

Minutes of a meeting of the Cabinet held at County Hall/ via Skype, Glenfield on Tuesday, 28 April 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. T. J. Pendleton CC
Mr. J. B. Rhodes CC
Mrs H. L. Richardson CC
Mr. R. J. Shepherd CC

In attendance

Mrs. D. Taylor CC, Dr. T. Eynon CC, Mr. S. J. Galton CC, Mr. Max Hunt CC.

397. Minutes of the previous meeting.

The minutes of the meeting held on 24 March 2020 were taken as read, confirmed and signed subject to the second paragraph in Minute 384 being amended to read:

‘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 of the road and school infrastructure would be funded by the Housing Infrastructure Fund Grant. Proceeding with this therefore currently relied on the County Council forward-funding in the region of £56m with no indication as to how or when it would be recouped.’

398. Urgent items.

There were no urgent items for consideration.

399. 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. He declared a personal interest leading to bias in agenda item 4 (Coronavirus (Covid-19) Impact and Response of the County Council) with regard to the loan proposal to the Bradgate Park Trust. As Chairman of the Trust, he undertook to leave the room during discussion of that part of the report.

Mr. B. L. Pain CC declared a personal interest in agenda item 8 (Mainstream and Special Educational Needs Home to School Transport Policies – 2020/21) as relatives owned a local taxi company.

400. Coronavirus (Covid-19) Impact and Response of the County Council.

The Cabinet considered a joint report of the Chief Executive, Director of Corporate Resources, Director of Adults and Communities 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 4', is filed with these minutes.

Members noted comments from Dr. T. Eynon CC on behalf of the Labour Group, a copy of which is filed with these minutes.

In introducing the report, the Chief Executive paid tribute to the work of the Council's Assistant Chief Executive, Tom Purnell, who had led on the Council's resilience response to the pandemic.

With reference to the work being undertaken to prepare some of the Council's Recycling and Household Waste Sites for re-opening, the Chief Executive said that Government guidance was still awaited. He added that district councils had been asked to ensure at least two weeks' worth of operational green and bulky waste collections was undertaken before sites were re-opened to avoid them becoming immediately overwhelmed.

Mr Rushton CC welcomed the success of the Council's Communities Fund, which had allocated over £1.2m to local voluntary and community sector organisations, and had been awarded the #togetherwecare award by Leicestershire Cares.

The Cabinet asked that its appreciation to all those who were working to keep critical services going during the current circumstances be recorded.

With permission of the Chairman, Dr Eynon CC addressed the Cabinet. She also thanked members of staff for their hard work and highlighted the major challenges the Council would face over the coming months. With reference to the Council's recovery planning, she requested that an all member recovery group be established, which the Chairman agreed to consider.

Mr Rhodes CC said that the impact on the Council's finances would be significant and it continued to lobby Government for further funding to help mitigate the rising costs of responding to the pandemic.

Mr. Rushton CC, having declared a personal interest leading to bias as Chairman of the Bradgate Park Trust, left the meeting at this point for the remainder of the item in order that the recommendation pertaining to this could be considered.

Mr. B. L. Pain CC – in the Chair

The Director of Corporate Resources said that the allocation of a £90,000 loan to the Bradgate Park Trust would help compensate for the loss of car parking and other income during its period of closure. He added that the Trust had used the Government's Furlough Scheme and would be applying for other Government grants where available.

RESOLVED:

- a) The Cabinet notes –

- i. The local declaration of a major incident with regard to Covid-19 and, accordingly, the passing of the Chairmanship of the Local Resilience Forum's Gold Command Group for this incident to the Police;
 - ii. Action taken by the Chief Executive, following consultation with the Leader of the Council, to increase the Leicestershire Communities Fund to £1.5m;
 - iii. Action taken by Chief Officers following consultation with Cabinet Lead Members to close or reduce some County Council services to enable it to comply with national rules introduced to contain the spread of the virus and focus resources on essential services;
 - iv. That, whilst further Government guidance on the reopening of recycling and household waste sites is awaited:
 - the County Council is planning to reopen some sites in the week commencing 18th May once the necessary arrangements, including social distancing and traffic management, and public communications, are in place;
 - it will be emphasised to all concerned that recycling and household waste sites are not substitutes for kerb side collections;
 - therefore, the Leicestershire district councils be all requested, in line with previous officer advice, to ensure there are two weeks' worth of operational green and bulky waste collections completed prior to reopening of sites, so that the reopened sites are not immediately overwhelmed;
 - the County Council is liaising with the other waste disposal authorities in the East Midlands with the intention of minimising additional traffic on the roads by having consistent reopening arrangements across the region as far as possible.
 - v. The significant financial impact that the Covid-19 pandemic is having on the Council's finances and that only a part of the additional costs incurred will be met by Government grant;
 - vi. That in light of (v) above, the Council will need to consider what services can be reduced or stopped and will undertake a fundamental review and reprioritisation of the current Capital Programme;
 - vii. That work has commenced on 'recovery' and a report on this will be made to the Cabinet meeting on 23rd June;
- b) That a loan up to a maximum of £90,000 be made to the Bradgate Park Trust and that the Director of Corporate Resources be authorised to agree the terms of the loan;
 - c) That the Cabinet's thanks on behalf of the County Council be conveyed to Sichuan Province for its donation of Personal Protective Equipment;

- d) That Cabinet's thanks on behalf of all members to County Council staff and the Local Resilience Forum be placed on record.

REASONS FOR DECISION:

To note the many issues that have arisen and actions that have been taken since the previous Cabinet meeting on 24th March.

The County Council's Communities Fund will help to support voluntary and community sector organisations across Leicestershire at this very difficult time.

The Bradgate Park Trust had asked for a loan to help offset the loss of car parking and other income during the lockdown period; this was considered to be a reasonable request and can be dealt with by the Director of Corporate Resources.

To put on record the Cabinet's continued appreciation for the work done by Council officers and LRF partners and thanks for the donation from Sichuan Province.

(Mr. Rushton then returned to the meeting and resumed the Chair)

401. Leicestershire County Council's Revised Strategic Plan 2018 - 2022.

The Cabinet considered a report of the Chief Executive regarding the outcome of consultation on the Council's revised Strategic Plan 2018-22 and seeking approval for the Plan to be submitted to the County Council for approval. A copy of the report marked 'Agenda Item 5' is filed with these minutes.

Members noted comments from Mr D. C. Bill MBE CC, a copy of which is filed with these minutes.

Mr Pain CC said that the revised Strategic Plan and Environment Strategy (the following item) took account of the Council's declaration of a climate emergency in May 2019 and its target of achieving carbon neutrality for the Council's own operations by 2030. He said that the Coronavirus pandemic had now required unprecedented changes to the way in which Leicestershire residents lived their lives and had had huge implications for the Council. The Council's environmental ambitions remained unchanged and the climate emergency was an immediate and pressing challenge to be addressed in the Strategic Plan, Environment Strategy and in the Authority's recovery planning.

RESOLVED:

- a) That the outcome of consultation with the Environment and Transport Overview and Scrutiny Committee and the Scrutiny Commission on the Council's revised Strategic Plan 2018-2022 be noted;
- b) That the County Council at its meeting on the 8 July 2020 be recommended to approve the revised Strategic Plan.

(KEY DECISION)

REASONS FOR DECISION:

To enable the revised Strategic Plan to be considered by the Council at its meeting on 8 July 2020. The revised Plan sets out an approach which will put outcomes for people first, support integration across the Council's services and make better use of the total resources available to the Council whilst ensuring its commitment to Leicestershire is in line with its declaration of a climate emergency in May 2019.

402. Leicestershire County Council's Revised Environment Strategy and Action Plan.

The Cabinet considered a report of the Director of Environment and Transport regarding the outcome of consultation on the Council's Environment Strategy 2018 – 30, Action Plan and the Tranche 1 Carbon Reduction Roadmap and seeking approval for the Strategy and associated documents to be submitted to the County Council for approval. 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.

With the agreement of the Chairman, Mr Hunt CC addressed the Cabinet. He expressed concern that work to progress Tranche 2 targets, which covered the majority of carbon emissions across Leicestershire, was not planned to commence for some time. He said that the Tranche 2 work should be prioritised and to aid its development the Council should contribute to the recently published Department for Transport's (DfT) draft Transport Decarbonising Plan.

The Director said that the revised documents sought to enable the Council to meet its commitment for carbon neutrality with regard to its own operations by 2030. The Strategy also recognised the target of reaching carbon neutrality across the County by 2050, and the development of the Tranche 2 roadmap over the next year would establish how this would be achieved. This stage would be far more wide-ranging, including work with partners and agencies and taking account of opportunities to accelerate the carbon reduction as the County started to recover from the Coronavirus pandemic. The Council would be fully engaging with the development of the DfT Transport Decarbonising Plan.

RESOLVED:

- a) That the outcome of the consultation with the Environment and Transport Overview and Scrutiny Committee and the Scrutiny Commission on the Council's revised Environment Strategy, Action Plan and Tranche 1 Carbon Reduction Map, as detailed in paragraphs 43 to 47 of the report, be noted;
- b) That the County Council at its meeting on 8 July 2020 be recommended to:
 - i. Approve the revised Environment Strategy 2018-2030, the associated revised Environment Strategy Action Plan, and Tranche 1 of the Carbon Reduction Roadmap;
 - ii. Note that a further report presenting the complete Carbon Reduction Roadmap (incorporating the newly developed Tranche 2) will be considered by the County Council in the Summer of 2021.

(KEY DECISION)

REASONS FOR DECISION:

To enable the revised Environment Strategy and supporting documents to be considered by the County Council at its meeting on the 8 July. Adoption of the documents will ensure the Authority has an up to date statement of its environmental priorities and objectives which is aligned with its climate emergency declaration and its framework for action to meet the global challenge of climate change and against which its performance can be objectively assessed.

Work to develop the Tranche 2 section of the Carbon Reduction Roadmap will focus on the Council's wider unmeasured emissions and the approach to reducing Leicestershire's emissions. Both tranches will be combined into a single Carbon Reduction Roadmap which will be presented to the County Council for approval following consideration by the relevant scrutiny bodies and the Cabinet.

403. Leicestershire County Council's Equality Strategy 2020-24 and Equality Action Plan 2020/21.

The Cabinet considered a report of the Chief Executive regarding the outcome of consultation on the Council's revised Equalities Strategy 2020 – 2024 and seeking approval for the Strategy and associated Action Plan to be submitted to the County Council for approval. A copy of the report marked 'Agenda Item 7' is filed with these minutes.

RESOLVED:

- a) That the outcome of the consultation on the Council's draft Equality Strategy 2020 - 2024, as detailed in paragraphs 20 to 35 of the report, be noted;
- b) That the County Council at its meeting on 8 July 2020 be recommended to approve the Equality Strategy 2020-24 and Equality Action Plan 2020-2021.

(KEY DECISION)

REASONS FOR DECISION:

To enable the revised Equality Strategy and Action Plan to be considered by the Council at its meeting on 8 July 2020

The Equality Strategy will provide a policy context for the Council's activity around equality, diversity, and human rights and set out how the Council will meet its legislative duty for the period up to 2024.

404. Mainstream and Special Educational Needs Home to School Transport Policies 2020/21.

The Cabinet considered a report of the Director of Environment and Transport regarding the implementation of the Mainstream Home to School Transport Policy and Special Educational Needs Transport Policy which were approved by the Cabinet in March 2018. A copy of the report marked 'Agenda Item 8' is filed with these minutes.

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

RESOLVED:

- a) That the implications of the appeal against part of the Judicial Review Decision published in July 2019 with regard to the implementation of the Council's Post-16 Special Educational Needs (SEN) Transport Policy, be noted;
- b) That the decision of the Director of Environment and Transport to further suspend introduction of a default Personal Transport Budget (PTB) offer for post-16 SEN students to the start of the 2021/22 academic year (the main element of the new Special Educational Needs Transport Policy) be noted;
- c) That the revised process for the calculation and payment of voluntary PTBs for pupils of all ages which will be introduced from the start of 2020/21 academic year be noted.

(KEY DECISION)

REASONS FOR DECISION:

The implementation of part of the Post-16 SEN Home to School Transport Policy, the offer of a default PTB for post-16 SEN students, was suspended in July 2019 by the Director of Environment and Transport following consultation with the Cabinet Lead Member as a result of the judgment on the Judicial Review (JR) not being available. This significantly affected the Council's ability to deliver transport provision for the new academic year in 2019.

The Director's decision, following consultation with the Lead Member for Environment and Transport, to suspend for another year (to September 2021) the implementation of default PTBs for post-16 SEN pupils was taken as the outcome of the appeal of the JR had not been issued and transport needed to be arranged for the 2020 academic year. Although the outcome of the appeal is now known there is insufficient time to plan and implement the revised transport offer in time for September 2020.

Whilst fully upholding the Cabinet's decision, the judge originally hearing the JR in April 2019 suggested that the Council's SEN PTB Scheme should in part be clarified as it was considered to be complex and unclear as to how any individual PTB amount could be calculated. A simpler, transparent and more generous voluntary PTB Scheme has been developed in response to the judge's concerns.

405. Items referred from Overview and Scrutiny.

There were no items referred from Overview and Scrutiny.

2.00 - 3.21 pm
28 April 2020

CHAIRMAN