

Minutes of a meeting of the Cabinet held at County Hall, Glenfield on Friday, 13 September 2024.

PRESENT

Mrs D. Taylor CC (in the Chair)

Mr. R. Ashman CC
Mr. L. Breckon JP CC
Mr. B. L. Pain CC
Mr J. Poland CC

Mrs. P. Posnett MBE CC
Mrs. C. M. Radford CC
Mrs H. L. Richardson CC

Apologies

Mr. N. J. Rushton CC and Mr. O. O'Shea JP CC

In attendance

Mr. N. Bannister CC

361. Minutes of the previous meeting.

The minutes of the meeting held on 21 June 2024 were taken as read, confirmed and signed.

362. Urgent items.

There were no urgent items for consideration.

363. 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.

No declarations were made.

364. Medium Term Financial Strategy - Budget Monitoring and MTFS Refresh.

The Cabinet considered a report of the Director of Corporate Resources which provided an update on the County Council's short and medium term financial position in light of the current economic climate, presented changes to the previously agreed 2024-28 capital programme and provided an update on the MTFS revenue budget monitoring position as at the end of Period 4 (the end of July). Approval was sought for the forecast net revenue budget underspend to be used to increase the capital programme risk contingency. A copy of the report, marked 'Agenda Item 4', is filed with these minutes.

The Scrutiny Commission had considered the report at its meeting on 4 September and a draft minute is also filed with these minutes.

Members welcomed the break-even position, but acknowledged the areas where there was overspend and significant pressures. It was felt that the Government needed to be clear and open about local authority funding in the Chancellor's Budget.

RESOLVED:

- a) That the significant financial challenges faced by the County Council be noted;
- b) That the Period 4 monitoring position from the current financial year be noted and the use of the projected £6.4m net underspend to increase the capital programme risk contingency be approved;
- c) That the proposed approach outlined in the report to updating the Medium Term Financial Strategy (MTFS) be approved;
- d) That the revised Capital Programme for 2024/25 to 2027/28, as set out in Appendix C of the report, be approved;
- e) That the marketing of the Quorn Solar Farm site with the benefit of planning and the grid connection as a leasehold or freehold disposal be approved;
- f) That the Director of Corporate Resources, following consultation with the Cabinet Lead Member for Resources, be authorised to identify and proceed with the most economically advantageous option for the Quorn Solar Farm site.

(KEY DECISION)

REASONS FOR DECISION

To seek approval for the intended approach to the development of plans to address the latest financial position.

To seek approval for the forecast net revenue budget underspend of £6.4m to be used to increase the capital programme risk contingency.

To seek agreement to the revised capital programme for 2024-28 which requires amendment as a result of the latest forecast financial position.

To seek approval to the change of approach to market the Quorn Solar Farm site in order to maximise its financial return and minimise financial risks.

365. Leicestershire and Rutland Safeguarding Children Partnership Annual Report 2023/24.

The Cabinet considered a report of the Director of Children and Family Services presenting the Annual Report 2023/24 for the Leicestershire and Rutland Safeguarding Children Partnership. A copy of the report, marked 'Agenda Item 5', is filed with these minutes.

The Children and Families Overview and Scrutiny Committee considered the report at its meeting on 3 September and gave its full support.

Mrs. Taylor CC praised the report, in particular the continued training and learning that had been undertaken throughout the year.

RESOLVED:

That the Leicestershire and Rutland Safeguarding Children Partnership (LRSCP) Annual Report for 2023/24 be noted.

REASONS FOR DECISION

The County Council is one of the statutory Safeguarding Partners which have a shared and equal statutory duty with the local Integrated Care Board and Leicestershire Police to agree and make arrangements to work together to safeguard and promote the welfare of all children in Leicestershire.

It is a statutory requirement, as set out in Working Together 2023, that the Safeguarding Partners publish a report at least once every twelve months on the arrangements and their effectiveness.

The multi-agency safeguarding arrangements locally are managed through a partnership – the Leicestershire and Rutland Safeguarding Children Partnership – that covers the counties of Leicestershire and Rutland. They were last updated and published in October 2022. Following the publication of the new Working Together 2023 in December 2023, the Leicestershire and Rutland Multi-Agency Safeguarding Arrangements are being reviewed and updated. They are due to be republished by December 2024, in line with government timescales.

In Leicestershire and Rutland, the Annual Report has traditionally been presented to the Cabinet and the Children and Families Overview and Scrutiny Committee.

Presenting the Annual Report enables the Cabinet to comment on the content of this document and consider whether it identifies matters that it wishes to address in relation to the effectiveness of safeguarding within the work of the Authority.

366. Leicestershire and Rutland Safeguarding Adults Board Annual Report 2023/24.

The Cabinet considered a report of the Independent Chair of the Leicestershire and Rutland Safeguarding Adults Board presenting the Annual Report 2023/24 for the Leicestershire and Rutland Safeguarding Adults Board. A copy of the report, marked 'Agenda Item 6', is filed with these minutes.

The Adults and Communities Overview and Scrutiny Committee considered the report at its meeting on 2 September and gave its full support.

Mrs. Radford CC thanked the Board for the work it had undertaken to ensure that older people continued to be cared for appropriately.

RESOLVED:

That the LRSAB Annual Report for 2023/24, particularly in relation to the business of the County Council, be noted.

REASONS FOR DECISION

The LRSAB is a statutory body, and the Local Authority is the host organisation for the Safeguarding Adults Board and also has a duty to ensure that the Board is enabled to operate effectively.

It is a requirement of the Care Act 2014 that the LRSAB Annual Report be reported to the Leader of the Council together with the Chief Executive of the Local Authority, the Chairman of the Health and Wellbeing Board, the Police and Crime Commissioner and local Healthwatch.

In Leicestershire and Rutland, the Annual Report has traditionally, as a way of discharging these responsibilities, also been presented to the Cabinet and the Adults and Communities Overview and Scrutiny Committee.

367. Corporate Complaints and Compliments Annual Report 2023/24.

The Cabinet considered a report of the Director of Corporate Resources presenting the Corporate Complaints and Compliments Annual Report, covering the period 1 April 2023 to 31 March 2024. A copy of the report, marked 'Agenda Item 7', is filed with these minutes.

The Annual Report highlighted a further increase in complaints and set out the key reasons driving this. It also highlighted specific pressure points during the year in Special Educational Needs and associated transport. However, it also set out a number of positive improvements made during the year.

Mr. Breckon CC emphasised that if the County Council was more fairly funded across services, it would not receive the level of complaints that it did currently. Members agreed that the majority of complaints related to issues where the resolutions were known to the Council.

RESOLVED:

That the Corporate Complaints and Compliments Annual Report, covering the period 1 April 2023 to 31 March 2024 be noted.

REASON FOR DECISION

To note the increase in volume of corporate complaints received and the key themes emerging.

368. Customer Experience Strategy 2024-2028: Proposed Consultation.

The Cabinet considered a report of the Director of Corporate Resources seeking approval for consultation on the Council's draft new Customer Experience Strategy 2024-2028. A copy of the report, marked 'Agenda Item 8', is filed with these minutes.

Members welcomed the Strategy and proposed engagement and would encourage local residents to get involved. It was queried whether the use of online chats had been considered; some local authorities were now using automatic chat functions and this would be looked into.

RESOLVED:

That the Customer Experience Strategy be approved for consultation.

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 Customer Experience 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, including those representing people with protected characteristics and minority groups.

369. Equality, Diversity and Inclusion Strategy 2024-2028.

The Cabinet considered a report of the Chief Executive presenting the outcome of consultation on the Council's Equality, Diversity and Inclusion Strategy 2024-2028. The final Strategy would be submitted to full Council. A copy of the report, marked 'Agenda Item 9', is filed with these minutes.

Mrs. Richardson CC expressed pride for the work undertaken by the Council in this area, but stated that it was important not to become complacent.

RESOLVED:

- a) That the outcome of consultation on the Council's draft Equality, Diversity and Inclusion Strategy 2024-2028 be noted;
- b) That the County Council, at its meeting on 25 September 2024, be recommended to approve the Equality, Diversity and Inclusion Strategy 2024-2028 and associated Action Plan.

(KEY DECISION)

REASONS FOR DECISION

The Equality, Diversity and Inclusion Strategy provides a policy context for the Council's activity around equality, diversity and inclusion and sets out how it will meet its legislative duty.

The Strategy forms part of the Council's Policy Framework and therefore requires approval by the full Council.

370. Improving Passenger Transport Through a Refreshed Bus Service Improvement Plan.

The Cabinet considered a report of the Director of Environment and Transport which provided an update on work associated with the refresh of the Leicestershire Bus Service Improvement Plan (LBSIP 24). A copy of the report, marked 'Agenda Item 10', is filed with these minutes.

The Highways and Transport Overview and Scrutiny Committee had considered the report at its meeting on 5 September and a draft minute is also filed with these minutes.

Members expressed concern around the current funding uncertainties in a number of service areas which could affect the ability to deliver the plan.

A concern was raised about the removal of commercial bus services after a certain period in areas where there had been new housing development. It was stated that there was now a condition added to many planning applications to ensure that a bus route was supplied for a number of years following the building of a housing development. The Director of Environment and Transport stated that much of the legislation around bus services was set out in the Transport Act and as such, local authorities were restricted on what they could do. Members added that any additional funding would be welcomed and the priority should be to provide services where they were most needed.

RESOLVED:

- a) That the financial implications and ongoing funding requirements arising from implementing the National Bus Strategy (NBS) and associated Leicestershire Bus Service Improvement Plan, and the County Council's longer-term Bus Service Improvement Plan funding requirement be noted;
- b) That the Leicestershire Bus Service Improvement Plan (LBSIP 24), attached as Appendix A to the report, be approved;
- c) That it be noted that, pending any changes in legislation/guidance from the Government, implementation of the LBSIP 24 will proceed as planned.

(KEY DECISION)

REASONS FOR DECISION

To comply with the requirements of the NBS and the updated Department for Transport (DfT) BSIP guidance, which required the County Council to publish a refreshed BSIP in 2024. This will ensure that the Council is eligible for NBS support funding.

As outlined in the 'Improving Passenger Transport Through Bus Service Improvement Plan Plus and Network North' Cabinet report (December 2023), the recent funding awards from the Government provide a unique opportunity to explore how the Council, working closely with local bus operators through its Enhanced Partnership (EP), might take a different approach to providing supported passenger transport services across Leicestershire and, therefore, enable a more resilient and secure commercial network. The updated BSIP document outlines the resources now available to the Council and the outcomes that are expected to be achieved.

The new Government on 17 July 2024 announced proposals to submit a 'Better Buses Bill' through Parliament, indicating a change in approach. Should new legislation be passed, or significant guidance be received from the DfT, it may be necessary to review the LBSIP 24. The LBSIP 24 has been drafted to enable a measure of flexibility and the Director of Environment and Transport has delegated authority (following consultation with the Chief Executive) to make such consequential amendments to plans/policies/strategies agreed by members as is considered necessary to reflect changes in legislation and good practice. Any significant changes would be the subject of a further report to the Cabinet.

The Cabinet considered a report of the Director of Environment and Transport presenting the public engagement that had informed the development of the Council's new Electric Vehicle Charging Strategy (EVCS). A copy of the report, marked 'Agenda Item 11', is filed with these minutes.

Members welcomed the Strategy in general, but suggested a number of potential issues, for example that charging points could attract anti-social behaviour and there could be an increase in neighbourhood disputes, particularly on streets where there was not enough space for charging points. It was acknowledged that many district councils had installed electric vehicle charging points in public car parks, but these were seldom used due to the cost of using them, and it was often difficult for wheelchair users to access the charging points. The Director gave assurance that these issues would all be considered.

RESOLVED:

- a) That the feedback from the engagement on the Council's draft Electric Vehicle Charging Strategy (EVCS) be noted;
- b) That the EVCS be approved;
- c) That the Director of Environment and Transport, following consultation with the Cabinet Lead Member, be authorised to review and amend the EVCS, to reflect changes in legislation and good practice, and in light of the outcomes from the Local Electric Vehicle Infrastructure (LEVI) Pilot Project and the availability of funding, to ensure the EVCS remains fit for purpose.

REASONS FOR DECISION

Although not a legal requirement, the Government has previously set an expectation that all upper tier local authorities develop a local Electric Vehicle (EV) Strategy by the end of 2024/25, to underpin local public chargepoint delivery, and to meet the current and future charging needs of residents, businesses, and fleet operators.

It should be noted that the current Government, elected on 4 July 2024, remains committed to the ban of the future sale of new petrol and diesel vehicles, and continues to support the transition to EVs by accelerating the rollout of new chargepoints.

Having an EV strategy in place will be a key element in supporting bids to secure EV funding from the Government, such as LEVI funding.

The EVCS is a key element in the delivery of the Council's emerging Local Transport Plan (LTP4) 2026-40 and will support the Authority's net zero ambitions.

372. Proposed Response to Consultation on the National Planning Policy Framework.

The Cabinet considered a joint report of the Chief Executive and Director of Environment and Transport which provided an overview of the Government's proposed planning reforms, with a particular focus on its proposed changes to the National Planning Policy Framework (NPPF, July 2024). The comments contained within the Appendix to the report would be submitted as the County Council's response to the Government's consultation.

Mr. Ashman CC emphasised the significant changes arising from this and that it was a very ambitious programme with challenging timescales. He added that more community engagement should be encouraged to ensure that there was not a democratic deficit.

In response to a query around new housing numbers coming into effect, it was stated that transitional arrangements were being planned. However, the implementation was largely dependent on the district's position with the development of its local plan.

RESOLVED:

- a) That the County Council's response to the consultation on the National Planning Policy Framework (NPPF), set out in paragraphs 47 to 96 and the Appendix to the report, be approved;
- b) That it be noted that whilst there are some potential positive aspects to the proposed changes to the NPPF there are concerns, particularly from a transport perspective that they fail to address significant challenges faced in enabling housing delivery and economic growth; and some of the proposed changes are unhelpful to the expedient and proper consideration of the transport impacts of planning applications through the development management process;
- c) That the potential implications arising from the proposed planning reforms be noted, in particular in the short term regarding the preparation of Local Plans over the next eighteen months;
- d) That the Chief Executive, following consultation with the Acting Leader, be authorised to make any further amendments to the detailed response in alignment with the agreed overarching response prior to submission before the end of the consultation period on 24 September 2024.

REASONS FOR DECISION

To inform the Cabinet of the Council's response for consideration by Government, as it seeks views on how it will revise national planning policy to support its wider objectives.

To elaborate on the concerns, particularly from a transport perspective that further changes are required to enable housing and economic growth to be delivered, and to explain that some of the proposed changes will not help the proper consideration of the transport impacts of planning applications through the development management process.

To inform the Cabinet of the potential implications in the short-term arising from proposed planning reform for Local Plan making as understood at this time.

To enable amendments to be made which would strengthen the County Council's response to the current consultation should further details become available.

373. Response to the Hinckley and Bosworth Regulation 18 Draft Local Plan Consultation (July 2024).

The Cabinet considered a report of the Chief Executive which presented the current position of Hinckley and Bosworth Borough Council's Local Plan and the County

Council's position in respect of the latest period of consultation. A copy of the report, marked 'Agenda Item 13', is filed with these minutes.

Mr. Ashman CC expressed disappointment that previous comments relating to the Local Plan had not been addressed and that there needed to be a higher level of housing delivery. He acknowledged the challenges associated with the development of the Local Plan and noted the progress that had been made so far.

RESOLVED:

- a) That the County Council's response to Hinckley and Bosworth Borough Council's new draft Local Plan consultation, set out in paragraphs 39 to 91, and the appendices to the report, be noted and approved;
- b) That the significant challenges and uncertainties local plan making is increasingly facing in Leicestershire, particularly in respect of reliance on interventions on the Strategic Road Network, and the ongoing commitment to work to resolve these, be noted;
- c) That the Chief Executive, following consultation with the Acting Leader, be authorised to make any further amendments to the detailed response in alignment with the agreed overarching response prior to submission before the end of the consultation period on 27 September 2024.

REASONS FOR DECISION

The response sets out key comments for consideration by Hinckley and Bosworth Borough Council as it continues to develop 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 (SGP), 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.

Increasingly the challenges and uncertainties are causing delays which are impacting on the delivery of housing and economic growth.

To enable amendments to be made which would strengthen the County Council's response to the current consultation.

374. Probation Health Trainer Service - Outcome of Engagement and Proposed Decommission.

The Cabinet considered a report of the Director of Public Health which presented the outcome of engagement on the proposed decommissioning of the Probation Health Trainer Service and the proposed cessation of the Service. A copy of the report marked 'Agenda Item 14' is filed with these minutes.

Mrs. Richardson CC expressed disappointment that it was necessary to curtail services but acknowledged that there would be duplication and it was therefore sensible to decommission this Service.

RESOLVED:

- a) That the outcome of the engagement on the proposed decommission of the Probation Health Service across Leicestershire be noted;
- b) That the Probation Health Service be decommissioned as of 31 March 2025.

(KEY DECISION)

REASONS FOR DECISION

The proposal follows a review of need, existing service provision, the Council's responsibilities, and a review of engagement responses.

The current contract for the Probation Health Trainer service end on 31 March 2025. Alternative services to support the health and wellbeing of these service users are available.

The Council's Medium Term Financial Strategy 2024/25 – 2027/28 includes a requirement for savings via a review of commissioned services.

375. Items referred from Overview and Scrutiny.

There were no items referred from Overview and Scrutiny bodies.

376. Exclusion of the Press and Public.

RESOLVED:

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

- Proposed Strategic Development Area at M69 Junction 2/Stoney Stanton.

377. Proposed M69 Junction 2/Stoney Stanton Strategic Development Area.

The Cabinet considered an exempt report of the Director of Corporate Resources advising of the current planning position regarding the M69 Junction 2/Stoney Stanton Strategic Development Area (SDA). A copy of the report, marked 'Agenda Item 18', is filed with these minutes.

The Scrutiny Commission had considered a report at its meeting on 4 September and a draft minute is also filed with these minutes.

Comments from Mrs. M. Wright CC regarding the report are also filed with these minutes.

RESOLVED:

- a) That the Council's land situated to the west of Stoney Stanton (shown coloured pink on Appendix A of the report) continues to be promoted as part of a policy-compliant

and financially viable Strategic Development Area (SDA) within the emerging Blaby District Local Plan;

- b) That approval be given to adding such part or parts of the 25 hectares of the Council's land (shown coloured blue on Appendix A) to the scheme to facilitate the delivery of essential infrastructure necessary to support the SDA and provide benefits to local communities, subject to its inclusion in any future equalisation agreement;
- c) That the Director of Corporate Resources, following consultation with the Cabinet Lead Member for Resources, be authorised to finalise the terms of a land exchange with Stoney Stanton Parish Council to support the delivery of essential highway infrastructure, subject to its inclusion in any future equalisation agreement;
- d) That the Director of Corporate Resources in consultation with the Director of Law and Governance be authorised:
 - i. To procure the specialist legal advice necessary to negotiate the formal collaboration and equalisation agreements in respect of the financial and other arrangements for the promotion, management and marketing of the development scheme and
 - ii. Following consultation with the Cabinet Lead Member for Resources, to enter into such collaboration and other legal agreements with other landowners and promoters as are necessary to facilitate delivery of the SDA scheme;
- e) That it be noted that further reports will be presented to the Cabinet and the Scrutiny Commission as appropriate regarding progress with the scheme.

REASONS FOR DECISION

To protect the County Council's existing property interests in the area and demonstrate its commitment to the delivery of growth in line with the aspirations of its Strategic Plan and the wider Strategic Growth Plan.

To further the inclusion of the proposed SDA in the emerging Blaby District Local Plan thereby maximising the benefits to the County Council and local communities.

To provide a structured framework on which to base the ongoing promotion and delivery of the scheme. The commitment of additional land to the scheme and the existing allocation of resources to support the promotion and development of the SDA within the Local Plan, support delivery of the proposed approach, and help generate increased financial returns for the County Council.

Proposed terms for the land exchange are set out in Part B of the report. Delegation to the Director of Corporate Resources to finalise these will expedite the process.

Having a clear, agreed approach will also ensure there is effective governance of the project and this will facilitate and support the co-ordination of the delivery of enabling and community infrastructure.

13 September 2024