

Minutes of a meeting of the Cabinet held at County Hall, Glenfield on Friday, 7 February 2025.

PRESENT

Mrs. D. Taylor CC (in the Chair)

Mr. R. Ashman CC
Mr. L. Breckon JP CC
Mr. O. O'Shea JP CC
Mr. B. L. Pain CC

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

Apologies

Mr. N. J. Rushton CC

In attendance (including via Teams)

Mr. N. Bannister CC, Mr. B. Champion CC, Mr. C. Smith CC, Mrs. M. Wright CC

413. Minutes of the previous meeting.

The minutes of the meeting held on 17 December 2024 were taken as read, confirmed and signed.

414. Urgent Items.

There were no urgent items for consideration.

415. Declarations of interest.

The Chairman, Mrs Taylor CC, invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

Mrs Taylor CC declared an other registrable interest in agenda item 8 (Strategic Transport Planning Issues Associated with the Emerging Charnwood Local Plan) as a member of Charnwood Borough Council.

416. Provisional Medium Term Financial Strategy 2025/26 to 2028/29 (Key Decision).

The Cabinet considered a report of the Director of Corporate Resources which presented the County Council's proposed 2025/26 to 2028/29 Medium Term Financial Strategy (MTFS) for approval, following consideration of the MTFS by the Cabinet in December and the Overview and Scrutiny bodies in January and receipt of the Local Government Finance Settlement. A copy of the report marked 'Agenda Item 4' is filed with these minutes.

Due to changes arising from the final Local Government Financial Settlement and receipt of final Business Rates information from Leicestershire district councils, Appendices A, B, C and E of the report had been revised and a copy of these is filed with these minutes.

Mr Breckon CC emphasised the difficult position faced by the County Council, as set out in the four year plan, and the importance of remaining financially resilient. However, he highlighted the additional funding specifically earmarked for vulnerable children and adults, repairing roads and flooding, which was welcomed. It would be possible to have a balanced budget this financial year, through the use of reserves, but costs were expected to increase over the life of the MTFS.

Mrs Radford CC commented on the increase in National Insurance and the effect on employer costs. This had had a significant impact on organisations which employed care providers, particularly those who worked on a part-time basis, and concern was raised that some care homes had reduced the number of beds available due to the operating costs.

Mrs Taylor CC commended the Children and Family Services department in achieving an Outstanding rating from Ofsted despite the County Council being the lowest funded authority. She also expressed concern that the Government had promised the increase in National Insurance costs would be funded, but to date, this had not occurred.

RESOLVED:

That the following be recommended to the County Council:

- (a) That subject to the items below, and following changes arising from the final Local Government Finance Settlement and receipt of final Business Rates information from Leicestershire district councils, approval be given to the Medium Term Financial Strategy (MTFS) which incorporates the recommended net revenue budget for 2025/26 totalling £617.2m as set out in the revised Appendices A, B and E of this report and includes the growth and savings for that year as set out in the revised Appendix C;
- (b) That the revised Appendices A, B, C and E be approved to reflect the changes in Business Rates, grant income and a reduction in the growth contingency, which taken together have no impact on the use of reserves;
- (c) That approval be given to the projected provisional revenue budgets for 2026/27, 2027/28 and 2028/29, set out in the revised Appendix B to the report, including the growth and savings for those years as set out in the revised 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;
- (d) 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;
- (e) That the level of the general fund and earmarked reserves as set out in Appendix K be noted and the planned use of those earmarked reserves as indicated in that appendix be approved;

- (f) That the amounts of the County Council's Council Tax for each band of dwelling and the precept payable by each billing authority for 2025/26 be as set out in Appendix M;
- (g) 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;
- (h) That approval be given to the 2025/26 to 2028/29 capital programme, totalling £439m, as set out in Appendix F;
- (i) 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;
- (j) That the financial indicators required under the Prudential Code included in Appendix N, Annex 2 be noted and that the following limits be approved:

| | 2025/26 £m | 2026/27 £m | 2027/28 £m | 2028/29 £m |
|--|---------------|---------------|---------------|---------------|
| Operational boundary for external debt | | | | |
| i) Borrowing | 201 | 197 | 232 | 271 |
| ii) Other long term liabilities | 6 | 6 | 6 | 5 |
| TOTAL | 207 | 203 | 238 | 276 |
| Authorised limit for external debt | | | | |
| i) Borrowing | 211 | 207 | 242 | 281 |
| ii) Other long term liabilities | 6 | 6 | 6 | 5 |
| TOTAL | 217 | 213 | 248 | 286 |

- (k) 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;
- (l) That the following borrowing limits be approved for the period 2025/26 to 2028/29:
- (i) Maturity of borrowing:-

| | <u>Upper Limit</u> | <u>Lower Limit</u> |
|--------------------------------|--------------------|--------------------|
| (| % | % |
| 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 |

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- (ii) An upper limit for principal sums invested for periods longer than 364 days is 20% of the portfolio.

- (m) That the Director of Corporate Resources be authorised to enter into such loans or undertake such arrangements as necessary to finance the capital programme, subject to the prudential limits in Appendix N;
- (n) That the Treasury Management Strategy Statement and the Annual Investment Strategy for 2025/26, 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;
- (o) 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;
- (p) That it be noted that the Leicester and Leicestershire Business Rate Pool will continue for 2025/26;
- (q) 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 19 February 2025;
- (r) That School funding is subject to a 0.5% transfer of funding to the High Needs Block of the Dedicated Schools Grant;
- (s) That the Leicestershire School Funding Formula is subject to capping at 0.28% per pupil and continues to reflect the National Funding Formula for 2025/26;
- (t) That delegated authority be given to the Director of Children and Family Services, following consultation with the Lead Member for Children and Family Services, to agree the funding rates for early years providers.

(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 2025/26, to allow efficient financial administration during 2025/26 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.

That school budgets are capped at a per pupil gain of 0.28% necessary to undertake the 0.5% transfer of funding from the Schools Block to the High Needs Block of the Dedicated Schools Grant and to ensure they do not exceed the Schools Block Dedicated Schools Grant but continue to reflect the 2025/26 National Funding Formula.

To enable rates to be set for early years providers for 2025/26. The delegation will enable the rates to be set for the providers.

417. English Devolution White Paper: Local Government Reorganisation - Including Urgent Action Taken.

The Cabinet considered a report of the Chief Executive which presented the latest position in relation to local government reorganisation and advised of urgent action taken by the Chief Executive, using his delegated powers, to request that the Minister of State for Local Government and English Devolution agreed to the request to postpone the County Council elections until May 2026 to allow the Council to submit reorganisation proposals to Government by May 2025. A copy of the report marked 'Agenda Item 5' is filed with these minutes. A supplementary report, outlining the latest position following letters received from the Minister of State for Local Government and English Devolution on 5 February advising that the County Council's request to postpone the election had not been granted and setting out the formal invitation to develop a proposal for local government reorganisation, is also filed with these minutes.

Members expressed their disappointment at the Minister's decision not to postpone the County Council elections in May 2025, which would further delay the opportunity for devolution to Leicestershire.

RESOLVED:

- (a) That the urgent action taken by the Chief Executive under delegated authority to request the Minister of State for Local Government and English Devolution to postpone the County Council elections from May 2025 to May 2026 and to provide a clear commitment to devolution and reorganisation be noted;
- (b) That the letter from the Minister of 5th February saying that he has decided not to agree to the request be noted, together with the invitation received from the Minister also on 5th February to submit a proposal for unitary local government reorganisation and the accompanying guidance and assessment criteria, including the requirement to submit an interim plan to Government before 21st March 2025;
- (c) That the Minister's decision not to allow local government reorganisation in Leicester, Leicestershire and Rutland through the fast-track process, as jointly requested by the City Mayor, the Acting Leader of the County Council and the Leader of Rutland Council, has resulted in devolution to the area being further delayed with any estimated date for devolution currently uncertain;
- (d) That the criteria for unitary local government be noted and supported, including that a unitary authority must be the right size to achieve efficiencies (with the aim of a population of 500,000) ensuring value for money for council tax payers, improve capacity and withstand financial shocks; must prioritise the delivery, improvement and sustainability of services; that reorganisation should avoid unnecessary fragmentation of services such as social care; and that a unitary authority should enable stronger community engagement and should reflect sensible geography and a sensible economic area;
- (e) That it be noted that, following the publication of the English Devolution White Paper, a meeting of the Leaders and Chief Executives of the 10 councils in Leicester, Leicestershire and Rutland took place on 8th January, at which no

consensus was reached on unitary authority structure options and it was agreed to meet again after the receipt of the Minister's invitation to submit proposals and the criteria to be followed;

- (f) That if consensus cannot be reached, it be noted that guidance on the interim plan recognises that it may contain more than one potential proposal for a unitary structure;
- (g) That this supplementary report and the original report be submitted to the meeting of the County Council on 19 February for information;
- (h) That progress on the interim plan be reported regularly to the Group Leaders.

REASONS FOR DECISION

The Council's Constitution (Part 3, Section D) provides that the Chief Executive, following consultation with the Leader, may take urgent decisions between Cabinet meetings subject to this being reported for information to the next available meeting.

The Minister of State required that requests for postponement and clear commitment to devolution and reorganisation aims were submitted by no later than 10 January 2025. The request had to be contained within a letter jointly signed by the Leaders of the requesting authority and neighbouring unitary councils. A joint letter was submitted. The Minister's letter of 5 February confirms that the County Council's request has not been granted.

The formal invitation to submit reorganisation proposals, received on 5 February, sets out clear criteria for the proposals. It also encourages local authorities to work together to develop proposals, whilst recognising that there will be some cases when it is not possible for all councils in an area to jointly develop and submit a proposal, despite their best efforts. This will not be a barrier to progress, and the Government will consider any suitable proposals submitted by the relevant local authorities.

Although the taking of decisions relating to local government reorganisation are 'Executive Functions' and therefore a matter for the Cabinet, it is felt that, given the significance of the decision, it should be referred to the full Council for consideration and debate.

418. Response to Melton Local Plan Partial Review Regulation 19 Pre-Submission Consultation Draft.

The Cabinet considered a report of the Chief Executive which advised of the content of Melton Borough Council's Partial Review Pre-Submission Draft Local Plan and set out the proposed response as the views of the County Council. A copy of the report marked 'Agenda Item 6' is filed with these minutes.

Members agreed that it was positive that the draft Local Plan would continue to deliver the long term strategy for Melton and its surrounding area.

RESOLVED:

That the response to Melton Borough Council's Draft Local Plan consultation, set out in paragraphs 34-37 and the appendix to the report, be approved.

REASON FOR DECISION

The County Council's response will set out key comments for consideration by Melton Borough Council in progressing its new Local Plan. It seeks to ensure alignment with the Leicester and Leicestershire Strategic Growth Plan (SGP), and to influence the content of the Local Plan in the interests of local communities, including ensuring that the Local Plan provides an as robust as possible policy platform for securing the provision of the infrastructure and services required to support its successful delivery.

419. Response to the Oadby and Wigston Local Plan (2020-2041) Regulation 19 Pre-Submission Consultation Draft.

The Cabinet considered a report of the Chief Executive which advised of the content of Oadby and Wigston Borough Council's Pre-Submission Draft Local Plan (2020-2041) and set out the proposed response as the views of the County Council. The report also set out Oadby and Wigston's decision to pause the progress of its Plan. A copy of the report marked 'Agenda Item 7' is filed with these minutes.

Mr Ashman CC commented that the necessary decision to pause the progress of the Plan underlined the challenges that councils faced in delivering housing but that this would provide a further opportunity to work with officers from Oadby and Wigston Borough Council.

RESOLVED:

- a) That the County Council's response to the Oadby and Wigston Borough Council's Draft Local Plan consultation, set out in paragraphs 35 – 61 and the appendix to the report, be approved;
- b) That it be noted that given the significant factors that affect the Plan from a transport perspective, the County Council considers that the Plan, in its current form, fails to meet the National Planning Policy Framework (NPPF) tests of soundness insofar as its Effectiveness and Consistency with national policy;
- c) That the decision of Oadby and Wigston Borough Council to pause progress on its new Local Plan following the close of the Regulation 19 consultation, in order to consider the requirements of the new National Planning Policy Framework, be noted.

REASONS FOR DECISION

The County Council's response will set out key comments for consideration by Oadby and Wigston Borough Council in progressing its new Local Plan. It seeks to ensure alignment with 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 an as robust as possible policy platform for securing the provision of the infrastructure and services required to support its successful delivery.

The newly published National Planning Policy Framework (December 2024) has increased the number of homes Oadby and Wigston need to plan for by 142 dwellings per year. Oadby and Wigston Borough Council does not consider it is possible to submit its Local Plan 'as-is' by the government deadline of 12 March 2025. It is still important for

the County Council to submit duly made representations within the six week consultation period and to provide Oadby and Wigston Borough Council with comments. This will support the Borough Council in evolving its Local Plan and as it assesses whether there is sufficient land and infrastructure to enable the accommodation of more homes.

420. Strategic Transport Planning Issues Associated with the Emerging Charnwood Local Plan.

The Cabinet considered a report of the Director of Environment and Transport, Chief Executive and Director of Law and Governance which presented an update on the issues associated with the emerging Charnwood Local Plan, including actions taken to comply with the Cabinet's resolutions of December 2024. A copy of the report marked 'Agenda Item 8' is filed with these minutes.

It was reported that the final copy of the initial viability report had now been made available on the Examination website and a hearing had been set for 8 April 2025, with a four week consultation period due to commence very shortly.

Members commented that it was essential to achieve the best possible outcome for local residents and it was disappointing that there were still a number of difficulties to overcome.

The Director of Environment and Transport stated that the County Council continued to be consulted as the Local Highway Authority on planning applications. Its current view was that it was premature for the Local Planning Authority to make any decisions. However, Charnwood Borough Council had taken a different approach and had continued to approve such applications. This would continue to be monitored.

RESOLVED:

- a) That the latest position in respect of the Local Plan be noted, including:
 - i. The Borough Council shared a draft initial viability report with officers of the County Council on 20 December 2024. This report contained a high-level assessment of the Local Plan's ability to support the financial requirements of a Community Infrastructure Levy (CIL). County Council officers provided comments before the Borough Council submitted the final report to the Inspectors. County Council officers have not yet been provided with a final copy of the report, which is now available on the Examination website;
 - ii. On 24 January 2025, the Local Plan Inspectors responded to the Borough Council, after reviewing the initial viability report and the updated Local Development Scheme and have held that the Local Plan examination can continue. The Inspectors have outlined the next steps, which will include a period of consultation on the CIL viability report and its implications for the soundness of the Local Plan. The Inspectors will prepare a focused set of Matters, Issues and Questions, on which comments will be sought, and will hold a hearing session on the evidence and provide written responses to the questions. Depending on the outcome of the consultation and hearing session, consultation on Further Main Modifications will be required to complete the Examination. The Borough Council has been asked to respond if it wishes to proceed on this basis. No timescales have yet been provided by the Inspectors, therefore there still remains considerable

uncertainty over the timetable and eventual adoption of the Local Plan. Additional hearing sessions may add further delays to the overall timetable for adoption of the Local Plan. The position of the Local Highway Authority (LHA) in respect of relevant planning applications coming forward ahead of the Local Plan has been reviewed, as set out in paragraphs 29 to 31 of the report, and will remain the same for the time being, until there is more certainty. It is likely that this will follow from the outcome of the forthcoming hearing sessions. In the meantime, officers are requested to write to the Inspectors, via the programme officer, seeking an invitation to attend and be represented at the hearings sessions when they resume;

- iii. The publication of the Borough Council's Full Council Questions and Responses in respect of the Local Development Scheme, Draft Local Plan and development of a CIL, and the County Council's concerns arising from the responses given, as summarised in paragraphs 34 to 38 from the Leader of the Borough Council, in particular the Response, to a Question that "the County Council has disengaged from discussing the local plan" is incorrect;
 - iv. The potential implications for the LHA in its role as statutory consultee arising from the Local Plan process, as set out in paragraphs 27 and 28;
 - v. The discussions to date with respect to establishing appropriate governance for joint working between the County and Borough Councils going forward in respect of highways and transport matters, noting also the Cabinet's previous resolution of 17 December 2024 that a more appropriate governance structure than the current Infrastructure Board is needed;
- b) That in line with previous recommendations and delegations, the Chief Executive, the Director of Environment and Transport, and the Director of Law and Governance, following consultation with the appropriate Cabinet Lead Members, be authorised to:
- i. Continue work to establish a more appropriate governance structure to allow the County Council to work alongside, support, and co-operate with the Borough Council as necessary;
 - ii. Participate appropriately in the development and implementation of a CIL charging schedule in line with national guidance and to seek to influence the adoption of a CIL as soon as possible, recognising the potential for work to be undertaken at risk ahead of possible further Local Plan examination sessions;
 - iii. Seek to mitigate the impacts arising from the potential further delays to the adoption of the Local Plan as far as reasonably possible.

REASONS FOR DECISION

Following previous correspondence from the Borough Council to the Inspectors setting out that it will be necessary to implement a CIL to deliver the needed infrastructure associated with the Local Plan, the Inspectors informed the Borough Council that it would first be necessary to establish if a CIL is a viable solution for the Local Plan (EXAM 88). The report, commissioned without input from the County Council, was shared in draft

form and is the first step in demonstrating this. At this stage, the report assesses the overall viability of the Local Plan and the potential funding for highways and transport at a whole plan level. This work is critical to the progression of the Local Plan.

The substantial number of sites allocated in the emerging Local Plan that have been (or could be in the near future) granted planning permission without contributing to the delivery of the identified highways and transport measures, due to the lack of an agreed mechanism to secure strategic contributions, have the potential to undermine the delivery of the necessary infrastructure over the life of the Local Plan.

As set out in paragraphs 34 to 38, the County Council remained concerned about the way in which the Borough Council has interpreted the current and previous issues associated with the Local Plan and highways and transport matters. As questions were raised about the situation at the Borough Council's Council meeting on 20 January 2025, it is important to state that the County Council has not disengaged from working with the Borough Council, with timely responses provided to questions and comments raised. Correspondence has not been received by the Chief Executive or Cabinet Members since 13 December 2024 when a copy of the Borough Council's Cabinet minutes of 12 December was sent.

The process of including a CIL in the Local Plan at such a late stage has resulted in a further delay to the progression and adoption of the Local Plan. This has potentially significant impacts on the County Council as the LHA, including possible further delays in the adoption of the Local Plan. The risks associated with delays to adoption remain as previously set out.

In line with the resolutions of the Cabinet in December 2024, County Council officers have been seeking to agree an appropriate governance structure for future working with the Borough Council in respect of CIL and associated issues. However, as yet, agreement has not been reached on this issue, with discussions between officers ongoing.

The County Council recognises the potentially negative impacts of a lack of strategic transport investment to support growth on Charnwood residents and businesses and will therefore seek to mitigate these impacts as far as practically possible, with the primary means of mitigation considered to be the expedient adoption of a CIL. These impacts include those associated with any further delays to the adoption of the Local Plan and approval of allocated sites in advance of an agreed mechanism to secure contributions to (and subsequent delivery of) strategic highways and transport measures. The Chief Executive has reiterated this to the Borough Council. However, progress is now expected to be made following notification that the Local Plan Inspectors have agreed that the Local Plan examination can continue, following receipt of the initial viability evidence and updated Local Development Scheme submitted by the Borough Council.

Consequently, the County Council proposes to continue work to reach agreement on appropriate governance structures to enable efficient future working. However, any agreement reached will need to take account of the significant demand on the County Council's limited resources to support the local plan development from other district councils. The level of resource must therefore be proportionate and the governance arrangements sufficiently robust to avoid any future confusion.

421. Flooding in Leicestershire in January 2025 and Implications for the Lead Local Flood Authority and Local Highway Authority.

The Cabinet considered a report of the Director of Environment and Transport which provided information on the impacts of the unnamed storm which affected Leicestershire on 6 January 2025, highlighted the County Council's ongoing work as the Lead Local Flood Authority (LLFA) and set out proposals to support the LLFA's statutory role in managing local flood risk. The report also outlined the efforts of the Council to aid local residents and businesses, and provided an update on the activities of the Local Highway Authority. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

Comments from Dr Feltham CC in relation to the report are filed with these minutes, along with a letter from Neil O'Brien MP and a written submission from a local resident of Great Glen. The Director of Environment and Transport gave assurance that all recent flooding incidents would be investigated.

At the permission of the Chairman, Mr Bannister CC, the member for Broughton Astley, spoke on the impact of the flood on local residents. Mr Bannister CC welcomed the recommendations within the report, in particular the additional funding that would be used to support communities recovering from the recent flooding and to increase the preparedness and resilience for any future flood events. He expressed his thanks to officers and other services for the work undertaken during the recent flooding event.

Mr O'Shea CC reiterated the devastating impact flooding had on all those affected, but stated that the County Council was not funded to deliver the necessary solutions and LLFAs needed assistance from the Government so that they had appropriate funding to reflect their responsibilities. He thanked officers at the County Council for the work undertaken and supported the additional funding that had been made available from the County Council's discretionary funds.

Members expressed severe disappointment that the National Flood Recovery Fund had not been activated to support Leicestershire following the recent flood, despite a visit to the area from the Minister for Flooding. The Acting Leader said that she would continue to lobby the Government on this issue and also to ensure that the LLFA received appropriate funding.

RESOLVED:

- a) That in respect of the Lead Local Flood Authority (LLFA),
 - i. the valuable contribution made to the response and recovery efforts of colleagues across the Leicestershire, Leicester and Rutland (LLR) Local Resilience Forum (LRF) as well as the many flood wardens, flood action groups and other community members from across the County, who have helped to provide detailed information to support Risk Management Authorities in their investigations be noted with thanks;
 - ii. the allocation of an initial £20,000 of discretionary funds for the financial year 2024/25 towards supporting Leicestershire communities recovering from the most recent flooding, with a further £80,000 funding in 2025/26 to increase the preparedness and resilience for any future flood events, as set out in Table 1, be approved;
 - iii. the approach to planning for increased workload due to the increased frequency of severe weather and associated flooding issues, together with

- the approach to prioritisation of current workload, as set out in paragraphs 49 to 53, be approved;
- iv. the use of additional funding set out in the Medium Term Financial Strategy (MTFS) to develop the Flood Risk Management Team (£20,000 in 2024/25 rising to £220,000 in 2025/26) to help deal with increased workload arising from previous flood events and potential future incidents, as detailed in paragraphs 49 and 50, be approved;
 - v. it be noted that further reviews of the LLFA structure and prioritisation may be required as more information becomes available;
 - vi. a further letter be written to Leicestershire Members of Parliament (MPs) and the Secretary of State to highlight the significant impact this event and others have had on many Leicestershire residents, homes and businesses and to seek support and investment in flood prevention and managing the impacts of flooding as an urgent priority in line with paragraphs 56-61;
 - vii. the approach to communication and engagement on flood events as set out in paragraphs 54 and 55 be approved;
- b) That in respect of the Local Highway Authority (LHA),
- i. the impacts of recent flood events on the highway network and steps taken to respond to these events be noted;
 - ii. the use of additional funding set out through the MTFS to support flood response and recovery activity in the LHA (resulting in additional costs of £460,000 in 2024/25 rising to £700,000 in 2025/26), as set out in paragraph 64, be approved.

REASONS FOR DECISION

The unnamed storm on 6 January 2025 (6 January storm) has had a severe impact on communities across Leicestershire. Events such as this can have a long-term effect on the health of those affected and work across a combination of public sector authorities, agencies as well as community volunteers is essential to recovery and to reduce similar impacts in the future.

Although this event had a severe impact on Leicestershire due to high levels of intense rainfall, as set out in paragraph 24, the impact was not so severe across the rest of the country. This has meant that the National Flood Recovery Framework has not been activated. Leicestershire County Council will continue to lobby the Government to provide support to affected communities; however, in the meantime, in the absence of national funding, the LLFA will use the funding set out within this report to fund small initiatives that can be quickly deployed to support communities across Leicestershire. This funding will be used in line with the principles set out in paragraph 43.

Whilst the LLFA will endeavour to do everything it can to support communities in the management of local flood risk, it should be emphasised that the LLFA is not responsible for, nor is it required by law to, resolve all flooding matters. The LLFA also does not have a specific budget for doing so and due to the ongoing financial challenges the Authority is facing, it cannot continue to prioritise additional funding for activity outside of its statutory

duty as set out in paragraphs, 43, 49, 50, and 51 Therefore, a future focus of the LLFA will be attempting to influence national policy and responsible agencies and partners to address relevant issues such as via networking or partnership meetings, such as the National Flood Resilience Taskforce, Association of Directors of Environment, Economy, Planning and Transport (ADEPT) or the Midlands Highways Alliance Flooding and Water Management Group.

Following recent events, the LLFA has concluded that aspects of the national approach to flood risk management and recovery are ineffective and top-down policy changes to address flooding issues are required. Building on previous communication from the Leicester, Leicestershire and Rutland (LLR) Local Resilience Forum (LRF) sent to local MPs, sharing further information with Leicestershire MPs will allow them to make the case for funding for recovery and investment in flood risk activities, as well as potential changes to the system for managing flood risk to improve outcomes for communities.

The current structure and resource levels of the Council's Flood Risk Management Team are largely based on the introduction of the role of the LLFA in Leicestershire County Council in 2010. Since then, as set out in the report, there have been multiple major flood incidents resulting in increased workload and an increasing amount of investigation and project work. Given current information around climate change and the number of major flooding events in the last two years, which have been a significant increase on the previous years, it has become necessary to plan for more frequent flood events as business as usual rather than the exception. In addition, it has become necessary to develop a prioritisation strategy to help tackle the increased workload (particularly linked to formal flood investigations under Section 19 of the Flood and Water Management Act 2010) and further flood investigations following the 6 January storm will only add to an already high workload that remains after Storm Henk in January 2024.

The requests for additional resource, as set out in paragraphs 49 to 51, represent the initial steps to start to address the backlog of work generated by the two most recent major flood events. It will also allow the Flood Risk Management Team to carry out a more detailed review and support a sustainable transition to a new business as usual model in flood risk management. This builds on the previous funding allocated following Storm Henk, which has facilitated several activities outlined in paragraph 50.

During and shortly after a flood event, there are significantly increased calls for the LLFA to attend public meetings with affected communities, members and in some cases MPs. The LLFA does not underestimate the significant physical, emotional and mental health implications of flood events on communities and the need for support during flood events. However, the main role of the LLFA during events is to coordinate recovery (more details are set out in paragraphs 33 to 36). The LLFA will therefore support meetings at appropriate times but must promote and prioritise activities that can build community resilience in the long-term.

There are several aspects of flood risk management that require good communication and engagement. The LLFA is driving forward its 'Be Flood Ready: Aware, Prepared and Engaged' strategy messaging and is engaging with communities on flood investigations and prevention. These activities are set out in more detail in paragraph 55.

As the LHA, the County Council is responsible for the safe operation of the network and the maintenance approach to highways assets. It has been necessary to undertake additional activities to respond to flood events in line with these responsibilities.

422. Revised Environment Strategy and Net Zero Action Plans.

The Cabinet considered a report of the Director of Environment and Transport which presented for approval the revised Environment Strategy Action Plan and the revised 2035 Net Zero Council Action Plan and 2050 Net Zero Leicestershire Action Plan. The report also presented for approval a common Mink Control Policy for all members of the Leicestershire and Rutland Water Vole Steering Group and to allow the Director of Environment and Transport to approve any future similar control policies in relation to invasive and non-native species. A copy of the report marked 'Agenda Item 10' is filed with these minutes.

The Environment and Climate Change Overview and Scrutiny Committee considered the report at its meeting on 22 January 2025 and a draft minute is filed with these minutes.

Comments from Mr Hunt CC in relation to this report are also filed with these minutes.

Mr Pain CC emphasised that Government funding was required in order to deliver the necessary targets in a timely manner.

RESOLVED:

- a) That the revised Environment Strategy Action Plan, 2035 Net Zero Council Action Plan and 2050 Net Zero Leicestershire Action Plan be approved;
- b) That the common Mink Control Policy for all members of the Leicestershire and Rutland Water Vole Steering Group be approved;
- c) That the provision of delegated responsibility to the Director of Environment and Transport to approve any future similar control policies in relation to invasive and non-native species, following consultation with the Cabinet Lead Member and relevant service areas within the Council, be approved.

REASONS FOR DECISIONS

The revised Action Plans are more realistic and achievable and reflect the current financial position of the Council and the current available staff resources.

The revised Action Plans allow for supplementary actions to be undertaken where additional staff capacity and/or financial resources are found to be available.

The Mink Control Policy allows for a common policy across Leicestershire and Rutland which will increase the effectiveness of any collective efforts made to control the invasive non-native species of Mink.

The provision of delegated responsibility to the Director of Environment and Transport to approve any future similar control policies in relation to invasive and non-native species, following consultation with relevant service areas within the Council will enable quicker and effective implementation of such policies in the County. Consultation with the Cabinet Lead Member will ensure that any public interest issues are picked up.

423. Special Educational Needs and Disabilities (SEND) and Inclusion Strategy 2024-27 (Key Decision).

The Cabinet considered a report of the Director of Children and Family Services which sought approval for consultation on the Leicestershire Local Area's refresh Special Educational Needs and Disabilities (SEND) and Inclusion Strategy 2024-27. A copy of the report marked 'Agenda Item 11' is filed with these minutes.

The refreshed Strategy had been produced by the Leicestershire SEND and Inclusion Partnership Board, which comprised of partners working across Leicestershire on behalf of children and young people with SEND. An eight week consultation on the Strategy was due to commence on 10 February 2025.

RESOLVED:

That the draft refreshed Special Educational Needs and Disabilities (SEND) and Inclusion Strategy be approved for consultation.

(KEY DECISION)

REASONS FOR DECISION

The revised Strategy will provide a framework for planning, commissioning and delivering SEND services and support by the Council and its partners for children and young people living in Leicestershire. A public consultation on the refreshed Strategy will seek to confirm that the priorities identified are the right focus for improvement activity.

424. 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 which sought approval for changes to school admission arrangements from September 2026 that include the reduction in admission numbers at two primary schools, two junior schools and one infant school in Leicestershire. A copy of the report marked 'Agenda Item 12' is filed with these minutes.

RESOLVED:

That the changes to admissions arrangements at Stathern Primary School, St. Mary's CE Primary School (Hinckley), Burbage Junior School, St. Denys CE Infant School, Ibstock, and Ibstock Junior School, as set out in paragraph 24 of the report, be approved.

REASON FOR DECISION

Reduction of admission numbers at the five schools will ensure infant class size compliance and protect schools from an anticipated deficit budget position which would otherwise arise due to low numbers entering the primary school system.

425. Exception to Contract Procedure Rules to Provide Agency Cover for Provision of Special Educational Needs Assessment (SENA) Tribunal Officers - Urgent Action Taken by the Chief Executive.

The Cabinet considered a report of the Director of Children and Family Services which detailed urgent action taken by the Chief Executive to approve an exception to the Council's Contract Procedure Rules to use a supplier, outside of the current corporate contract, to supply temporary Special Educational Needs Assessment (SENA) Tribunal

Officers agency cover. A copy of the report marked 'Agenda Item 13' is filed with these minutes.

RESOLVED:

That the action taken by the Chief Executive to approve an exception to the Contract Procedure Rules to enable the direct award of contracts for the temporary provision of two agency SENA Tribunal Officers with the contract running until 31 March 2025, up to a maximum spend of £282,693.00, be noted.

REASONS FOR DECISION

The County Council's Contract Procedure Rules (Part 4G of the Constitution) require that, where the estimated value of a contract exceeds £179,087, formal tenders must be invited.

Where an exception to the Contract Procedure Rules is required for contracts over £179,087, Rule 6(e) provides that Cabinet approval be obtained to the exception where this is justified on its merits. In an urgent case the Chief Executive, after consultation with the Leader or Deputy Leader of the Council, may direct that an exception is made subject to this being reported to the next meeting of the Executive (the Cabinet).

It has not been possible to source the necessary staff required via the Council's existing recruitment and agency arrangements.

The decision followed consideration of the balance of risks to service delivery against the risk of procurement challenge, and it was the view of the Director of Children and Family Services that an exception was the right course of action for the Council and in the best interests of the relevant service users.

426. Annual Report of the Director of Public Health: Leicestershire's Health - Inequalities in Health.

The Cabinet considered a report of the Director of Public Health which presented the Director of Public Health's Annual Report for 2024 – 'Leicestershire's Health – Inequalities in Health'. A copy of the report marked 'Agenda Item 14' is filed with these minutes.

Mrs Richardson CC commented on the importance of highlighting groups with inequalities and noted that this would influence the work of the Health and Wellbeing Board.

Mr Ashman CC also commended the different approach taken to tackle inequalities in health, but felt that it was important to ensure these groups were considered when undertaking mainstream engagement.

RESOLVED:

- a) That the recommendations contained within the Director of Public Health's Annual Report 2024 be supported;
- b) That it be noted that the Annual Report will be submitted to the County Council on 19 February 2025.

REASONS FOR DECISION

The Director of Public Health's (DPH) Annual Report is a statutory independent report on the health of the population of Leicestershire.

To enable the County Council to consider the report, which will help inform future commissioning decisions.

427. Items referred from Overview and Scrutiny.

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

11.00 am - 12.40 pm
07 February 2025

CHAIRMAN