

Minutes of a meeting of the Cabinet held at County Hall, Glenfield on Friday, 9 February 2024.

PRESENT

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

Mr. B. L. Pain CC
Mrs D. Taylor CC
Mrs. C. M. Radford 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

In attendance (including via Teams)

Mr. J. T. Orson CC, Mrs R. Page CC, Mr. T. Parton CC, Mr. J. Poland CC, Mrs M. Wright CC, Mrs A. J. Hack CC

313. Minutes of the previous meeting.

The minutes of the meeting held on 19 December 2023 were taken as read, confirmed and signed.

314. Urgent item.

The Chairman advised that there was one urgent item for consideration, a report of the Chief Executive titled "Gas Outage: Major Incident Affecting Ratby and Kirby Muxloe". The report was urgent as he wished to put on record at the earliest opportunity the Council's appreciation of the work done to help local residents during the incident and a request for explanations as to why it had occurred.

315. Change to the order of business.

The Chairman sought and obtained the agreement of Members to vary the order of business from that set out in the agenda.

316. 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.

Mr. P. Bedford CC declared a disclosable pecuniary interest in the urgent report on the Ratby/Kirby Muxloe gas outage as it related in part to his employer and said that whilst it did not directly affect his financial interests he would leave the meeting whilst the matter was considered.

317. Urgent item - Gas Outage: Major Incident Affecting Ratby and Kirby Muxloe.

(Mr. P. Bedford CC, having declared a disclosable pecuniary interest in the matter, left the meeting during consideration of this item).

The Cabinet considered an urgent report of the Chief Executive regarding a serious gas outage caused by water from a burst pipe entering the gas supply which had affected thousands of residents in Ratby and Kirby Muxloe. A copy of the report, marked 'Agenda Item 13', is filed with these minutes.

Mr. O'Shea CC (local member for Ratby) praised the local community response and gave his wholehearted thanks to all who had helped out. Other Cabinet members joined with Mr. O'Shea in expressing their appreciation, in particular to staff from local councils, Cadent, local residents and businesses, the voluntary sector, partner organisations in the Local Resilience Forum and Jane Moore, Director of Children and Family Services, who had overseen the LRF response as the Council's senior officer on call.

RESOLVED:

- a) That the incidents, their significant impacts on the local communities, and the very positive response of those communities and their representatives, including volunteers, to an unprecedented situation, be noted;
- b) That the very positive response of the Local Resilience Forum (LRF) and its partner organisations in support of the local communities be noted;
- c) That Severn Trent Water be asked to provide an explanation of the cause of the burst pipe, the speed of its response and the repair effected to the first incident on January 29th/30th;
- d) That Severn Trent Water be asked to provide an explanation of the cause of the burst pipe, the speed of its response and the repair effected to the second incident on February 3rd;
- e) That Cadent be asked to confirm their observations when they attended the consequence of the first burst water pipe incident on January 29th/30th;
- f) That Cadent be commended for the steps and actions it has taken to address the gas outage and to mitigate its worst impacts on the local communities;
- g) That Severn Trent Water and Cadent be asked to provide a detailed account of the repair work and new installations undertaken by both organisations in the Ratby and Kirby Muxloe areas in the last two years, noting those works have led to significant local disruption and the concern that the most recent incidents could be related;
- h) That the Council fully participates in the recovery process to be overseen by the LRF, including to ensure that all reasonable steps are taken to speedily compensate residents and businesses, repair/replace damaged appliances and put right any damage to the public realm;

- i) That the LRF be asked to co-ordinate an assessment of the total cost to local public agencies contributing to the response and recovery with a view to recovering the costs from those responsible for the incident; and
- j) That volunteers and council staff who went 'over and above' in response to the incident including by helping co-ordinate the response and supporting response activities within the local communities be formally thanked for their efforts.

REASONS FOR DECISION:

To note the impact of the gas outage and the local response to it, pay tribute to those who contributed to the response, and put on record the Council's concerns about issues yet to be resolved.

318. Provisional Medium Term Financial Strategy 2024/25 - 2027/28.

(Mr. P. Bedford CC returned to the meeting).

The Cabinet considered a report of the Director of Corporate Resources presenting the Council's proposed 2024/25 to 2027/28 Medium Term Financial Strategy (MTFS), following consideration of the draft MTFS by the Cabinet in December 2023 and the Overview and Scrutiny bodies in January and receipt of the provisional Local Government Finance Settlement. A copy of the report, marked 'Agenda Item 4', is filed with these minutes.

Minutes of the Overview and Scrutiny bodies which had considered the MTFS at their meetings in January (Appendix Q to the report) were circulated separately and are also filed with these minutes.

With the permission of the Chairman, Mr. J. T. Orson CC (local member for Melton Wolds) spoke regarding the planned saving to the Recycling and Household Waste Site (RHWS) service and asked that closure of Somerby RHWS was reconsidered.

Mr. Breckon CC noted that the Council had received a small amount of additional funding and thanked local MPs. Other members agreed with Mr. Breckon on the necessity for savings to be made and the value of consultation feedback in helping to inform the proposals.

RESOLVED:

- (i) That the comments of the Overview and Scrutiny Committees and the Scrutiny Commission be noted;
- (ii) That the following be recommended to the County Council:
 - a) That subject to the items below, approval be given to the Medium Term Financial Strategy (MTFS) which incorporates the recommended revenue budget for 2024/25 totalling £567.6m as set out in Appendices A, B and E of the report and includes the growth and savings for that year as set out in Appendix C;
 - b) That approval be given to the projected provisional revenue budgets for 2025/26, 2026/27 and 2027/28, set out in Appendix B to the report, including the growth and savings for those years as set out in Appendix C, allowing the undertaking of

preliminary work, including business case development, engagement and equality and human rights impact assessments, as may be necessary to achieve the savings specified for those years including savings under development, set out in Appendix D;

- c) That approval be given to the early achievement of savings that are included in the MTFS, as may be necessary, along with associated investment costs, subject to the Director of Corporate Resources agreeing to funding being available;
- d) That the level of the general fund and earmarked reserves as set out in Appendix K be noted and the use of those earmarked reserves as indicated in that appendix be approved;
- e) That the amounts of the County Council's Council Tax for each band of dwelling and the precept payable by each billing authority for 2024/25 be as set out in Appendix M (including 2% for the adult social care precept);
- f) That the Chief Executive be authorised to issue the necessary precepts to billing authorities in accordance with the budget requirement above and the tax base notified by the District Councils, and to take any other action which may be necessary to give effect to the precepts;
- g) That approval be given to the 2024/25 to 2027/28 capital programme, totalling £447m, as set out in Appendix F;
- h) That the Director of Corporate Resources, following consultation with the Lead Member for Resources, be authorised to approve new capital schemes, including revenue costs associated with their delivery, shown as future developments in the capital programme, to be funded from funding available;
- i) That the financial indicators required under the Prudential Code included in Appendix N, Annex 2 be noted and that the following limits be approved:

	2024/25 £m	2025/26 £m	2026/27 £m	2027/28 £m
Operational boundary for external debt				
i) Borrowing	220	219	243	273
ii) Other long term liabilities	1	1	1	1
TOTAL	221	220	244	274
Authorised limit for external debt				
i) Borrowing	230	229	253	283
ii) Other long term liabilities	1	1	1	1
TOTAL	231	230	254	284

- j) That the Director of Corporate Resources be authorised to effect movement within the authorised limit for external debt between borrowing and other long-term liabilities;
- k) That the following borrowing limits be approved for the period 2024/25 to 2027/28:

i) Maturity of borrowing:-

	Upper Limit	Lower Limit
	%	%
Under 12 months	30	0
12 months and within 24 months	30	0
24 months and within 5 years	50	0
5 years and within 10 years	70	0
10 years and above	100	25

- ii) An upper limit for principal sums invested for periods longer than 364 days is 20% of the portfolio.
- l) That the Director of Corporate Resources be authorised to enter into such loans or undertake such arrangements as necessary to finance capital payments in 2024/25, subject to the prudential limits in Appendix N;
- m) That the Treasury Management Strategy Statement and the Annual Investment Strategy for 2024/25, as set out in Appendix N, be approved including:
- i) The Treasury Management Policy Statement, Appendix N; Annex 4;
- ii) The Annual Statement of the Annual Minimum Revenue Provision as set out in Appendix N, Annex 1;
- n) That the Capital Strategy (Appendix G), Investing in Leicestershire Programme Strategy (Appendix H), Risk Management Policy and Strategy (Appendix I), Earmarked Reserves Policy (Appendix J) and Insurance Policy (Appendix L) be approved;
- o) That it be noted that the Leicester and Leicestershire Business Rate Pool will continue for 2024/25;
- p) That the Director of Corporate Resources, following consultation with the Lead Member for Resources, be authorised to make any changes to the provisional MTFs which may be required as a result of changes arising between the Cabinet and County Council meetings, noting that any changes will be reported to the County Council on 21 February 2024;
- q) That the Leicestershire School Funding Formula be subject to capping and scaling to continue to reflect the National Funding Formula for 2024/25;
- r) That the Director of Children and Family Services, following consultation with the Lead Member for Children and Family Services, be authorised to agree the funding rates for early years providers for 2024/25;
- s) That in light of the Council's financial position, the proposal to revise the Council's net zero targets for its own operations, from 2030 to 2035, and for the wider County, from 2045 to 2050, be approved;
- t) That the proposed changes to the Recycling and Household Waste Site service as outlined at paragraph 37 of the report be noted, to be funded from the Service Investment budget, and subject to the outcome of further consultation;

- (iii) That subject to the Council's approval of (ii) above, the Director of Environment and Transport be authorised to carry out a further consultation on proposed changes to the Recycling and Household Waste Site service as outlined at paragraph 37 of the report, with a further report to be submitted to the Cabinet on the outcome of the consultation.

(KEY DECISION)

REASONS FOR DECISION:

To enable the County Council to meet its statutory requirements with respect to setting a balanced budget and Council Tax precept for 2024/25, to allow efficient financial administration during 2024/25, and to provide a basis for the planning of services over the next four years.

To enable early work to be undertaken on the development of new savings to address the worsening financial position.

Applying capping and scaling to the Leicestershire School Funding Formula for 2024/25 will ensure the cost does not exceed the Schools Block Dedicated Schools Grant whilst continuing to fully reflect the National Funding Formula.

The delegation to the Director of Children and Family Services will enable the rates to be set for early years providers for 2024/25.

To enable County Council to debate the proposal to extend the current net zero targets in light of the Council's financial position and to consider the impact on current environmental priorities, action plans and funding strategies.

319. Charging for Social Care and Support Policy - Outcome of Consultation.

The Cabinet considered a report of the Director of Adults and Communities regarding the outcome of consultation on proposed changes to the Council's Charging for Social Care and Support Policy and seeking approval of the final Policy. A copy of the report, marked 'Agenda Item 5', is filed with these minutes.

Mrs Radford CC said she accepted the feedback concerning the Policy's complexity and hoped that providing accessible factsheets would help address this.

RESOLVED:

- a) That the outcome of the consultation on the proposed changes to be made to the Council's Charging for Social Care and Support Policy, be noted;
- b) That the Council's Charging for Social Care and Support Policy be approved for implementation from 8 April 2024.

(KEY DECISION)

REASONS FOR DECISION:

The revised Policy will meet the principles for charging set out in the Care and Support Statutory Guidance. It is a robust, up-to-date and comprehensive policy that will ensure

that the Council is able to charge and collect contributions towards the cost of care and support services.

The feedback from the consultation exercise reflected the challenges in providing a technically detailed policy that is also easy to follow but there were no issues raised that have required any changes to the revised Policy. Further work will be undertaken to provide supporting information via factsheets to aid understanding.

320. Future of the Transitional Learning Programme.

The Cabinet considered a report of the Director of Adults and Communities regarding challenges with the delivery of the Transitions Learning Programme (provided by the Leicestershire Adult Learning Service) and seeking approval to consult on the future of the service. A copy of the report, marked 'Agenda Item 6', is filed with these minutes.

Mrs Radford CC encouraged people to respond to the consultation, which the Director confirmed would include face-to-face meetings with parents and carers.

RESOLVED:

- a) That the issues affecting the sustainability of the Transitional Learning Programme be noted;
- b) That a formal six-week consultation on the future of the Transitions Learning Programme be approved;
- c) That a further report be submitted to the Cabinet in June, presenting the outcome of the consultation alongside recommendations on the future of the Transitions Learning Programme.

(KEY DECISION)

REASONS FOR DECISION:

The Programme is operating at a deficit of £111,203 in the current financial year, rising to £165,203 in the full academic year.

The site from which the service operates is in poor state of repair and is reaching the end of its usable life.

The consultation will help determine the future of the service by seeking views of service users, parents and carers, special educational needs providers, agencies and partners.

321. Children and Family Services Departmental Plan 2024-2026.

The Cabinet considered a report of the Director of Children and Family Services presenting the Children and Family Services Departmental Plan for 2024 to 2026. A copy of the report, marked 'Agenda Item 7', is filed with these minutes.

Mrs Taylor CC commended the Plan which had benefitted from input from young people and their families across the County.

RESOLVED:

That the Children and Family Services Departmental Plan 2024 to 2026 be approved.

REASONS FOR DECISION:

The Plan has been developed to fulfil statutory duties and provide a basis for the Children and Family Services' vision, planning, commissioning and delivery of services until 2026. The Plan and associated actions provide a vehicle for the Department to work together on shared priorities, maximise resources and expertise and avoid duplication.

322. Leicestershire's Policy on Admissions to Mainstream Schools: Determination of Admission Arrangements.

The Cabinet considered a report of the Director of Children and Family Services regarding changes to school admission arrangements in Leicestershire and amendments to clarify the School Admissions Policy and procedures from autumn 2025. The report also set out proposed changes to a catchment area and recommended reduced admission numbers for four primary schools. A copy of the report, marked 'Agenda Item 8', is filed with these minutes.

RESOLVED:

- a) That Leicestershire's Policy on Admissions to Mainstream Schools and associated arrangements and co-ordinated schemes are amended to
 - i) offer five school preferences,
 - ii) include a single tiebreaker criterion, plus distance,
 - iii) remove ambiguity and improve clarity around the process;
- b) That the catchment area of Little Bowden Primary School be expanded with effect for entry from 2025/26 onwards as illustrated in Appendix B to the report;
- c) That the Admissions Number at the following primary schools be reduced with effect from entry in 2025 as follows:
 - i) Foxton Primary School - from 17 to 15 (permanent change),
 - ii) Hallaton C of E Primary School - from 18 to 15 (permanent change),
 - iii) Newbold Verdon Primary School - from 45 to 30 (temporary change),
 - iv) St. Bartholomew's C of E Primary School, Quorn - from 75 to 60 (temporary change).

REASONS FOR DECISION:

To ensure Leicestershire parents are not disadvantaged when there are more than three schools within a single shared catchment area.

To make it easier for parents to understand how places are allocated and to allow them to gauge the likelihood of success when applying.

To introduce simpler language which will improve understanding of Leicestershire's School Admissions Policy and associated co-ordinated schemes.

To expand the catchment area for Little Bowden Primary School which will improve choice and diversity and will also address increased demand from future housing.

To reduce admission numbers at the four schools to enable compliance with The School Admissions (Infant Class Sizes) (England) Regulations 2012 and protect the schools from an anticipated deficit budget position.

323. Review of the Whole School Approach to Food and Nutrition Programme - Outcome of Engagement and Proposed New Model.

The Cabinet considered a report of the Director of Public Health regarding the outcome of engagement on the proposed delivery model for the Whole School Approach to Food and Nutrition Programme and seeking approval to decommission the existing service and implement a new support model. A copy of the report, marked 'Agenda Item 9', is filed with these minutes.

Mrs Richardson CC said that the new model would help primary schools most in need of support as well as providing an online offer for others.

RESOLVED:

- a) That the feedback from the engagement exercise on the proposed delivery model for the Whole School Approach to Food and Nutrition Programme in Leicestershire primary schools be noted;
- b) That the new model for the Whole School Approach to Food and Nutrition Programme, to include targeted support for schools most in need and a universal offer for all primary schools in the County, be approved.

REASONS FOR DECISION:

The current contract for the provision of the Whole School Approach to Food and Nutrition Programme ends on 31 May 2024.

The Council's Medium Term Financial Strategy 2023/24-2026/27 included a requirement for savings via a review of the Programme.

The new model is based on a review of need, the Council's responsibilities, and the responses to the engagement exercise.

324. Equalities, Diversity and Inclusion Strategy 2024-2028.

The Cabinet considered a report of the Chief Executive seeking approval to consult on the draft Equality, Diversity, and Inclusion Strategy for 2024 to 2028. A copy of the report, marked 'Agenda Item 10', is filed with these minutes.

Mr. Rushton CC agreed with Mrs Posnett CC that the Council was proud of its record for inclusivity and fairness and would welcome suggestions to improve the draft Strategy.

RESOLVED:

- a) That the draft Equality, Diversity, and Inclusion Strategy 2024-2028 be approved for consultation;

- b) That a further report be submitted to the Cabinet in June 2024 regarding the findings of the consultation exercise and presenting the final Strategy for consideration.

(KEY DECISION)

REASONS FOR DECISION:

It is a legal requirement for public bodies such as local authorities to consult residents, service users and staff on key strategies which might affect them. Consultation will strengthen the Strategy by ensuring that diverse views and ideas are incorporated, thereby reinforcing support for its implementation. The consultation will also be an opportunity to hear from a range of people and organisations, particularly those representing people with protected characteristics and minority groups.

325. Response to Harborough District Council's Local Plan - Issues and Options Consultation.

The Cabinet considered a report of the Chief Executive regarding the Council's proposed response to Harborough District Council's New Local Plan Issues and Options Regulation 18 consultation. A copy of the report, marked 'Agenda Item 11', is filed with these minutes.

RESOLVED:

- a) That the County Council's response to Harborough District Council's New Local Plan Issues and Options Regulation 18 consultation, as set out in paragraphs 31 to 68 inclusive and in the appendix to this report be approved;
- b) That the Chief Executive, following consultation with the Cabinet Lead Member, be authorised to make any minor amendments to the consultation response prior to its submission to Harborough District Council by 27 February 2024.

REASONS FOR DECISION:

The response sets out key comments for consideration by Harborough District Council in the early stage of developing its new Local Plan. It seeks to ensure alignment with the outcomes of the County Council's Strategic Plan and the Leicester and Leicestershire Strategic Growth Plan, and to influence the content of the Local Plan in the interests of local communities, including to ensure that the Local Plan provides as robust as possible policy framework for securing the provision of the infrastructure and services required to support its successful delivery.

326. Items referred from Overview and Scrutiny.

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