

**MINUTES OF THE MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL
HELD AT COUNTY HALL, GLENFIELD ON WEDNESDAY, 17 MAY 2023**

PRESENT

Dr. R. K. A. Feltham CC (in the Chair)

Mr. R. G. Allen CC, Mr. R. Ashman CC, Mr. T. Barkley CC, Mr. D. C. Bill MBE CC, Mr. G. A. Boulter CC, Mr. S. L. Bray CC, Mr. L. Breckon JP CC, Mr. B. Champion CC, Mr. N. Chapman CC, Mr. M. H. Charlesworth CC, Mr. J. G. Coxon CC, Mr. M. Frisby CC, Mrs. H. J. Fryer CC, Mr. S. J. Galton CC, Mr. D. A. Gamble CC, Mr. K. Ghattoraya CC, Mr. T. Gillard CC, Mr. D. J. Grimley CC, Mrs. A. J. Hack CC, Mr. L. Hadji-Nikolaou CC, Mr. B. Harrison-Rushton CC, Mr. D. Harrison CC, Mr. R. Hills CC, Mr. Max Hunt CC, Mr. P. King CC, Mr. B. Lovegrove 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 CC, Mrs. R. Page CC, Mr. B. L. Pain CC, Mr T. Parton CC, Mr. T. J. Pendleton CC, Mr. L. Phillimore CC, Mr J. Poland CC, Mrs. C. M. Radford CC, Mr. T. J. Richardson CC, Mrs H. L. Richardson CC, Mr. N. J. Rushton CC, Mrs B. Seaton CC, Mr. R. J. Shepherd CC, Mr. C. A. Smith CC, Mrs D. Taylor CC, Mr. G. Welsh CC and Mrs. M. Wright CC

1. ELECTION OF CHAIRMAN.

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

“That Dr Kevin Feltham be elected Chairman for the period until the next Annual Meeting of the Council.”

Dr Feltham read out and signed his Declaration of Acceptance of Office which was witnessed and signed by the Chief Executive.

2. ELECTION OF VICE CHAIRMAN.

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

“That Mr Joe Orson be elected Vice-Chairman for the period until the next Annual Meeting of the Council.”

Mr Orson read out and signed his Declaration of Acceptance of Office which was witnessed and signed by the Chief Executive.

Mr Orson thanked his proposer and seconder for their generous remarks and members of the Council for appointing him as Vice-Chairman.

3. CHAIRMAN'S ANNOUNCEMENTS.

Deaths of Past Chairmen and Former County Councillors

The Chairman reported with great sadness the deaths of three former County Councillors and past Chairmen, Mrs Jackie Dickinson, Mr Roger Wilson and Mr Jim Roberts, and of former County Councillor Mrs Anne Crumbie MBE.

Mrs Dickinson was a member of the County Council from 2005 to 2017 and represented the Enderby Meridian Electoral Division.

She served as Chairman of the Council for the municipal year 2011 to 2012 and was a Cabinet Support Member in 2013. She was Deputy Chairman of the Children and Young People's Service Overview and Scrutiny Committee for a number of years, followed by being a group spokesperson on the Health Overview and Scrutiny Committee. She was also a member of the Scrutiny Commission and Development Control and Regulatory Board.

Mr Wilson was a member of the County Council from 1993 to 2013. He represented the Birstall Electoral Division.

Mr Wilson was Deputy Leader of the Council from 1999 to 2001 and was an original member of the Cabinet, with the portfolio of 'Promoting Better Government for Leicestershire'. After this he mainly served on a number of different overview and scrutiny committees, the Standards Committee, Corporate Governance Committee and Employment Committee. He was Chairman of the Council for the municipal year 2009 to 2010.

Mr Wilson was made an Honorary Alderman of the County of Leicestershire in 2013.

Mr Roberts was a member of the County Council from 1981 to 1997, representing the Belgrave and Stoneygate Electoral Division in Leicester City. He mainly served on the Social Services Committee, Policy and Resources Committee and the Arts, Libraries and Museums Committee. He served as Chairman of the Council for the municipal year 1996 to 1997.

Mrs Crumbie MBE was a member of the County Council from 1985 to 1997. She represented the West Knighton Electoral Division in Leicester City. She mainly served on the Social Services Committee and its subcommittees. She received an MBE for her services to the Red Cross.

Members joined the Chairman standing in silent tribute to the memory of Mrs Dickinson, Mr Wilson, Mr Roberts and Mrs Crumbie.

Chris Tambini

Chris Tambini would be leaving the County Council at the end of the month after more than 20 years, with the last five years as Director of Corporate Resources. He had previously worked in a London Borough, a City Unitary and for PricewaterhouseCoopers.

Chris had led and overseen significant changes during his time with the Council and made a major contribution to modernising and transforming the shape of the Council. He led on a number of successful major change programmes such as the creation of the Investing in Leicestershire Programme and the launch of the Social Care Investment Programme. He also ably led the Corporate Resources Department, reshaping key support services, and made a significant corporate contribution to the leadership and reputation of the Council.

Being with the Council through the austerity years and Covid pandemic Chris had always ensured that robust financial management arrangements had been in place, and that the Council maintained a focus on medium term financial planning. This placed the Council in a far more secure position than would otherwise have been the case. This was recognised by IMPOWER when they rated the Council the most productive in England for three consecutive years.

In 2022, Chris was President of the Society of County Treasurers, which alongside his involvement in various Government working parties including Fair Funding and Special Education Needs reform provided him with national platforms to discuss key public sector issues and promote the Council's interests. Most notable had been Chris's championing of funding reform that exposed the unfairness of the national system and the County Council's low position within it. Chris had developed a deserved reputation and respect outside local government which would stand him in good stead for the future.

Members joined the Chairman in wishing Chris all the best for his future ventures.

Mo Seedat

Mo Seedat, Head of Democratic Services, would be retiring at the end of the month. The Chairman felt sure that members would not want the occasion to pass without placing on record the Council's appreciation of Mo's very special contribution to the operation and sound governance of Leicestershire County Council.

Mo first joined the Committee Services Team in 1982. He was instrumental in establishing the Council's overview and scrutiny function and oversaw its operation for a number of years before becoming Head of Democratic Services in 2014.

The Council had benefitted greatly from Mo's experience and knowledge. He had advised members on a huge range of issues and governance matters and his skill in finding a solution to any difficult situation had been invaluable on many occasions. His calm leadership and professionalism had also ensured that the Council maintained its reputation for good decision-making and high standards of conduct. He had achieved the confidence of members and senior officers alike whilst at the same time leading and supporting junior colleagues in the fine art of applying the Council's constitution.

The Chairman placed on record his personal thanks, and the thanks of his predecessors as Chairman, for Mo's guidance through Council meetings and, on behalf of all members of the Council, wished Mo all the best for the future and for a long and happy retirement.

King Charles III Coronation

On Saturday 6th May King Charles III was crowned, a very special and unique occasion for the Country. The Chairman represented the Council at a special Church Service on Thursday 11th May at St. Mary De Castro Church; some members were also present.

On Saturday 13th May the Chairman hosted a Coronation Big Lunch for the volunteers in Leicestershire communities who help deliver services. It was a fantastic event which everyone enjoyed.

The Chairman read out a Coronation message that the Lord-Lieutenant of Leicestershire received from His Majesties the King and Queen prior to the Coronation. The message read:

“Both my wife and I are enormously grateful to all the communities, families, neighbours and friends who are coming together across the United Kingdom and the Commonwealth to mark our Coronation.

We greatly appreciate everyone’s efforts to organise such celebrations, and very much hope that they will be enjoyable and happy occasions.

As we look towards the future, we feel deeply touched and sustained by the heartfelt good wishes and support of so many kind people around the country.

CHARLES R.

CAMILLA R.”

Armed Forces Day

As a prelude to Armed Forces Day, the Chairman would be hosting an Armed Forces Day Flag-Raising ceremony at the Stand Easy Memorial, on Monday 19th June at 10.30. All members would be invited, and the Chairman hoped that they would be able to join him.

On Saturday 24th June, together with the Lord-Lieutenant and Lord Mayor of Leicester, the Chairman would be attending Armed Forces Day in Leicester City. There would be a parade of service personnel, veterans, and cadets through the streets of Leicester. Following the parade there would be an outside ‘Drumhead Service’ in Green Dragon Square. The Chairman invited members to come into the City and watch this fitting tribute to the Armed Forces and veterans.

County Service

The Chairman would be hosting a County Service later in the year and all Members would receive an invitation in due course.

4. MINUTES.

It was moved by the Chairman, seconded by the Vice-Chairman and carried:

“That the minutes of the meeting of the Council held on 22nd February 2023, copies of which have been circulated to members, be taken as read, confirmed and signed.”

5. 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 the meeting.

Mr Phillimore CC declared a non-registrable interest in the Notice of Motion on Special Educational Needs and Disabilities (SEND) due to his wife's employment (minute 10(a) refers).

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

Mr Hunt asked the following question of the Leader or his nominee:

- “1. Many people in the north of the county are concerned that a new settlement of approximately 4,700 homes could be without adequate infrastructure or services, thereby impacting significantly on the north of the county. What reassurance can the Leader offer in response to such concerns and what is the relevant planning process?
2. Is there an adequate local transport strategy to service the East Midlands Freeport and what consideration do such plans have on our decarbonisation commitments?
3. Given that the Passenger Transport Strategy has not been updated and bus services including one Skylink service are threatened, has the authority got a plan for delivering a comprehensive public transport system between the centres of population and employment and the East Midlands Parkway.
4. Can the Leader confirm that the closure and decommissioning of Ratcliffe Power Station is still on track for 2024?
5. Are details of the Freeport secure boundary published and if so where are they accessible.
6. Given that concerns are already breaking out about development regulations within the Outer 45km boundary, could the Leader provide an early report on how planning permits will be determined in conjunction with the Freeport?
7. Is there any evidence that industrial or commercial plans in the county are being held back pending possible transfers into the area of the Freeport offering tax and regulation concessions?”

Mr Breckon replied as follows:

- “1. This site currently has no planning status; it is being promoted through the ongoing review of the North West Leicestershire Local Plan. It is for the District Council to determine if the site is potentially suitable as a housing site when it publishes its Regulation 18 Preferred Options Plan later this year.

The timescale for completing the review is unclear as the District

Council is currently reviewing its Local Development Scheme to take into account, amongst other things, the need to get a better understanding of the implications of the Freeport proposals in respect of infrastructure and other local impacts. This work is ongoing.

The site has been assessed as part of the Strategic Housing and Employment Land Availability Assessment undertaken by the District Council which concluded it was one of a number of potentially available and potentially deliverable sites.

The County Council will continue to work with North West Leicestershire District Council to identify the infrastructure requirements arising from the local plan review.

2. I am aware that the Freeport is in the early stages of discussing joint work with Midlands Connect and the relevant highway authorities to understand the transport impacts of the proposals and ensure connectivity is maximised by all modes of transport. This work will need to fully consider national and local net zero targets.
3. The County Council will work with the Applicants of the Freeport tax sites through the planning process as the applications for each site comes forward to secure appropriate passenger transport provision.
4. Publicly available information in relation to the future of the Power Station refers to decommissioning at various dates. Disclosure of any other information is a matter for Uniper, the owner of the site.
5. The designation of East Midlands Freeport Tax Sites was made by Statutory Instrument made on 1st March:
<https://www.legislation.gov.uk/uksi/2022/184/made>

The Statutory Instrument refers to maps showing the designated tax sites:

<https://www.gov.uk/government/publications/maps-of-east-midlands-freeport-tax-sites>

6. Appended for Mr Hunt's information is the relevant section from the Government's Freeport's Bidding Prospectus (November 2020). Much of the proposed changes to planning law and guidance is yet to be enacted. A Local Development Order (LDO)¹ is being prepared to help shape the plans for redevelopment of the East Midlands Freeport tax site at the Ratcliffe-on-Trent Power Station within Rushcliffe BC. This was subject to consultation which closed on 19th January 2023.
7. The East Midlands Freeport full business case, approved by the Government, is a confidential document but it places a requirement on tax site operators to take appropriate action to mitigate economic

¹LDOs provide permitted development rights for specified types of development in defined locations. They are flexible and locally determined tools that LPAs can use to help accelerate the delivery of appropriate development in the right places. LDOs are intended to enable growth by positively and proactively shaping sustainable development in the LPA area through simplifying the planning process and making investment more attractive.

displacement from the wider local area, especially other economically disadvantaged areas. The Department for Levelling Up, Housing and Communities has published a Policy paper on its strategy for monitoring and evaluating the effectiveness and impacts of Freeports (at programme level) which includes the overall impact of Freeports on economic growth in the wider Freeport areas and displacement is identified as a key research topic.

There is no evidence that industrial or commercial plans in the county are being 'held back' but there is no reliable means of assessing this."

7. POSITION STATEMENTS UNDER STANDING ORDER 8.

The Leader gave a position statement on the following matters:

- Ukrainian Refugees and Asylum Seekers;
- Meeting with Chancellor and F20 Update;
- Devolution Update;
- Coronation of King Charles III;
- Additional Pothole Funding.

The Lead Member for Children and Family Services delivered a position statement on becoming an Anti-Racist Organisation on behalf of the Lead Member for Community and Staff Relations.

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

8. REPORTS OF THE CABINET.

(a) Youth Justice Plan 2023 - 26.

It was moved by Mrs Taylor, seconded by Mrs Richardson, and carried unanimously:

"That the Youth Justice Strategic Plan 2023 – 2026 be approved."

(b) Dates of Council Meetings.

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

"That Council meetings in 2023/24 and 2024/25 be held on the following dates:

- Wednesday 5 July 2023
- Wednesday 27 September 2023
- Wednesday 6 December 2023
- Wednesday 21 February 2024 (to consider the budget)
- Wednesday 15 May 2024 (Annual Meeting)
- Wednesday 3 July 2024
- Wednesday 25 September 2024

- Wednesday 4 December 2024
- Wednesday 19 February 2025 (to consider the budget)
- Wednesday 14 May 2025 (Annual Meeting).”

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

(a) To appoint the Leader (and to note the members which the Leader proposes to appoint to the Cabinet);

It was moved by Mrs Taylor, 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.”

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.”

A copy of List 1 is filed with these minutes.

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

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

“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 R. Ashman CC
Mr T. Parton CC
Mrs M. Wright CC”

37 members voted for the motion; 8 voted against.

(c) To appoint members of the Scrutiny Commission, Boards and Committees.

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

Membership

“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.”

Substitutes

“That the Chief Executive be authorised to make and terminate appointments to the Commission, committees, boards and other County Council bodies (not including the Cabinet) in accordance with the wishes of the Political Groups to whom the seat in question has been allocated, subject in the case

of those bodies set out in List '2' to the Group giving one day's notice to the Chief Executive of its wishes."

A copy of List '2' and List '3' is filed with these minutes.

10. NOTICE OF MOTION:

(a) Special Educational Needs and Disabilities (SEND).

Mr Hunt sought and obtained the consent of the Council to move an altered motion.

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

"(a) Leicestershire County Council acknowledges that an increasing number of pupils are requiring a place within a special educational needs or disabilities (SEND) setting or with support in mainstream education.

(b) The Council acknowledges the financial challenge, which is adversely affecting the delivery of SEND education and transport at the present time and notes that:

- (i) Demand for SEND in Leicestershire is higher than most other comparison authority areas;
- (ii) Leicestershire's geography, the location of existing SEND places, and reliance on independent sector providers contribute to the constant budget pressures in SEND provision despite significant capital investment delivering c600 new places;
- (iii) The limited funding historically for mainstream education placed additional pressure on the SEND budget, with many Leicestershire primary and secondary schools being on the funding floor;
- (iv) The law stipulates that processing Education, Health & Care Plans (EHCP) for a SEND pupil should last no more than 20 weeks. This target is often not met, which creates additional pressure and stress for SEND pupils, their parents, and carers;
- (v) Some Leicestershire households with SEND pupils are not receiving the level of support that we aspire to deliver;
- (vi) The Council has been working with Newton Europe – an operational improvement consultant - to develop a plan to manage the financial challenge of the increased demand for SEND in Leicestershire.

(c) This Council remains concerned that:

- (i) Leicestershire places high numbers of SEND children in the independent sector due to the current lack of sufficient local provision for children with SEN in Leicestershire."

- (ii) Managing costs within the current level of grant funding is not possible given the current levels of demand and deficits on the SEND budget will grow in the current MTFS;
 - (iii) The wider picture is concerning. SEND budget deficits across English local authorities now exceed £3 billion.
- (d) The Council, therefore, resolves to:
- (i) Write to the Prime Minister and Chancellor of the Exchequer to highlight the need to ensure that SEND funding levels fully cover the costs of the current legislative requirements as set out in the SEND Code of Practice;
 - (ii) Ensure a continued focus on the recruitment and retention of skilled and experienced staff to undertake Education, Health and Care Plan (EHCP) assessments in the required timeframe.”

2.00 pm – 3.05 pm
17 May 2023

CHAIRMAN