

Minutes of a meeting of the Cabinet held at County Hall, Glenfield on Tuesday, 25 October 2022.

PRESENT

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

Mr. B. L. Pain CC

Mrs H. L. Richardson CC

Mrs D. Taylor CC

Mrs. P. Posnett MBE CC

Mrs. C. M. Radford CC

Mr. R. J. Shepherd CC

Mr. L. Breckon JP CC

Mr. P. Bedford CC

Apologies

Mr. O. O'Shea JP CC

In attendance (including via Teams)

Mr. R. Ashman CC, Mrs B. Seaton CC, Mr. J. Poland CC, Mrs R. Page CC, Mrs A. Hack CC

179. Minutes of the previous meeting.

The minutes of the meeting held on 23 September 2022 were taken as read, confirmed and signed.

180. To advise of urgent items.

The Chairman advised that there was one urgent item for consideration, a joint report of the Director of Law and Governance and Director of Adults and Communities titled "Local Government and Social Care Ombudsman Report Regarding Adult Social Care". The report was urgent as the Ombudsman Report had been published after the agenda for the meeting had been circulated and in light of the timescales required by the Ombudsman it was preferable for the report to be considered before the Cabinet met again on 25 November.

181. Declarations of interest.

The Chairman invited members who wished to do so to declare any interests in respect of items on the agenda for the meeting. No declarations were made.

182. Net Zero Leicestershire Strategy and Action Plan.

The Cabinet considered a report of the Director of Environment and Transport regarding the outcome of consultation on the draft Net Zero Leicestershire Strategy and Action Plan and seeking approval for the revised documents to be submitted to Council. A copy of the report, marked 'Agenda Item 4', is filed with these minutes.

Also filed with these minutes are the Net Zero Consultation Summary Report (circulated for information), a draft minute of the Environment and Climate Change Overview and

Scrutiny Committee, which had considered the report on 20 October, and comments from Mr. Max Hunt CC on behalf of the Labour Group.

Mr. Pain CC said that the Council was committed to achieving Net Zero for its own operations by 2030 and hoped that, working with others, Net Zero could be achieved for the County by 2045.

RESOLVED:

- (a) That the findings of the public consultation on the draft Net Zero Leicestershire Strategy and Action Plan and comments of the Environment and Climate Change Overview and Scrutiny Committee be noted;
- (b) That the amendments made to the Net Zero Leicestershire Strategy and Action Plan in response to the consultation findings, as described in the table in paragraph 39 of the report be supported;
- (c) That the amended Net Zero Leicestershire Strategy and Action Plan, and the 2030 Net Zero Council Action Plan be submitted to the County Council for approval at its meeting on 7 December 2022;
- (d) That the Director of Environment and Transport, following consultation with the Lead Member for the Environment and Green Agenda, be authorised to make any further minor amendments to the Net Zero Leicestershire Strategy and Action Plan in the light of any feedback from Environment and Climate Change Overview and Scrutiny Committee and the Cabinet.

(KEY DECISION)

REASONS FOR DECISION:

The amendments made to the Net Zero Leicestershire Strategy and Action Plan respond to the feedback received by the public and stakeholders through the public consultation.

The Net Zero Leicestershire Strategy and Action Plan sets out a countywide strategy for achieving net zero greenhouse gas emissions in Leicestershire by 2045 which will involve local authorities, partners, businesses and residents.

In view of its significance the Strategy and associated documents are to be submitted to the County Council for approval. It may be necessary to make some final minor changes arising from consideration by the Environment and Climate Change Overview and Scrutiny Committee and the Cabinet.

183. Treatment of Post-2020 Residual Waste Procurement.

The Cabinet considered a report of the Director of Environment and Transport regarding the procurement of capacity for the treatment of residual waste. A copy of the report, marked 'Agenda Item 5', is filed with these minutes.

Also filed with these minutes are comments from the Loughborough Air Quality Protection Group and comments from Mr. Max Hunt CC on behalf of the Labour Group.

The Director advised that the contract with Biffa Waste Services Ltd. had now been signed.

RESOLVED:

That the award and anticipated signing of the contract with Biffa Waste Services Ltd. for the treatment of residual waste be noted.

REASONS FOR DECISION:

The Director of Environment and Transport was authorised to procure and secure capacity for residual waste treatment and disposal from April 2020 and has kept the Cabinet informed of progress with this work.

184. Household Support Fund.

The Cabinet considered a report of the Director of Corporate Resources regarding operation of the Household Support Fund from April 2022 to September 2023 and setting out proposals for the administration of the Fund from October 2022.

A copy of the report, marked 'Agenda Item 6', is filed with these minutes.

Mr. Breckon CC commended the proposals, which would help ensure that funds went to those households most in need of support.

RESOLVED:

- (a) That the support for Leicestershire residents that has been provided through the Household Support Fund (HSF) from April 2022 to September 2022 be noted;
- (b) That the delivery approach of the HSF from October 2022 onwards as detailed in the report be approved;
- (c) That the HSF Policy, appended to the report, be approved;
- (d) That the Director of Corporate Resources, following consultation with the Cabinet Lead Member, be authorised to make minor amendments to the eligibility and payment values in the HSF Policy.

REASONS FOR DECISION:

Approval was needed to make changes to the administration of the Household Support Fund in light of changes in the grant terms from the Department for Work and Pensions.

Enabling the Director to make minor amendments to the agreed approach will allow the Council to respond promptly to changing demand in certain areas of the Fund.

185. Exception to Contract Procedure Rules - Urgent Action Taken by the Chief Executive to Appoint a Supplier to Provide Enhanced Substance Misuse Projects in line with the Supplementary Substance Misuse Treatment and Recovery Grant.

The Cabinet considered a report of the Director of Public Health regarding urgent action taken by the Chief Executive to agree an exception to the Council's Contract Procedure

Rules to enable a direct appointment to carry out two projects within the area of substance misuse. A copy of the report, marked 'Agenda Item 7', 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 Falcon Support Services to carry out the projects funded through the Supplementary Substance Misuse Treatment and Recovery grant provided by the Office for Health Improvement and Disparities for up to 3 years 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 direct award of contracts to Falcon Support Services was required to enable the projects to progress in line with the grant conditions and for Leicestershire to benefit from the additional funding.

186. Items referred from Overview and Scrutiny.

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

187. Local Government and Social Care Ombudsman Report Regarding Adult Social Care.

The Cabinet considered a joint report of the Director of Law and Governance and Director of Adults and Communities regarding a report of the Local Government and Social Care Ombudsman concerning the investigation of a complaint against the Council in respect of its duties to assess and provide support for eligible adult social care needs (Care Act 2014 and Care and Support Statutory Guidance). The report was urgent as the Ombudsman Report had been published after the Cabinet agenda was circulated and in light of action required to be taken by the Council it was considered that the report should be submitted to the Cabinet at the earliest opportunity. A copy of the report, marked 'Agenda Item 9', is filed with these minutes.

RESOLVED:

- (a) That the public report of the Local Government and Social Care Ombudsman (LGSCO) be noted;
- (b) That the Director of Adults and Communities be required to implement the recommendations of the LGSCO as set out in paragraphs 59 to 62 of the LGSCO report.

REASONS FOR DECISION:

To bring to the attention of the Cabinet the facts of the case and to explain the various actions which the Council is taking in light of the Ombudsman's findings.

When a public report is issued by the LGSCO, there is a statutory requirement that it is 'laid before the authority concerned' and there is an obligation for the Council to report back to the LGSCO to confirm this action has been taken.

2.00 - 2.27 pm
25 October 2022

CHAIRMAN