

Minutes of a meeting of the Cabinet held at County Hall, Glenfield on Friday, 19 November 2021.

PRESENT

Mrs D. Taylor CC (in the Chair)

Mr. B. L. Pain CC  
Mrs. C. M. Radford CC  
Mr. O. O'Shea JP CC  
Mr. L. Breckon JP CC

Mrs. P. Posnett MBE CC  
Mr. R. J. Shepherd CC  
Mr. P. Bedford CC

Apologies

Mrs H. L. Richardson CC

In attendance

Mr. N. J. Rushton CC, Mr. R. Ashman CC, Mrs B. Seaton CC, Mr. T. Parton CC, Mrs M. Wright CC (via MS Teams).

72. Apologies for absence.

Apologies for absence were reported on behalf of Mrs L. Richardson CC.

It was noted that Mr. Rushton CC was attending the meeting via MS Teams and would not therefore be able to vote on any items.

73. Minutes of the previous meeting.

The minutes of the meeting held on 26 October 2021 were taken as read, confirmed and signed.

74. Urgent items.

There were no urgent items for consideration.

75. 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.

All Cabinet members who were also members of district councils declared a personal interest in agenda item 8, a report of the Chief Executive entitled "Leicester and Leicestershire Authorities - Statement of Common Ground Relating to Strategic Warehousing and Logistics Need" (Mr. Rushton CC, Mrs Taylor CC, Mrs Radford CC, Mr. Shepherd CC, Mr. O'Shea CC, Mr. Breckon JP, CC, Mrs Posnett MBE, CC).

76. Annual Delivery Report and Performance Compendium 2021.

The Cabinet considered a report of the Chief Executive presenting the draft Annual Delivery Report and Performance Compendium for 2021 which set out the Council's performance over the past year, work taking place to respond to the impact of the pandemic, and the position regarding financial and service pressures. A copy of the report, marked 'Agenda Item 4', is filed with these minutes.

Comments of the Scrutiny Commission, which had considered the report at its meeting on 17 November, were circulated separately and a copy is filed with these minutes.

Mrs Taylor CC noted that the Council had responded well to the challenges presented by the pandemic despite its very low funding, and highlighted strong partnership working including with the NHS, Police, and the voluntary and community sector.

RESOLVED:

- a) That the comments of the Scrutiny Commission be noted;
- b) That the overall progress in delivering on the Council's Strategic Priorities and responding to the COVID-19 pandemic and issues arising, as set out in the draft Annual Delivery Report 2021, be noted and welcomed;
- c) That the significant and ongoing impact of the COVID-19 pandemic on outcome delivery, services and communities across a range of areas be noted, together with the strong local response from the Council and partners to support vulnerable people, communities, business, the voluntary sector, staff and others throughout the pandemic;
- d) That the Council's current low comparative funding, good performance position, and escalated service pressures and risks now facing the Authority set out in the Performance Compendium be noted;
- e) That in light of the pressure on the Council's financial sustainability arising from continued service demand and cost pressures, that have been compounded by the COVID-19 crisis, the Council continues to press its case for a fairer funding settlement and other major savings and funding initiatives such as a new County Deal, noting that the delay in implementation has created significant uncertainties as to how the Council can now address the many service challenges and priorities it faces;
- f) That the Chief Executive, following consultation with the Leader, be authorised to make any amendments to the draft Annual Delivery Report and Performance Compendium prior to its submission to the County Council on 1 December 2021 for approval.

REASONS FOR DECISION:

It is best practice in performance management, implicit in the LGA Sector-Led approach to local authority performance and part of the Council's Internal Governance Framework, to undertake a review of overall progress at the end of the year and to benchmark performance against comparable authorities. It is also good practice to produce an

annual performance report and ensure that it is scrutinised, transparent, and made publicly available.

The National Audit Office last year issued best practice guidance for annual reports, highlighting that the annual report is a key mechanism for transparent disclosure of an organisation's in-year performance and governance matters. Disclosures in the annual report should help to provide information about the impact of COVID-19 on the organisation. The report should discuss how the entity has performed in the year, including areas where performance has deteriorated or below expectations, and the other key risks.

The Council is poorly funded in comparison with other local authorities and this, until addressed, will continue to affect delivery, performance, risks, and council tax levels.

The draft Report and Compendium may be modified to reflect comments made by the Cabinet as well as to include any final national comparative data which becomes available prior to its consideration by full Council.

#### 77. Tree Management Strategy and Tree Charter.

The Cabinet considered a report of the Director of Corporate Resources regarding on progress with work being done in relation to the Council's Tree Management Strategy for its trees and woodlands and presenting the Tree Charter, to which the Council had recently become a signatory. A copy of the report, marked 'Agenda Item 5', is filed with these minutes.

Mr. Pain CC said that the Strategy would help deliver the ambitious project to plant 700,000 trees in the County over the next 10 years.

#### RESOLVED:

- a) That the latest iteration of the Tree Management and Planting Plan be noted;
- b) That it be noted that the County Council has become a signatory to the Tree Charter for Leicestershire.

#### REASONS FOR DECISION:

The Tree Management Strategy and associated Tree Management and Planting Plan set out standards for the management of the tree resource under the stewardship of the Council which comply with nationally recognised codes of practice and will help to protect trees and woodlands as a valuable natural asset to Leicestershire and mitigate risk.

The updated Tree Management and Planting Plan has been produced to ensure delivery of 'one tree for every resident', the equivalent of 700,000 trees within an approximate timescale of 10 years.

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

The Tree Charter is a statement of intent which calls for partnership working across Leicestershire.

78. Updated Policies for Leicestershire County Council's Museum Service.

The Cabinet considered a report of the Director of Adults and Communities regarding two revised and updated policies for the Council's Museum Service: the Collections Development Policy and the Access Policy. A copy of the report, marked 'Agenda Item 6', is filed with these minutes.

RESOLVED:

- a) That the Leicestershire County Council's Museum Collections Development Policy 2021-2025 be approved;
- b) That the Leicestershire County Council's Museum Access Policy 2021-2025 be approved.

REASONS FOR DECISION:

The Collections Development Policy and Access Policy had expired and were due for renewal. The policies must address the key requirements set out in the Accreditation standard, administered by Arts Council England.

The Collections Development Policy sets the vision and purpose for Leicestershire County Council's Museum Service and how it will deliver against these through its collections, acquisitions, disposals, and collections care.

The Access Policy sets out Leicestershire County Council's Museum Service commitments to create a culture where people of all backgrounds and experiences feel appreciated and valued, providing access for everyone.

These two policies form the basis of the Collections Management Framework which contains action plans and guidance used by the Museum Service to guide its activity and ensure consistency, transparency, effective use of resources and adherence with museum ethics.

79. Recommended Investment into Partners Group Private Debt Fund and JP Morgan Infrastructure Investment Fund.

The Cabinet considered a report of the Director of Corporate Resources concerning the proposed allocation of funding from the Council's Corporate Asset Investment Fund (CAIF) for investment in private debt and infrastructure. A copy of the report, marked 'Agenda Item 7', is filed with these minutes.

Comments of the Scrutiny Commission, which had considered the proposals at its meeting on 17 November, were circulated separately and a copy is filed with these minutes.

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

Mr. Breckon CC said that the proposed investments fulfilled several of the CAIF's aims and also referred to the success of previous CAIF investments such as the Access Group's head office on Loughborough University's Science and Enterprise Park.

RESOLVED:

- a) That the comments of the Scrutiny Commission be noted;
- b) That a total of £27.5m be allocated from the Corporate Asset Investment Fund for investment in:
  - (i) Partners Group Multi Asset Credit 6 (MAC 6) private debt - £20m,
  - (ii) the JP Morgan Infrastructure Investment Fund - £7.5m.

(KEY DECISION)

REASONS FOR DECISION:

The proposed investments are in accordance with the Corporate Asset Investment Fund Strategy 2021-25 which was updated in February 2021 to take account of recommendations made by Hymans Robertson to maintain or increase the weighting to the private debt asset class and to initiate an allocation to core or core plus infrastructure; the types of infrastructure strategy which carry the lowest levels of risk.

80. Leicester and Leicestershire Authorities - Statement of Common Ground Relating to Strategic Warehousing and Logistics Need.

The Cabinet considered a report of the Chief Executive seeking approval for the Council to become a signatory to a 'Statement of Common Ground', prepared jointly by the Leicester and Leicestershire planning authorities, regarding strategic warehousing and logistics needs in the County. A copy of the report, marked 'Agenda Item 8', is filed with these minutes.

RESOLVED:

That the Cabinet agrees to the County Council becoming a signatory to the Leicester and Leicestershire Statement of Common Ground Relating to Strategic Warehousing and Logistics needs (September 2021).

REASONS FOR DECISION:

The Strategic Warehousing and Logistics Need Study (April 2021) identifies a Leicester and Leicestershire wide need for large warehousing to 2041. Meeting this need is therefore a cross boundary issue under the Duty to Cooperate (including for those authorities that are not normally directly affected by the sector).

The Statement of Common Ground will help inform an approach to meeting the Leicester and Leicestershire need which maintains an appropriate supply across the Areas of Opportunity, in terms of geography and trajectory, as recommended by the study. This is required to help demonstrate a collective Duty to Co-operate on this matter for the forthcoming Local Plan Examinations.

The Statement of Common Ground is largely a statement of fact and does not attempt to distribute the need for strategic warehousing floorspace amongst the authorities. It identifies the strategic issues and the intended next steps.

81. Proposed Mandatory School Keep Clear Restrictions Monday to Friday from 8am to 4pm, Castle Donington (Eastway, Hasting Street, Mount Pleasant and Dovecote).

The Cabinet considered a report of the Director of Environment and Transport regarding the implementation of a mandatory “no stopping” traffic regulation order (TRO) on Eastway, Hasting Street, Mount Pleasant and Dovecote, in Castle Donington, outside the entrances to Castle Donington College and St. Edwards C of E Primary School. A copy of the report, marked ‘Agenda Item 9’, is filed with these minutes.

Members noted comments from the local member, Mr. Trevor Pendleton CC, a copy of which is filed with these minutes.

Mr. O’Shea CC said that he appreciated Mr. Pendleton’s concerns. He regretted that it was not feasible to amend the proposals but highway safety had to be the priority.

**RESOLVED:**

That the restrictions as shown on drawing no. TM4519/T1/1/71a, attached as Appendix A to the report, be approved for implementation.

**REASONS FOR DECISION:**

The restrictions will prevent potential blocking of the highway in the vicinity of the school gates to Castle Donington College and St. Edwards C of E Primary School and create a safe access.

The Local Member, Mr T. Pendleton CC, does not support the scheme and therefore Cabinet determination was required.

**OTHER OPTIONS CONSIDERED:**

- (i) To amend the proposals outside nos. 13-17 Mount Pleasant.

Amending the length of the zig zag markings in the vicinity of nos.13 to 17 would make the scheme ineffective (and not enforceable). As set out in paragraph 15 of the report, the marking must be laid in accordance with regulations at a length of between 25.560 metres and 43.560 metres. If outside of these lengths the markings would not be enforceable. This is also the location experiencing most of the problems with parking within the mouth of the school gates.

- (ii) To reduce the time that the restrictions operate.

The site hosts a number of different facilities and the gates are constantly being used by the college, an early learning centre and preschool/nursery. The zone therefore needs to be kept clear throughout the day (8am to 4pm, Monday to Friday). Residents can park on the markings outside of these times.

- (iii) To replace the zig-zags outside nos.13-17 Mount Pleasant with yellow lines and a ‘No Parking’ restriction 8am to 9am and 2.30pm to 4.30pm.

With double yellow lines the boarding and alighting exemption applies to children being picked up and dropped off, so this activity, which is the key cause of the safety issues around the school gates would not be enforceable. With the staggered time restrictions residents would still need to move their vehicles during those times as any vehicles parked (i.e. not dropping off/ picking up) would be enforceable. During the day there is

available on-street parking in the immediate vicinity of those properties. The mandatory zig zag markings ensure that all such activity can be enforced by the camera car and/ or a Civil Parking Enforcement officer.

82. Items referred from Overview and Scrutiny.

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

2.00 - 2.36 pm  
19 November 2021

CHAIRMAN