

**MINUTES OF THE MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL
HELD AT COUNTY HALL, GLENFIELD ON WEDNESDAY, 8 JULY 2020**

PRESENT

Mrs. P. Posnett MBE CC (in the Chair)

Mr. T. Barkley CC, 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. 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. O. O'Shea JP CC, Mr. J. T. Orson JP CC, Mr. P. C. Osborne CC, Mr. I. D. Ould OBE 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. L. Phillimore CC, Mr J. Poland CC, Mrs. C. M. Radford CC, Mr. J. B. Rhodes CC, Mr. T. J. Richardson CC, Mrs H. L. Richardson CC, Mrs. J. Richards 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, Mrs. M. Wright CC and Mr. M. B. Wyatt CC

1. APPOINTMENT OF CHAIRMAN.

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

“That Mrs Posnett be re-elected Chairman for the period until the next Annual Meeting of the Council.”

Mrs Posnett read out and signed her Declaration of Acceptance of Office which was witnessed and signed by the Chief Executive.

2. CHAIRMAN'S ANNOUNCEMENTS.

Mr G. Gibson, Mr A. O'Brien and Mr D. B. Radford

It was with sadness that the Chairman reported the deaths of three former County Councillors, Mr G. Gibson, Mr A. O'Brien and Mr D. B. Radford.

Mr Geoffrey Gibson served as a member of the County Council from 1973 to 1985 and represented the Barrow upon Soar Electoral Division. He served as Leader of the Council from 1973 to 1980 and during his term of office served mainly on the Policy and Resources and Finance and General Purposes Committees of the Council. Mr Gibson passed away on 28th February 2020.

Mr Tony O'Brien served as a member of the County Council from 1985 to 1997 representing the Evington Electoral Division. He served mainly on the Social Services and the Urban Policies Committees of the Council. Mr O'Brien passed away on 3rd April 2020.

Mr David Radford served as a member of the County Council from 1973 to 1977 and again from 1981 to 1997 and represented the Eyres Monsell Division. He was elected Chairman of the Council from 1986 to 1987 and during his term of office he served mainly on the Environment and Policy and Resources Committees. Mr Radford passed away on 20th June 2020.

Mr S. Jones and Mr M. Wells

It was with sadness that the Chairman reported the deaths of two former senior officers, Mr S. Jones and Mr M. Wells.

Sam Jones was appointed Chief Executive of Leicestershire County Council in 1976 and served in this role, and as Clerk of the Lieutenancy, until 1991. His early career in local government began as an Assistant Solicitor in 1964 for Macclesfield Borough Council. He then joined Bedford Borough Council, Coventry City Council, and Sheffield City Council, before coming to Leicestershire. His final appointment was as Clerk of the City of London Corporation until his retirement in 1996. He was appointed a Deputy Lieutenant of Leicestershire in 1992. Sam passed away on 6th March 2020.

Mick Wells served as the County Director of Social Services until his retirement in 1998. Mick Wells joined the Leicester City Welfare Department in 1958 and held several posts before being appointed as Assistant Director in 1973 then promoted to be Deputy Director a post he held until 1986 when he was appointed as Director and remained in post until retirement. Mick passed away on 24th February 2020.

The Chairman invited the Council to stand in silent tribute to the memory of Geoffrey Gibson, Tony O'Brien, David Radford, Sam Jones and Mick Wells and also for all Leicestershire residents who sadly lost their lives during the pandemic.

Remembering Srebrenica

2020 marked 25 years since the genocide in Srebrenica in Bosnia-Herzegovina where 8,372 Bosnian Muslim men and boys were murdered in the worst atrocity on European soil since the Second World War.

The Chairman invited all Members to join her in observing a one-minute silence as the Council remembered those murdered in Srebrenica on 11th July 1995, the survivors of the Death March, the men who survived the mass executions, to honour their courage in telling their stories, the Mothers of Srebrenica, who grieve every day for their missing and murdered relatives and who fight tirelessly for truth and justice, and the women and girls caught up in this atrocity along with the elderly, the sick and the children murdered during the fall of Srebrenica.

The Chairman asked all members to stand in silent remembrance of the lives lost and destroyed by hatred, prejudice and genocide denial.

3. MINUTES.

It was moved by the Chairman, seconded by Mr Kaufman and carried:

“That the minutes of the meeting of the Council held on 17 February 2020, copies of which have been circulated to members, be taken as read, confirmed and signed.”

4. 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 this meeting.

All members who were members of District and Borough Councils declared a personal interest in the report of the Cabinet on Coronavirus – Item 7A on the agenda – (minute 7A refers).

Mrs Posnett, Mr Pearson and Mr Orson declared a personal interest in relation to the Melton Mowbray Distributor Road referred to in the Leaders Position Statement (minute 6 refers).

Ms Hack declared a personal interest in the question she had asked regarding school transport refunds (minute 5 refers).

Mr Miah declared a personal interest in the report of the Cabinet on Coronavirus – Item 7A on the agenda - as a member of a local charity working to support people affected (minute 7A refers).

Dr Eynon, Mrs Radford, Dr Hill, Mr O’Shea and Dr Feltham declared a personal interest in the report of the Cabinet on Coronavirus – Item 7A on the agenda as volunteers or management committee members on voluntary and community bodies that had applied for and were successful in obtaining a community grant from the County Council (minute 7A refers).

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

(A) Dr Eynon asked the following question of the Leader or his nominee:

“On 29th January 2020 the Leicester Mercury reported a spokesperson for the Council as saying: “We are looking into the possibility of working with the National Forest Company to investigate the feasibility of expanding the National Forest’s boundaries.”

An aspiration to plant more trees is mentioned in this Council’s Tree Strategy. The Environment Strategy refers to a need to protect and enhance the National Forest, but boundary changes and expansion are not mentioned.

- What proposals, if any, exist for planting in the area of the Charnwood Forest Regional Park?
- Are there any plans to expand the current National Forest Boundary?
- Have formal discussions taken place with the National Forest

Company, DEFRA or any government department?"

Mr Pain replied as follows:

"Officers of the council continue to work closely with the National Forest Company (NFC) to promote tree planting within existing boundaries and there are a number of projects that are being planned. This planning is at an early stage and will involve discussions with partners and stakeholders so details are not available at this point in time. The most recent meeting took place on Friday 26th June.

The NFC current position is to maintain the integrity of its current 200 square mile boundary to continue to create the identity of the National Forest, target resources for delivery, and focus effort to achieve its new 25 Year Vision. However, the NFC will also continue to operate outside of the boundary in delivering shared objectives that will buffer, support and strengthen the National Forest environment, economy and communities. In addition, the NFC will share its expertise and learning with partners at a local, national and international level to demonstrate and advocate climate change mitigation and adaptation, with the National Forest as an exemplar of sustainable living.

A specific project worth mentioning is the creation of a Covid-19 commemoration wood at Market Bosworth Country Park. This is outside of the National Forest boundaries but has been supported by the NFC as it is part of the gateway to the forest.

The County Council recently launched its Tree Strategy and looks forward to the appointment of a new Forestry Manager in August. More details around tree planting and partnership working will emerge in due course."

(B) Dr Eynon asked the following question of the Leader or his nominee:

"During discussions with Snibston Stakeholders and Community Group, some months ago, a suggestion was put forward to create an access way between the newly refurbished Snibston Heritage Park and Coalville Town Football Club. This proposal would encourage visitors to the town to park on County Council premises and divert football traffic away from the congested residential town centre streets.

Could the Leader tell me what progress has been made on implementing this suggestion?"

Mr Rhodes replied as follows:

"The matter that was raised with Council officers was to create a pedestrian gateway that would enable access from the car park onto the public pathway and into the Football Club. Officers have managed to include this extra provision within the scope of the Snibston development programme."

Dr Eynon asked the following supplementary question:

"I thank the Lead Member for this response and am pleased to see that officers have managed to include the provision of a pedestrian gateway as part of the Snibston development programme and that this will allow access from the Snibston car park into the Football Club.

Please may I have a copy of a scale drawing of the proposed access to share with partner organisations and the wider community including the Football Club?"

Mr Rhodes replied as follows:

"Yes, I will ask the officer concerned to send this to you."

(C) Mrs Hack asked the following question of the Leader or his nominee:

"In light of Covid, School Transport is delivered differently across the County and the response from schools and bus operators to refunds varies from school to school, bus company to bus company. A recent article in the Leicester Mercury indicated that some services are offering full refunds and some are offering nothing.

<https://www.leicestermercury.co.uk/news/local-news/two-school-bus-firms-plan-4233451>.

Bosworth Academy, a school that provides secondary school places in my patch (among others), normally transports 1,000 children a day. This school has offered a 50% refund on the service.

There also appears to be confusion about the CMA guidance on provision of services and if this applies to school provided bus transport.

In view of this could the Leader let me know:-

- a) What advice if any can the County Council give to schools and parents related to this guidance?
- b) What representations have the County Council made, or will make, to Government regarding the ongoing viability of school transport?
- c) What work has been done, can be done, to offer support and guidance to school colleagues, who are working with commercial operators to get to the most appropriate way forward?
- d) Given that there is a disparity of approaches regarding refunds, what can be done to get consistent guidance about school transport and refund policy?"

Mr Pendleton replied as follows:

- "a) The CMA have confirmed that the guidance does apply to school-provided bus services. The position with season ticket arrangements is also the same and so, for the period of lockdown, the general principles apply and the full refund should be provided.

Each commercial bus operator or school provider should have their own terms and conditions in relation to the sale of school travel passes. These should meet the CMA's standards and it is their responsibility to ensure that consumers get a good deal when buying goods and services. Businesses must operate within the law, which includes protecting consumers from unfair trading practices. Schools and parents should ensure that they understand and agree with the terms and conditions of any commercial school bus provider before signing up to their service.

- b) The Council has made continued representations through bodies such as the Local Government Association (LGA), Association of Directors of Children's Services (ADCS), County Councils Network (CCN), the Association of Directors of Environment, Economy, Planning and Transport (ADEPT), the Association of Transport Co-ordinating Officers (ATCO) and direct to the Department for Transport (DfT) and Department for Education (DfE) regarding the viability of school transport. These representations have increased and become more urgent because, as a result of the pandemic, the costs of providing home to school transport could double for mainstream delivery and triple for the provision of Special Educational Needs (SEN) transport. Representations have also been made alongside the ongoing dialogue around the Public Service Vehicle Accessibility Regulations (PSVAR) which could affect the viability of commercial school operation.
- c) The County Council purchases school transport on commercial school bus services for pupils eligible for free transport under a Service Level Agreement, which is a contractual agreement between the Council and the commercial school bus service provider. These include terms and conditions in relation to refunds and cancellations. The Council has continually encouraged schools to have a similar agreement with the bus operators to ensure the services provided meet their requirements and the Council has offered to provide copies of its own Service Level Agreement for schools to adapt to meet their own requirements.
- d) Commercial school bus services are provided by a variety of different bus operators who will have their own terms and conditions regarding transport provision and refunds. Whilst bus operators cannot be forced to adopt a particular approach, schools could introduce an approved standard service level agreement to ensure services are managed consistently by schools across the County. This would require all schools to adopt the same service level agreement with their particular commercial school bus provider."

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

"There is growing anger locally in the village of Ellistown over the failure by the County Highways Department to address the increasing incidents of HGV's using the village as a through road. This has been reported on numerous occasions to the Highways Customer Services Centre. Many

HGVs are getting stuck and causing damage to vehicles of local residents due to the lack of signage and enforcement by the Highways Department and the Police.

Can I ask the Leader if he would instruct the appropriate officers to liaise with me and the local Parish Council to formulate a plan to tackle this growing problem which is blighting the lives of many local residents, particularly those on St Christopher Road which is a no through road?"

Mr Pendleton replied as follows:

"Contraventions of weight restrictions can only be enforced by the Police, they can be contacted on their non-emergency number 101.

The Police will deal with the complaint by making contact with the haulier concerned, if known, and establishing whether the HGV was driving legitimately through the weight restricted area.

Following previous discussions with Mr Wyatt a review of the signage was undertaken. There is weight restriction signage approximately 200m to the south of this junction on Ellistown Terrace Road indicating the start of the weight restriction zone. Weight restrictions are created through a zonal method, by which we restrict the movement of heavy goods vehicles to mainly A and B class roads, with the addition of some strategically important unclassified roads. St Christopher's Road falls within a weight restriction zone. Repeater signs are not permitted within a zone.

If the local community would like to discuss how they could start a community lorry watch scheme to assist the Police with enforcement this can be arranged."

6. TO RECEIVE POSITION STATEMENTS UNDER STANDING ORDER

8.

"The Leader gave a position statement on the following matters:

- Coronavirus (COVID-19)
- Lockdown of Leicester and surrounding areas
- Economic Recovery
- Devolution
- Melton Mowbray Distributor Road
- The retirement of Ivan Ould CC from his role as Cabinet Lead Member for Children and Families and Community Safety.

A copy of the position statement is filed with these minutes.

7. REPORTS OF THE CABINET.

(a) COVID-19 - Impact and response of the County Council - Recovery, Economic and Financial Impact.

It was moved by Mr Rhodes, seconded by Mr Breckon, and carried:

"a) That the work being undertaken address the on-going impact of and to

recover from the coronavirus (Covid-19) pandemic be noted

- b) That the increasingly serious financial position facing the County Council and the measures in place to monitor and minimise the impact be noted.”

(b) Revised Strategic Plan 2020-2023.

It was moved by Mr Pain, seconded by Mr Rushton and carried:

“That the revised Strategic Plan 2018 -2022 be approved, recognising that the Plan will need to be revisited as a result of the coronavirus pandemic.”

(c) Revised Environment Strategy and Action Plan.

It was moved by Mr Pain, seconded by Mr Pendleton and carried:

- “a) That the revised Environment Strategy 2018-2030, the associated revised Environment Strategy Action Plan and Tranche 1 of the Carbon Reduction Roadmap, be approved;
- b) That it be noted that a further report presenting the complete Carbon Reduction Roadmap (incorporating the newly developed Tranche 2) will be submitted to the County Council in the summer of 2021.”

(d) Equalities Strategy 2020-2024 and Equality Action Plan 2020-2021.

It was moved by Mrs Richardson, seconded by Mr Rushton and carried:

“That the Equality Strategy 2020 -2024 and Equality Action Plan 2020- 2021 be approved.”

(e) Youth Justice Strategic Plan 2020-2023.

It was moved by Mr Ould, seconded by Mrs Taylor and carried:

“That the Youth Justice Strategic Plan 2020 – 2023 be approved.”

(f) Dates of Council Meetings 2020/21 and 2021/22.

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

“That Council meetings in 2020/21 and 2021/22 be held on the following dates:-

- Wednesday 30 September 2020
- Wednesday 2 December 2020
- Wednesday 17 February 2021 (to consider the budget)

- Wednesday 19 May 2021 (Annual Meeting)
- Wednesday 7 July 2021
- Wednesday 29 September 2021
- Wednesday 1 December 2021
- Wednesday 23 February 2022 (to consider the budget)
- Wednesday 18 May 2022 (Annual meeting)”

8. REPORT OF THE SCRUTINY COMMISSION.

(a) Overview and Scrutiny Annual Report 2019/20

It was moved by Mr Galton, seconded by Mrs Page and carried:

“That the information contained in the Overview and Scrutiny Annual Report 2019/20, attached as Appendix A to this report, on its activities, be noted.”

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

(a) To appoint the Leader;

It was moved by Mr Pain, 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.”

(The Labour Group requested that it be noted that they abstained from voting).

(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.”

(The Labour Group requested that it be noted that they abstained from voting).

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

It as moved by Mr Rushton, seconded by Mr Shepherd and carried on a majority vote:

“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 O. O’Shea

Mrs B. Seaton
Mrs C. M. Radford”

(The Liberal Democrat Group and Labour Group voted against the motion to appoint Cabinet Support Members).

(d) To appoint members of the Scrutiny Commission, Boards and Committees (including the naming of Chairmen and 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’ and the Chairmen Elect and Spokespersons named in List ‘3’ attached to the Order Paper, be approved.”

2.00 pm – 6.40 pm
08 July 2020

CHAIRMAN