive, Director of Corporate Resources and Director of Environment and Transport concerning the County Council's Housing Infrastructure Fund bid to Homes England for the South West Leicestershire Growth Area.

The report was urgent as the outcome of the bid to the Housing Infrastructure Fund was announced after the agenda for the Cabinet meeting had been published and a basis for moving forward needed to be agreed at the earliest opportunity; and

- ii. a report of the Chief Executive, Director of Corporate Resources and Director of Public Health regarding the Council's response to the coronavirus pandemic.

The report was urgent as the situation and the Council's response continued to develop since the agenda for the Cabinet meeting had been published and a basis for moving forward needed to be agreed at the earliest opportunity.

With the agreement of the Cabinet the reports were taken under item 17 on the agenda (minute 393 and 394 refer).

379. 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.

No declarations were made.

380. Report of the Scrutiny Review Panel on Multi-Academy Trusts.

The Cabinet considered a report of the Chief Executive regarding the key findings and recommendations of the Scrutiny Review Panel which reviewed the structural and operational arrangements of Multi-Academy Trusts (MATs) in Leicestershire. A copy of the report, marked 'Agenda item 4', is filed with these minutes.

Dr. Feltham CC, Chairman of the Scrutiny Review Panel, presented the report. He highlighted the developing relationship between MATs and the local authority, in particular the School Effectiveness Team, although it was recognised that further work was needed to improve this further and to ensure that members [county councillors] were aware of where to raise any concerns relating to MATs.

Mr. Pain CC commended the Panel's recommendations.

RESOLVED:

- a) That further work takes place to ensure that elected members understand how and where to raise concerns around a Multi-Academy Trust;
- b) That MATs be encouraged to appoint elected members to their local governing bodies to ensure better engagement between MATs, elected members and the Local Authority;
- c) That a discussion takes place at the Academy Chief Executive Officer Network Group around arranging visits to local schools for elected members in order to develop and maintain the local link;
- d) That details of local elected members be sent to relevant schools to enable them to make contact should they wish;
- e) That the Children and Families Overview and Scrutiny Committee receives an annual progress report from the School Effectiveness Team.

(KEY DECISION)

REASON FOR DECISION:

To improve further the relationship between Multi-Academy Trusts and elected members.

381. Children's Social Care Investment Plan.

The Cabinet considered a report of the Director of Children and Family Services which sought approval for a new model of residential provision for children's social care which had been developed by the Council in conjunction with Barnardo's. A copy of the report, marked 'Agenda item 5', is filed with these minutes.

Mr. Ould CC commended the partnership working with Barnardo's, adding that the new model of service design would help improve outcomes for children and young people.

RESOLVED:

- a) That the comments of the Children and Families Overview and Scrutiny Committee be noted;
- b) That the Children's Social Care Investment Plan as outlined in the report be approved;
- c) That £2.5m capital investment be allocated to the Children's Social Care Investment Plan to purchase:
 - (i) a Hub to house the Assessment and Resource Team and three assessment beds,
 - (ii) three multi-functional properties which can house up to two children/young people alongside staff accommodation.

(KEY DECISION)

REASONS FOR DECISION:

This model has been designed with the aim of providing the best outcomes for children and young people based on the findings of a comprehensive period of service design led by Barnardo's. It has been developed not as a savings initiative but as an opportunity to meet the requirements of the service and improve outcomes for children and young people through developing needs-based commissioning, flexibility, and better placement matching and stability.

The capital investment will enable the Department to ensure effective care and support for children and young people with complex needs. It will enable care to be provided in Leicestershire, rather than having to place children in expensive out-of-county placements.

382. Environment and Transport 2020/21 Highways Capital Programme and Highways and Transportation Work Programme.

The Cabinet considered a report of the Director of Environment and Transport regarding the Environment and Transport 2020/21 Highways Capital Programme and Highways and Transportation Work Programme. A copy of the report, marked 'Agenda item 6', is filed with these minutes.

Members noted comments from Mr. Max Hunt CC, a copy of which is filed with these minutes.

The Director informed members that, following the outcome of the HIF bid, alternate potential sources of funding would be sought for the aspects of the programme that this covered. Delivery of the capital programme would be reviewed throughout the year and, due to the uncertainty created by the coronavirus pandemic and the fact that staff would be diverted to delivering priority services, the delivery of major projects may be delayed, which may increase costs.

RESOLVED:

- a) The Environment and Transport 2020/21 Highways and Transportation Capital Programme and Works Programme be approved;
- b) That, noting the comments from the Director of Corporate Resources in the separate report to this meeting on Coronavirus (COVID-19) impact on the County Council's finances the Director of Environment and Transport be authorised at this stage and subject as necessary to (i) further reports to the Cabinet, and (ii) the Director's use of delegated powers in urgent matters:
 - (i) following consultation with the Director of Corporate Resources and the Cabinet Lead Member for Highways and Transportation, to make minor amendments to the 2020/21 Highways and Transportation Capital Programme and Works Programme;
 - (ii) following consultation with the Director of Corporate Resources and the Cabinet Lead Members for Highways and Transportation and Corporate Resources, to prepare and submit bids, as appropriate, to secure external funding for delivery of schemes identified in the Highways and Transportation Capital and Works Programmes;
 - (iii) following consultation with the Director of Corporate Resources, the Director of Law and Governance and the Cabinet Lead Member for Corporate Resources, to enter into such contracts as are necessary to progress schemes in the approved Highways and Transportation Capital and Works Programmes to allow early contractor involvement to take place in advance of all external funding required to deliver the scheme , subject to the key principles (a) to (d) set out in paragraph 27 of the report.

(KEY DECISION)

REASONS FOR DECISION:

To approve the Environment and Transport Department's Highways Capital Programme and Works Programme for the 2020/21 financial year.

Both programmes may need to be revised to respond to changing circumstances (for example changes in Government policy or Government funding announcements), and to ensure optimal use of resources throughout the financial year.

To enable the delivery of large capital schemes using a collaborative approach to work with contractors to reduce risk and increase cost certainty. Working in this way will also

provide necessary assurance to partners and third-party funders contributing to the cost of delivering the Highways Capital Programme.

383. Hinckley Zone 4: Rugby Road and Town Centre Improvements.

The Cabinet considered a report of the Director of Environment and Transport regarding the outcome of the consultation on Hinckley Zone 4: Rugby Road and Town Centre Improvement Scheme and seeking approval to implement the amended scheme. A copy of the report, marked 'Agenda item 7', is filed with these minutes.

Members noted submissions from Mr. Stuart Bray CC and also from Mr. David Bill MBE CC presenting comments from District Councillors from Hinckley and Bosworth Borough Council, a copy of which is filed with these minutes.

Members were informed that, in response to the consultation, the proposals for the Hawley Road junction had been amended and the residents' parking scheme now proposed including a greater number of roads, to be the subject of separate consultation.

Mr Pain CC commended the Highways Officers who had engaged with the Borough Council on the issue.

RESOLVED:

- a) That the outcome of the public consultation on the proposed Hinckley Zone 4: Rugby Road and Town Centre Improvements and the amendments to the scheme developed in response be noted;
- b) That the amended scheme as detailed in the report and Appendices B1-9 and C1-2 be approved;
- c) That the Director of Environment and Transport, following consultation with the Director of Corporate Resources and the Cabinet Lead Members for Highways and Transportation and Corporate Resources, be authorised to undertake the necessary processes to deliver the scheme, including, but not limited to, the acquisition of land, entering into a construction contract and introducing appropriate changes to traffic regulation orders (noting that any Compulsory Purchase Orders would need to be the subject of appropriate authorisation);
- d) That the Director of Environment and Transport following consultation with the Cabinet Lead Member for Highways and Transportation be authorised to make minor changes to the scheme as appropriate through the delivery process.

REASONS FOR DECISION:

A public consultation was undertaken, the responses to which have been considered by the Environment and Transport Department in proposing the revised scheme. The consultation showed support for the scheme's objectives and several amendments have been made to reflect the main concerns and comments raised.

The scheme is part of a package of works designed to support growth and economic performance in Hinckley. It will provide a range of benefits including improving journey times, better air quality, pedestrian and cyclist facilities, along with reducing congestion and delays along the Rugby Road corridor.

Authorising the Director of Environment and Transport to take all the necessary action to progress the scheme, and to make minor changes if need be, will help ensure the work is done efficiently and completed within the planned timescales.

384. Melton Mowbray Distributor Road.

The Cabinet considered a joint report of the Chief Executive, Director of Corporate Resources and Director of Environment and Transport which advised of officers' concerns that Melton Borough Council had not undertaken the necessary work on masterplanning in the Borough, which intensified the financial risk to the County Council in accepting a grant and in building the southern section of the Melton Mowbray Distributor Road (MMDR). A copy of the report and the supplementary report, marked 'Agenda item 8', is filed with these minutes.

The Director of Corporate Resources explained that the financial risk to the County Council needed to be set in the context of the wider development of infrastructure by the County Council across Leicestershire which would total over £600m over the next 15 years. There was a particular financial risk to the County Council in building the southern section of the MMDR, for which only 20% of the £70m estimated cost would be funded by the Housing Infrastructure Fund Grant. Proceeding with this therefore currently relied on the County Council forward-funding £56m with no indication as to how or when it would be recouped.

Mr. Rhodes CC noted that the MMDR was a key element of Melton Borough Council's Local Plan and expressed his keen disappointment at its failure to do the masterplanning work needed to provide financial assurance to the County Council in delivering the southern section.

Mr. Rushton CC added that in such economically unstable times, it was even more essential that Melton Borough Council had the appropriate plans in place to reassure the County Council considering the level of financial risk.

RESOLVED:

- a) That the financial risk to the County Council of having to forward fund £100m on current estimates to allow the northern/eastern and southern sections of the Melton Mowbray Distributor Road to be constructed, be noted;
- b) That it be noted that:
 - (i) this position has regrettably been exacerbated by Melton Borough Council having no comprehensive masterplan, including a phasing and delivery plan, for either the Northern or Southern Sustainable Neighbourhoods as required by the Melton Local Plan, including key transport links within and outside the developments, linking to the town of Melton Mowbray and other housing and employment areas;
 - (ii) without these masterplans and a process to produce them not having been undertaken in line with the Local Plan, there is too much uncertainty about development in Melton for the County Council to commit to forward fund the cost of the southern section of the Melton Mowbray Distributor Road at a time of increasing financial uncertainty;

- c) That Melton Borough Council and Homes England accordingly be advised that in the absence of masterplans which meet the requirements of the adopted Melton Local Plan and no assurance that Melton Borough Council is close to completing such plans after a required process of consultation with all stakeholders, the County Council is unable at this time to accept the grant aid offer from Government towards the cost of the southern section of the Melton Mowbray Distributor Road;
- d) That the Department for Transport be advised that the County Council remains committed to progressing further the northern and eastern legs of the Distributor Road;
- e) That an offer be made to Melton Borough Council for the County Council to undertake at its expense a fresh masterplanning exercise on the understanding that the Borough Council will cooperate fully and the outcomes of the exercise, to be concluded as quickly as possible, will be subject to the approval of both councils;
- f) That it is important to note in this context that the County Council has to date invested circa £5m in support of the Melton Mowbray Distributor Road and the Melton Mowbray Transport Strategy; has allocated £16m towards the construction of the northern and eastern legs of the Distributor Road; and is prepared to allocate £13m towards the construction of the southern leg if recommendation (e) is accepted by Melton Borough Council;
- g) That the offer in (e) above be made to Melton Borough Council so that the County Council can accept the Housing Infrastructure Fund bid for the southern section of the Distributor Road; and that Melton Borough Council be informed of the County Council's intention to give an answer to the Ministry of Housing, Communities and Local Government and Homes England on the grant aid offer for the southern section of the Distributor Road by 31 May 2020 at the latest.

REASON FOR DECISION:

The escalated financial risk to the County Council of accepting the Housing Infrastructure Fund grant offer is not acceptable given the inadequate approach to masterplanning by Melton Borough Council.

385. North and East Melton Mowbray Distributor Road - Making of the Compulsory Purchase Order and Side Roads Order for Land Required.

The Cabinet considered a report of the Director of Environment and Transport which sought approval to secure the compulsory acquisition of land for the northern and eastern section of the Melton Mowbray Distributor Road (MMDR). A copy of the report, marked 'Agenda item 9', is filed with these minutes.

Mr. Rhodes CC said that he was pleased that the County Council had continued with this aspect of the MMDR scheme, which demonstrated its commitment to development in Melton Borough.

RESOLVED:

- (a) A Compulsory Purchase Order to be known as “The Leicestershire County Council (North and East Melton Mowbray Distributor Road) Compulsory Purchase Order 2020” (CPO) be made under Sections 239, 240, 246, 250 and 260 of the Highways Act 1980 and the Acquisition of Land Act 1981 to secure the compulsory acquisition of the land shown coloured pink and the new rights over the land shown coloured blue on the CPO Maps (Appendix A);
- (b) A Side Roads Order to be known as “The Leicestershire County Council (North and East Melton Mowbray Distributor Road) (Side Roads) Order 2020” (SRO) be made under Sections 14 and 125 of the Highways Act 1980 to construct new highways and public rights of ways, stop up, divert, improve or otherwise deal with a highway including public rights of ways and the closure and creation of private means of access as shown in the SRO maps at Appendix B;
- (c) The Director of Environment and Transport and Director of Corporate Resources be authorised, in consultation with the Director of Law and Governance and following consultation with the relevant Cabinet Lead Members, to:
 - i. finalise and make, if necessary, any minor or technical amendments, modifications and deletions to the Order Map and SRO Plan should this be considered appropriate;
 - ii. finalise the CPO and the SRO (collectively referred to as “the Orders”) and the Statement of Reasons;
 - iii. in accordance with the Cabinet authority dated 6 July 2018, continue to take all necessary steps to make, publish, obtain confirmation of the Orders including (but not limited to) the publication and service of all statutory notices and presentation of the Council’s case at any Public Inquiry or through written representations, to secure the confirmation of the Orders (with or without modifications) by the Secretary of State for Transport and implement the Orders associated with the North and East Melton Mowbray Distributor Road scheme;
- (d) That the latest position with regard to costs and timescales for the scheme, set out in Part B of the report, be noted.

(KEY DECISION)

REASONS FOR DECISION:

The Cabinet (in July 2018) authorised the Director of Environment and Transport to, among other things, take the necessary steps to make, secure confirmation of and implement the Orders necessary for the scheme. At that point in the scheme’s development it was not known exactly which areas of land these orders would pertain to, although a preferred route had been identified. The planning permission granted in March 2019 was based upon the corridor of land required for the North and East Melton Mowbray Distributor Road (NEMMDR) scheme whilst detailed design work for the scheme continued. The final plans for land take for the NEMMDR Scheme have only recently been finalised and in the interests of clarity for affected landowners and to assist the Inspector should unresolved objections to the County Council’s acquisition require a

public inquiry, now that the areas of land required for the scheme are known, the Cabinet should formally note and approve the requirements subject to minor amendments.

Authorising the Director of Environment and Transport and the Director of Corporate Resources to proceed with the making, securing confirmation and implementation of the Orders will help ensure this is done within the planned timescale. The land areas represented in both the CPO and SRO plans, for example, may require minor modifications following responses received to the notices served under Section 5A Acquisition of Land Act 1981 seeking information as to ownership of land and rights.

To advise members of the latest position since progress with the scheme was reported to the Cabinet in July 2019.

386. Midlands Engine Development Corporation Proposals.

The Cabinet considered a report of the Chief Executive seeking approval for the Council's involvement in the development of the proposals for the Midlands Engine Development Corporation. A copy of the report, marked 'Agenda item 10', is filed with these minutes.

Mr. Pain CC said that the project would be even more important in building the economy after the impact of Covid-19.

RESOLVED:

- (a) That the Council's support for and continued role in the establishment of Project Alchemy (the Midlands Engine Development Corporation) and the required interim arrangements be supported;
- (b) That the submission of a bid for an inland Freeport be supported;
- (c) That the continued development of a summary business case for Project Alchemy and the submission of a further report to the Cabinet later in Spring 2020 be noted.

REASON FOR DECISION:

To ensure that there is enough capacity to help drive the delivery of growth, investment and associated benefits for the East Midlands region achieved through the potential of a locally-led Development Corporation.

387. Tree Management Strategy.

The Cabinet considered a report of the Director of Corporate Resources which sought approval for the Tree Management Strategy, which set out the approach for the management of the County Council's trees and woodlands and included a tree management and planting programme. A copy of the report, marked 'Agenda item 11', is filed with these minutes.

Members noted comments from Mr. Max Hunt CC, a copy of which is filed with these minutes, and were informed that these had been addressed within the Action Plan.

Members commended the Strategy and welcomed the planting of more trees, recognising the positive impact in mitigating carbon emissions. The County Council was

leading on the agenda at a local level which would help the Council further its carbon neutrality.

RESOLVED:

- (a) That the comments of the Environment and Transport Overview and Scrutiny Committee be noted;
- (b) That the Tree Management Strategy, and the associated Tree Management and Planting Plan, be approved, noting that these will be updated annually by the Director of Corporate Resources;
- (c) That the partnership with the National Forest Company to produce an overview document outlining a broader County-wide approach to tackling climate change and creating a sustainable place through more tree planting, be welcomed.

REASONS FOR DECISION:

The County Council has a legal duty to manage and maintain all trees on its land, in parks and open spaces and on the public highway.

The Tree Management Strategy, and associated Tree Management and Planting Plan, sets out standards for the management of the tree resource under the stewardship of the County Council which comply with nationally recognised codes of practice and will mitigate the risk (e.g. of insurance claims) as well as helping to protect trees and woodlands as a valuable natural asset to Leicestershire.

Tree planting can help mitigate the effect of climate change and a partnership approach across the County is considered the most effective way forward.

388. Draft Leicestershire Sexual Health Strategy 2020 - 2023.

The Cabinet considered a report of the Director of Public Health which sought approval to consult on the draft Sexual Health Strategy for 2020-23. A copy of the report, marked 'Agenda item 12', is filed with these minutes.

The Director informed members that in light of the pandemic the consultation would be conducted via a digital approach; online, through a forum and via email, and its timing might be delayed slightly.

Mr. Breckon CC highlighted that the Health Overview and Scrutiny Committee was supportive of the consultation and draft Strategy.

RESOLVED:

- (a) The draft Leicestershire Sexual Health Strategy for 2020 – 2023, appended to the report, be approved for consultation;
- (b) That it be noted that the consultation will continue using only digital methods and may be delayed due to operational pressures;
- (c) That a further report be considered by the Cabinet on 23 June 2020 detailing the findings of the consultation and presenting the Strategy for approval.

REASONS FOR DECISION:

The 2016-2019 Sexual Health Strategy made significant progress in combining a fragmented system into a single service. The 2020-23 Strategy will focus on sexual health improvement, leadership and policy in Leicestershire. This will allow for further progress to be made, which recognises the changing commissioning landscape, development of the integrated care system and its impact on partners.

Undertaking consultation on the draft Strategy will ensure its priorities meet the needs of the local population and it is aligned with the work of other key stakeholders. It is also in keeping with the Council's corporate standards to ensure that all stakeholders are made aware of the Local Authority's priorities and given the opportunity to make comment upon these at an early stage.

389. Re-Establishment of a Partnership Agreement with East Leicestershire and Rutland and West Leicestershire Clinical Commissioning Groups for Lead Commissioning Arrangements and a Pooled Budget for Services for People with a Learning Disability.

The Cabinet considered a report of the Director of Adults and Communities which sought permission to re-establish a Partnership Agreement under Section 75 of the National Health Service Act 2006 with East Leicestershire and Rutland and West Leicestershire Clinical Commissioning Groups and for the County Council to become a lead commissioner and manager of a Learning Disability Pooled Budget. A copy of the report, marked 'Agenda item 13', is filed with these minutes.

Mr. Breckon CC praised the re-establishment of the Partnership Agreement so that the vital work could continue.

RESOLVED:

- a) That the Director of Adults and Communities and the Director of Law and Governance be authorised to negotiate and complete a Partnership Agreement under Section 75 of the NHS Act 2006 with the Clinical Commissioning Groups (CCGs), which will include the County Council becoming lead commissioner and manager of a Learning Disability Pooled Budget;
- b) That the Director of Adults and Communities and the Director of Law and Governance be authorised to vary the Partnership Agreement after commencement to:
 - i) Include funding in relation to Section 117 Mental Health Act 1986;
 - ii) Develop a risk sharing agreement with the CCGs within the period of the Agreement;
 - iii) Include funding in relation to the County Council undertaking additional case management activity for those people included in the Learning Disability Pooled Budget.
- c) That the Partnership Agreement referred to above commence on 1 April 2020 and continue for a period of four years until 31 March 2024, including provision to extend further by up to two years until 31 March 2026 if necessary.

(KEY DECISION)

REASONS FOR DECISION:

The re-establishment of the Partnership Arrangement will:

- a) Mitigate any risks of not having a legal framework governing the Learning Disability Pooled Budget;
- b) Reaffirm the County Council's commitment to working in partnership with the CCGs to improve health and wellbeing outcomes for people with learning disabilities in Leicestershire;
- c) Provide the legal basis for changes to be made to the Learning Disability Pooled Budget to improve health and wellbeing outcomes for individuals; and value for money to the local health and social care sector.

390. Exception to Contract Procedure Rules in Relation to The Trees, Hinckley - Urgent Action Taken by the Chief Executive.

The Cabinet considered a report of the Director of Corporate Resources which advised of urgent action taken by the Chief Executive to approve an exception to the County Council's Contract Procedure Rules to enable the direct award of a construction contract to Tanwood Construction Limited in relation to The Trees, Hinckley. A copy of the report, marked 'Agenda item 14', is filed with these minutes.

RESOLVED:

That the urgent action taken by the Chief Executive to approve an exception to the County Council's Contract Procedure rules to enable the award of a contract to Tanwood Construction Limited for the refurbishment of The Trees, Hinckley be noted.

REASONS FOR DECISION:

To ensure that the Cabinet is aware of the urgent action taken in accordance with the Council's Contract Procedure Rules. Rule 6 (b) (ii) provides that, in cases of urgency, the Chief Executive following consultation with the Leader or Deputy Leader, can direct that an exception be made subject to this subsequently being reported to the Cabinet.

Due to the urgent nature of the project, it was necessary to award a contract for the refurbishment of the site in the timeframe required to minimise impact on service delivery and service users.

391. Review of Delegations to Chief Officers.

The Cabinet considered a report of the Director of Law and Governance which sought approval of changes made to a number of delegations granted to Heads of Departments following a review of all Chief Officer delegations and of a revised 'Proper Officer' schedule. A copy of the report, marked 'Agenda item 15', is filed with these minutes.

RESOLVED:

That the revised delegated powers which relate to executive functions as set out in Appendix A and the updated Proper Officer schedule set out in Appendix B, both attached to the report, be approved.

REASON FOR DECISION:

To provide for the removal, update or consolidation of delegated powers and the Council's proper officer provisions to ensure these remain up to date and fit for purpose.

392. Items referred from Overview and Scrutiny.

There were no items referred from Overview and Scrutiny.

393. Urgent Item - South West Leicestershire Growth Area Housing Infrastructure Fund.

The Cabinet considered an urgent joint report of the Chief Executive, Director of Corporate Resources and Director of Environment and Transport which advised the Cabinet that the County Council's Housing Infrastructure Fund (HIF) bid to Homes England for the South West Leicestershire Growth Area was unsuccessful and setting out work being undertaken to address the implications arising from this. A copy of the report, marked 'Agenda item 17', is filed with these minutes. The report was urgent as the outcome of the bid to the HIF was announced after the agenda for the Cabinet meeting had been published and a basis for moving forward needed to be agreed before the next Cabinet meeting in April.

Members were informed that, in light of the outcome and the current implications of Covid-19, officers would take the time to re-plan the project.

RESOLVED:

- (a) That it be noted that the County Council's Housing Infrastructure Fund bid for the South West Leicestershire Growth Area was unsuccessful;
- (b) That it be noted that the dialogue with Homes England and the Ministry of Housing, Communities and Local Government, at their request, regarding the potential for Government funding some elements of the bid is continuing;
- (c) That the Director of Environment and Transport, in consultation with the Director of Corporate Resources and the Director of Law and Governance, will give consideration to other funding options in the light of this outcome and report back to the Cabinet in due course;
- (d) That the timetable for the determination of the Lutterworth East Strategic Development Area (SDA) planning application by Harborough District Council, scheduled for 21 April 2020 remains unchanged.

REASONS FOR DECISION:

South West Leicestershire Growth Area bid sought funding for the M69 Junction 2 improvements (£19m) and the Lutterworth East SDA (£31m).

With respect to the Lutterworth East SDA (£31m), whilst the overall viability of the scheme is unaffected by the outcome of the HIF bid, the delivery timetable and funding arrangements were predicated on a positive outcome. Alternative funding and delivery options for the SDA now need to be given careful consideration, and discussions held with Government in light of recent discussions with Homes England and MHCLG regarding it still funding some elements of the bid.

Seeking approval of the Lutterworth East SDA planning application is unaffected by the outcome of the HIF bid.

394. Urgent Item - Coronavirus (Covid-19) Impact and Response of the County Council.

The Cabinet considered an urgent joint report of the Chief Executive, Director of Corporate Resources and Director of Public Health which advised of the impact of the coronavirus (COVID-19) pandemic within the County and the plans and work in hand within the County Council and with partners to respond. A copy of the report, marked 'Agenda item 17', is filed with these minutes. The report was urgent as the situation and the Council's response was developing after the agenda for the Cabinet meeting had been published and a basis for moving forward needed to be agreed at the earliest opportunity before the next Cabinet meeting in April.

The Cabinet asked that its appreciation to members of staff who were working to keep critical services going during the current circumstances be recorded. This had been echoed by Mr. Simon Galton CC on behalf of the Liberal Democrats and also Dr. Terri Eynon CC on behalf of the Labour Group.

Members noted that the County Council was working as a member of LLR Prepared, the Local Resilience Forum, with a range of partners from the public, community and voluntary sectors, to support communities. Staff were encouraged to work from home where possible and support was in place for staff with underlying health conditions. Certain services had been closed in light of recent Government advice.

The Chairman encouraged the business community and the voluntary and community sector to access the financial help available from different sources.

RESOLVED:

- a) That the report and the work in hand to ensure vital services especially to vulnerable members of the public continues, be noted;
- b) That the position regarding the process for taking urgent decisions, be noted; and
- c) That the establishment of a £1million fund to establish a voluntary and community sector support scheme as set out in paragraph 66 of the report, be approved.

REASON FOR DECISION:

To note the current position and establish a support scheme for voluntary and community sector organisations.

395. Exclusion of the Press and Public.

RESOLVED:

That under Section 100A of the Local Government Act 1972, the public be excluded for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 3 and 10 of Part 1 of Schedule 12A of the Act and that, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information –

M69 Junction 2 – Strategic Development Area

396. M69 Junction 2 - Strategic Development Area.

The Cabinet considered an exempt joint report of the Director of Corporate Resources and the Chief Executive seeking approval for the proposed approach to the promotion and delivery of the M69 Junction 2 Strategic Development Area (SDA). A copy of the report, marked 'Agenda item 19', is filed with these minutes. The report was not for publication by virtue of paragraphs 3 and 10 of Schedule 12A of the Local Government Act 1972.

Members noted comments from the local member, Mrs. Maggie Wright CC, a copy of which is filed with these minutes. In response to these, the Director explained that by collaborating with other landowners, the County Council could ensure that the appropriate infrastructure was provided for the development, that the siting of new development would have due regard to existing communities, and that local residents, parish councils and community groups were fully and regularly consulted.

RESOLVED:

- (a) That the Council's land situated to the west of Stoney Stanton (shown in pink on the plan attached as Appendix A to the report) continues to be promoted as part of a policy-compliant and financially viable Strategic Development Area within the emerging Blaby District Local Plan;
- (b) That the financial and resource implications arising from the SDA scheme, in particular those arising from the growth infrastructure requirements set out in paragraphs 52-62 of the report, be noted;
- (c) The proposed approach to the promotion, planning and delivery of the SDA, set out in paragraphs 45-51 of the report, be approved, noting that this will be further developed by the Director of Corporate Resources in collaboration with the Chief Executive and the Director of Environment and Transport and other partners as the scheme progresses;
- (d) That the Director of Corporate Resources, in consultation with the Director of Law and Governance, be authorised:
 - i. to undertake the necessary work to progress a) and c) above, including the procurement of specialist advice on the development of the necessary legal agreements and planning promotion documentation together with feasibility and viability appraisals;

- ii. following consultation with the Cabinet Lead Member for Resources, to enter into such collaboration and other legal agreements with other landowners, developers and promoters as are necessary to facilitate delivery of the SDA scheme; and,
 - iii. following consultation with the Cabinet Lead Member for Resources, to acquire such further interests in land within the SDA as he considers necessary to secure its inclusion in the emerging Blaby District Local Plan and delivery of the scheme, subject to the total capital cost and associated planning and promotion costs not exceeding £3.0 million;
- (e) It be noted that further reports will be presented to the Cabinet and the Scrutiny Commission as appropriate regarding progress with the scheme.

(KEY DECISION)

REASONS FOR DECISION:

To protect the County Council's existing property interests in the area and demonstrate its commitment to the delivery of growth in line with the aspirations of its Strategic Plan and the wider Strategic Growth Plan.

To further the inclusion of the proposed SDA in the emerging Blaby District Local Plan thereby maximising the benefits to the Authority and the wider County.

To provide a structured framework on which to base the ongoing promotion and delivery of the scheme. The allocation of resources to support the acquisition of land available within the SDA and other interests will help ensure inclusion of the SDA within the Local Plan, support delivery of the proposed approach and help generate increased financial returns for the County Council.

Having a clear, agreed approach will also ensure there is effective governance of the project and this will facilitate and support the co-ordination of the delivery of enabling and community infrastructure.

2.00 - 3.25 pm
24 March 2020

CHAIRMAN