

Minutes of a meeting of the Cabinet held at County Hall, Glenfield on Tuesday, 20 July 2021.

PRESENT

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

Mr. B. L. Pain CC

Mrs D. Taylor CC

Mr. O. O'Shea JP CC

Mr. L. Breckon JP CC

Mrs H. L. Richardson CC

Mrs. P. Posnett MBE CC

Mr. R. J. Shepherd CC

Mr. P. Bedford CC

Also in attendance.

Mr. T. Parton CC, Mrs B. Seaton CC, Mr. M. T. Mullaney CC, Mr. M. Hunt CC, Mrs R. Page CC

Apologies for absence.

Apologies for absence were reported on behalf of Mrs C. M. Radford CC.

23. Minutes of the previous meeting.

The minutes of the meeting held on 22 June 2021 were taken as read, confirmed and signed.

24. Urgent items.

There were no urgent items for consideration.

25. 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.

Mrs P. Posnett MBE CC declared a personal interest in agenda item 8 (Development of an Interim Melton Mowbray Transport Strategy) and a personal interest which might lead to bias in agenda item 9 (Melton Mowbray Distributor Road Southern Section - Housing Infrastructure Fund Grant) as a member of the Planning Committee at Melton Borough Council. She undertook to leave the meeting whilst the latter item was considered.

26. Medium Term Financial Strategy Monitoring (Period 2).

The Cabinet considered a report of the Director of Corporate Resources regarding the 2021/22 revenue budget and capital programme monitoring position as at the end of May 2021 (period 2 of the financial year). A copy of the report, marked 'Agenda item 4', is filed with these minutes.

Mr. Breckon CC said that the Council was facing its largest ever projected net overspend, of £18.4m, and a further report would be brought to the Cabinet in September regarding the refresh of the Medium Term Financial Strategy. Mr. Breckon added that the Council continued to press the case for fairer funding with the help of its MPs and thanked Andrew Bridgen MP and Neil O'Brien MP in particular for their support.

RESOLVED:

That the 2021/22 revenue and capital monitoring position be noted.

REASONS FOR DECISION:

To highlight the latest forecast financial position for 2021/22, including a net projected overspend of £18.4m.

27. Leicester and Leicestershire Economic Growth Strategy.

The Cabinet considered a report of the Chief Executive regarding the consultation draft of the Economic Growth Strategy, which had been prepared by Cambridge Econometrics on behalf of the Leicester and Leicestershire Enterprise Partnership (LLEP). A copy of the report, marked 'Agenda item 5', is filed with these minutes.

Members noted the comments of the Scrutiny Commission and from Mr. Max Hunt CC, copies of which are filed with these minutes.

Mr. Bedford CC welcomed the constructive feedback on the draft Strategy and hoped amendments would be made by the LLEP.

RESOLVED:

- a) That the comments of the Scrutiny Commission be noted;
- b) That the Leicester and Leicestershire Enterprise Partnership be requested to make some further revisions to the draft Strategy to address
 - i. the comments set out in paragraphs 29 to 32 of the report;
 - ii. any issues arising from County Council departments (to be submitted to the LLEP by the end of July);
- c) That subject to the revisions at (b) above being made the Economic Growth Strategy for Leicester and Leicestershire be welcomed.

REASONS FOR DECISION:

In the absence of a Strategic Economic Plan or Local Industrial Strategy for Leicester and Leicestershire, it is crucial the sub-region establishes a clear vision for the economy, not least given the impact of the pandemic on businesses and individuals, and that the agreed strategy properly reflects the unique challenges and opportunities that exist in the County.

At the Cabinet meeting on 22 June 2021 it was agreed that the LLEP be advised of officer observations on the pre-consultation draft and that these be included in the

version issued for formal consultation. This report sets out where further amendments to the consultation draft are considered necessary.

County Council departments have recently received the draft Strategy for comment and have been asked to submit comments by the end of July.

28. Corporate Complaints and Compliments Annual Report 2020/21.

The Cabinet considered a report of the Chief Executive regarding the Corporate Complaints and Compliments Annual Report which covered the period from 1 April 2020 to 31 March 2021. A copy of the report, marked 'Agenda item 6', is filed with these minutes.

Members noted the comments of the Scrutiny Commission, a copy of which is filed with these minutes.

RESOLVED:

- a) That the comments of the Scrutiny Commission be noted;
- b) That the Corporate Complaints and Compliments Annual Report covering the period 1 April 2020 to 31 March 2021 be noted.

REASONS FOR DECISION:

To note the increase in volume of corporate complaints received but also the continued strong performance in timely resolution of complaints.

29. Cycling and Walking Strategy.

The Cabinet considered a report of the Director of Environment and Transport concerning the outcome of engagement on the draft Cycling and Walking Strategy and seeking approval for the adoption of the Strategy and to develop Local Cycling and Walking Infrastructure Plans for the next two priority areas. A copy of the report, marked 'Agenda item 7', is filed with these minutes.

Members noted comments from the Quorn Walking and Cycling Group, a copy of which is filed with these minutes.

The Director assured members that the Council's targets would be kept under review and updated to ensure there was a continued challenge to improve.

Mr. O'Shea CC said he was pleased to see the growth in cycling and walking and that more Government funding for improvements was now available.

Mrs. Richardson CC said the Strategy would benefit people's health and local air quality. She encouraged cyclists to make use of dedicated cycle lanes where these were provided.

RESOLVED:

- a) That the results of the engagement on the draft Cycling and Walking Strategy be noted;

- b) That the Cycling and Walking Strategy (CaWS) and Action Plan, attached as Appendix A to the report, be approved;
- c) That it be noted that the Leicestershire Highway Design Guide will be reviewed to ensure its alignment with Government LTN1/20 cycle infrastructure standards, and that until this review is completed the Council will take a pragmatic approach as outlined in this report but will seek to align designs with LTN1/20 standards wherever possible;
- d) That the Director of Environment and Transport, following consultation with the Cabinet lead member, be authorised to update the Action Plan and its targets annually as a result of evidence arising from the delivery of the CaWS and consideration of the future Medium Term Financial Strategy, noting that any significant changes to the CaWS will be the subject of a further report to members;
- e) That it be noted that the next two areas to be prioritised for the development of Local Cycling and Walking Infrastructure Plans will be -
 - i. Loughborough
 - ii. the south-east quadrant of the Leicester Principal Urban Area.

(KEY DECISION)

REASONS FOR DECISION:

The Strategy will seek to deliver the Government's ambitions for delivering greater levels of cycling and walking, as set out in its policy document 'Gear Change' and design standards LTN1/20, and in doing so help improve Leicestershire's public health and air quality, alleviate congestion, and support the green recovery.

The Action Plan sets out the practical short, medium and long term actions to deliver the CaWS. It will be updated annually to take account of funding availability, changes to national guidance, priorities and delivery changes etc.

Adoption of the CaWS will trigger a need to review the Leicestershire Highway Design Guide to ensure its alignment with Government LTN1/20 cycle infrastructure design guidance (this is included in the Action Plan).

The Director of Environment and Transport will update the CaWS Action Plan annually and review and update targets as necessary to support the ongoing delivery of the Strategy and Government national targets.

30. Development of an Interim Melton Mowbray Transport Strategy.

The Cabinet considered a report of the Director of Environment and Transport regarding the outcome of engagement on the draft interim Melton Mowbray Transport Strategy and seeking approval for its adoption. A copy of the report, marked 'Agenda item 8', is filed with these minutes.

RESOLVED:

- a) That the responses to the engagement, on the draft Interim Melton Mowbray Transport Strategy (MMTS) as set out in paragraphs 44 to 71 and Appendix A to the report and the proposed revisions made to the Interim MMTS as a consequence be noted;
- b) That the revised Interim MMTS and Summary MMTS attached to the report as Appendices B and C respectively be approved.

REASONS FOR DECISION:

Significant traffic congestion in the town of Melton Mowbray has affected the lives of its residents, the efficiency of its businesses and its ability to grow. An MMTS remains vital to addressing the town's existing traffic problems and supporting its continued growth, and in achieving wider objectives, including in respect of the environment.

There is a Government requirement to submit an MMTS alongside the Full Business Case for the North and East Melton Mowbray Distributor Road (NE MMDR) scheme in Autumn 2021. Notwithstanding this, it is important to note that the Interim Strategy incorporates the MMDR in its entirety - i.e. the northern, eastern and southern sections - as well as the wider measures that will be needed to support the MMDR's delivery.

Engagement with stakeholders is an important part of the process for developing new strategies. It helps to ensure that the Authority takes account of customer expectations and delivers the most appropriate service levels, consistent with the budget available.

The Interim MMTS will help provide a transparent framework for determining decisions on transport priorities, ensure co-ordination of investment, support the Borough Council's Local Plan, and build on work undertaken jointly with Melton Borough Council during the preparation of the Local Plan.

31. Melton Mowbray Distributor Road Southern Section - Housing Infrastructure Fund Grant.

(Mrs. P. Posnett MBE CC, having declared a personal interest leading to bias, left the meeting during consideration of this item.)

The Cabinet considered a report of the Chief Executive, Director of Corporate Resources, and Director of Law and Governance concerning the latest position regarding to the Housing Infrastructure Fund (HIF) grant offered by Homes England in respect of the southern leg of the Melton Mowbray Distributor Road and a supplementary report advising that the grant could be accepted conditionally. Copies of the reports, marked 'Agenda item 9', are filed with these minutes.

With the permission of the Chairman, Cllr. J. T. Orson, Leader of Melton Borough Council, spoke on the report. He welcomed the recommendations, noting the substantial costs of infrastructure needed to support the Borough's growth and that significant financial risks would remain even if the HIF grant was secured. Mr. Orson said that the Borough Council's Developer Contributions Supplementary Planning Document (SPD) which prioritised contributions for highways and education was expected to be approved in September and new and updated masterplans for the South and North Sustainable Neighbourhoods would be adopted before the end of 2021.

RESOLVED:

- a) That the County Council welcomes the indication from the Leader of Melton Borough Council:
- i. that, in regard to the provision of infrastructure, his Council will increase its cap to £1.75million in an agreement between the two Councils for Melton Borough Council to mitigate the financial risk to the County Council; and
 - ii. that he will arrange for his Council to approve as soon as possible and by the end of 2021 a Developer Contributions Supplementary Planning Document (SPD), a replacement masterplan for the South Sustainable Neighbourhood, and a new masterplan for the North Sustainable Neighbourhood;
- b) That in respect of the SPD, the County Council notes that the draft document on which consultation will follow prioritises contributions towards transport and education infrastructure, which the County Council will expect to see in a final version;
- c) That in respect of the South Sustainable Neighbourhood masterplan, the County Council notes that following concerns about viability, it commissioned consultants to produce an updated masterplan, which now requires to be completed;
- d) That in respect of the North Sustainable Neighbourhood masterplan, the County Council notes that its objections to an earlier draft have been incorporated in a revision which now requires to be shared and the work concluded;
- e) That, accordingly, subject to:
- i. assurances from Melton Borough Council in regard to an increase in the cap to £1.75million in an agreement between the two councils for the Borough Council to mitigate the financial risk to the County Council, in regard to approval of the SPD and masterplans for the South and North Sustainable Neighbourhoods to the satisfaction of the County Council; and
 - ii. the provision of current information to Homes England on the estimated costs of the southern leg and further dialogue between the Director of Law and Governance and Homes England to reach an agreement on the terms of the Grant Determination Agreement,

the County Council will be in a position to accept conditionally the Housing Infrastructure Fund grant for the southern leg of the Melton Mowbray Distributor Road by decision of Cabinet at its meeting on 17th September 2021.

(KEY DECISION)

REASONS FOR DECISION:

To agree the position to be adopted by the County Council.

32. Provision of Short Breaks and Supported Living Services.

The Cabinet considered a report of the Director of Adults and Communities regarding the outcome of the consultation on proposed changes to the provision of the Council's in-

house short breaks services and seeking agreement to the proposed way forward. A copy of the report, marked 'Agenda item 10', is filed with these minutes.

RESOLVED:

- a) That the outcome of the consultation on proposed changes to the provision of the Council's in-house short breaks services be noted;
- b) That the refurbished facilities at The Trees in Hinckley be used for the provision of short breaks, taking the total number of beds at the site to 12;
- c) That the Smith Crescent facility in Coalville be closed as a place for the provision of short breaks;
- d) That alternative provision for existing users of the short break services at Smith Crescent, tailored for each individual, be provided at one of the other in-house short breaks facilities at Hinckley, Melton, and Wigston;
- e) That the proposal for a replacement short breaks facility at the Cropston Drive site in Coalville, previously agreed in 2019, be withdrawn;
- f) That revised development proposals for the Cropston Drive site in Coalville be developed for future consideration by the Cabinet.

(KEY DECISION)

REASONS FOR DECISION:

The existing accommodation at Smith Crescent (part of the Cropston Drive site in Coalville) presents a number of accessibility challenges which cannot be addressed cost effectively and impacts opportunities to maximise occupancy.

Former residents of The Trees in Hinckley have decided not to return to the newly refurbished facility. Using this accommodation for the provision of short breaks alongside the Council's other short breaks services in Melton and Wigston increases the total number of beds available across the County from 22 to 24.

Existing and planned future use of short breaks facilities within the County can be accommodated within this proposed capacity, including the needs of current users of Smith Crescent short breaks service. This would therefore negate the need for additional investment and the development of a replacement facility in Coalville.

It has not been possible to achieve an economically viable bid to develop the previously agreed proposals for the Cropston Drive site. This would now provide an opportunity to review and develop alternative proposals for this site that could be met within the capital allocation identified.

33. Shared Care Record.

The Cabinet considered a report of the Director of Adults and Communities regarding progress with the delivery of integrated health and care services through the development of a Shared Care Record across Health and Care in Leicester, Leicestershire and Rutland, including a proposed local Charter for collaboration. A copy of the report, marked 'Agenda item 11', is filed with these minutes.

RESOLVED:

- a) That the development of a Shared Care Record between health and adult social care services be supported;
- b) That the rationale for the development of a local Charter to formalise local stakeholder commitment and the core principles of the Charter as set out in the report and Appendix be supported subject to (c) and (d) below;
- c) That it be noted that the Charter as currently drafted does potentially provide for an unquantifiable commitment to resources which requires clarification;
- d) That the Director of Adults and Communities and Director of Corporate Resources, following consultation with their respective Cabinet Lead Members, be authorised to
 - i. agree with Integrated Care System partners such changes to the local Charter as are necessary to limit any unquantified risk to the Council's Resources,
 - ii. sign the local Charter on behalf of the Council subject to any changes referred to in (i) above,
 - iii. determine appropriate officer representation on the Yorkshire and Humber Care Record Delivery Board and enter into a Memorandum of Understanding concerning the partnership working as detailed in paragraph 40 of the report.

REASONS FOR DECISION:

The establishment of a Shared Care Record will form an integral part of the medium-term objectives of the Integrated Care System. It will enable care and clinical staff access to real time health and care information across care providers and between different operational systems.

The informal Charter, appended to the report, seeks to commit the Integrated Care System to prioritising the ongoing development of the Shared Care Record, and as such requires support from a range of stakeholders. These include the County Council, Leicester City Council, and Rutland Council.

As it stands, the Charter potentially provides for an unquantifiable commitment of resources. It is not expected that there will be a direct call upon any single organisation to find money from existing allocations. However, it is recommended that this commitment is clarified and a suitable form of words agreed to limit the financial and strategic risk to the Council, or an alternative way of articulating support that limits financial risk is found.

34. Development of the 0-19 Healthy Child Programme - Proposed Consultation.

The Cabinet considered a report of the Director of Public Health seeking approval to commence consultation on the proposed service model for the Healthy Child Programme for 0-19-year olds. A copy of the report, marked 'Agenda item 12', is filed with these minutes.

Mrs. Richardson CC noted the importance of consultation on the proposals and for improvements to the existing offer to help address inequalities and promote self-care.

RESOLVED:

- a) That the commencement of a consultation exercise on the proposed service model for the 0-19 Healthy Child Programme for a period of 8 weeks from 22 July to 16 September 2021, be approved;
- b) That a further report regarding the outcome of the consultation and proposed service model be submitted to the Cabinet on 26 October 2021.

(KEY DECISION)

REASONS FOR DECISION:

The Healthy Child Programme contains statutory functions that the Public Health grant has to commission or provide. This includes five universal health visiting checks for families and delivery of the national child measurement programme in schools.

The current contract is due to expire 31 August 2022 and cannot be extended.

The proposed service model will enable improvements to integrate universal health services to improve the health and wellbeing of children and young people through health and development reviews, health promotion and parenting support.

The 1001 Critical Days review in March 2021 recommended best practice across the health system to ensure babies, children and their parents get the best possible start in life by adding two additional touch points (3-4 months contact and 3-3 ½ years review) for Health Visiting. This will need further engagement and consultation on how best to deliver these contacts.

Covid-19 has exacerbated some of the issues with the current service offer and a need to review and improve the Programme's preventative offer and interventions to ease demand on services such as Emergency Departments and to improve mental health and wellbeing.

35. Exception to Contract Procedure Rules - Urgent Action Taken by the Chief Executive in Relation to the Appointment of a Supplier to Provide Free School Meal Vouchers during the Summer Holidays.

The Cabinet considered a report of the Director of Corporate Resources regarding urgent action taken by the Chief Executive to agree an exception to the Council's Contract Procedure Rules to enable the provision of Free School Meal Vouchers for the 2021 summer holidays. A copy of the report, marked 'Agenda item 13', is filed with these minutes.

RESOLVED:

That the urgent action taken by the Chief Executive to agree an exception to the Contract Procedure Rules to enable the appointment of Edenred to provide Free School Meal Vouchers until 30 September 2021 be noted.

REASONS FOR DECISION:

The Council's Constitution (Contract Procedure Rule 6(b)(ii)) provides that exceptions to the Contract Procedure Rules may be made by the Cabinet where it is satisfied that an exception is justified on its merits and that in urgent cases the Chief Executive (after consultation with the Leader or Deputy Leader save where this is not practicable) may direct that an exception be made subject to it being reported to the Cabinet. The circumstances and financial considerations are explained in the report.

36. Exception to Contract Procedure Rules - Urgent Action Taken by the Chief Executive in Relation to the Extension of an Existing Contract for an Electronic Roster System.

The Cabinet considered a report of the Director of Adults and Communities regarding urgent action taken by the Chief Executive to agree an exception to the Council's Contract Procedure Rules to enable the use of an existing contract for the supply of a staff roster system to continue to be used by the Homecare Assessment and Reablement Team and Crisis Response Service teams. 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 agree an exception to the Contract Procedure Rules to enable the existing contract for the supply of a staff roster system to continue to be used by the Homecare Assessment and Reablement Team and Crisis Response Service teams be noted.

REASONS FOR DECISION:

The Council's Constitution (Contract Procedure Rule 6 (b)) provides that exceptions to the Contract Procedure Rules may be made by the Cabinet where it is satisfied that an exception is justified on its merits and that in urgent cases the Chief Executive (after consultation with the Leader or Deputy Leader save where this is not practicable) may direct that an exception be made subject to it being reported to the Cabinet.

The exception was necessary in order to support both HART and CRS services to continue to operate at full capacity (the circumstances are explained the report).

37. Items referred from Overview and Scrutiny.

There were no items referred from the Overview and Scrutiny bodies.

38. Exclusion of the press and public.

RESOLVED:

That under Section 100A of the Local Government Act 1972, the public be excluded for the remaining 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.

39. Proposals to Develop a New Primary School to Serve Castle Donington - Expressions of Interest from Academy Proposers.

The Cabinet considered an exempt report of the Director of Children and Family Services concerning expressions of interest received from academy proposers (sponsors) to operate the new 210-place primary school (academy) to serve the Castle Donington area of Leicestershire, and making recommendations to the Secretary of State for Education to enable a decision to be taken on a preferred sponsor for the new school. A copy of the report, marked 'Agenda item 18', 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.

RESOLVED:

- a) That the six expressions of interest received from the Discovery Schools Academy Trust, East Midlands Education Trust, Scholars Academy Trust, Spencer Academy Trust, Willows Academy Trust and Symphony Learning Trust to operate the new 210-place primary school to serve the Castle Donington area be noted;
- b) That the four academy proposers that have all progressed to Stage 2 of the process, and the scoring attached to each as set out in Appendices C and D to the report, and which defines the County Council's order of preference, be noted;
- c) That all four proposers be recommended to the Secretary of State for Education (with whom the decision rests), as potential suitable sponsors to operate the new school and indicating the County Council's preference for the appointment of a preferred Academy Trust as outlined within paragraph 33 of the report, and that the Secretary of State be advised that given the strength of the applications that there is no reason to suggest that it would be necessary to look elsewhere to secure an academy sponsor;
- d) That it be noted that further information will be provided to members once the decision on a preferred sponsor has been taken and confirmed by the Regional Schools Commissioner, acting on behalf of Secretary of State for Education.

(KEY DECISION)

REASONS FOR DECISION:

The Education Act 1996 places a statutory duty on the County Council to ensure a sufficient supply of school places.

The new 210-place primary school to serve the Castle Donington Charters Gate development (approved by North West Leicestershire District Council) is planned to open in September 2022. It recognises the increase in demand for school places locally, arising as a consequence of the 895 new homes planned to be built.

Seeking expressions of interest from suitable academy proposers (sponsors) is in keeping with the requirements placed upon the County Council by section 6A (the Free School Presumption) of the Education and Inspections Act 2006, as introduced by the Education Act 2011.

By completing the expressions of interest process, the County Council has been able to assess and confirm the expertise, capacity, experience and other credentials necessary to run the new school, of the organisations that have applied.

Ensuring that all organisations recommended to the Secretary of State for consideration are already 'approved' sponsors on the Department for Education register will help demonstrate their capabilities and should enable an early decision to be taken.

2.00 - 2.59 pm
20 July 2021

CHAIRMAN