

**MINUTES OF THE MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL  
HELD AT COUNTY HALL, GLENFIELD ON WEDNESDAY, 2 DECEMBER 2015**

**PRESENT**

Mr. E. D. Snartt CC (in the Chair)

Mr. I. E. G. Bentley CC, Mr. D. C. Bill MBE CC, Mr. R. Blunt CC, Mr. G. A. Boulter CC, Mrs. R. Camamile CC, Mr. M. H. Charlesworth CC, Mr. J. G. Coxon CC, Mrs. J. A. Dickinson CC, Dr. T. Eynon CC, Dr. R. K. A. Feltham CC, Mrs. J. Fox CC, Mr. S. J. Galton CC, Mr. D. A. Gamble CC, Mr. S. J. Hampson CC, Mr. G. A. Hart CC, Dr. S. Hill CC, Mr. Dave Houseman MBE, CC, Mr. Max Hunt CC, Mr. D. Jennings CC, Mr. J. Kaufman CC, Mr. A. M. Kershaw CC, Ms. K. J. Knaggs CC, Mr. P. G. Lewis CC, Mr. W. Liquorish JP CC, Mrs. H. E. Loydall CC, Mr. K. W. P. Lynch CC, Mr. J. Miah CC, Mr. M. T. Mullaney CC, Ms. Betty Newton CC, Mr. J. T. Orson JP CC, Mr. P. C. Osborne CC, Mr. I. D. Ould CC, Mrs. R. Page CC, Mr. B. L. Pain CC, Mr. A. E. Pearson CC, Mr. T. J. Pendleton CC, Mrs. P. Posnett CC, Mrs. C. M. Radford CC, Mr. J. B. Rhodes CC, Mr. T. J. Richardson CC, Mrs. J. Richards CC, Mr. N. J. Rushton CC, Mr. R. Sharp CC, Mr. S. D. Sheahan CC, Mr. R. J. Shepherd CC, Mr. L. Spence CC, Mr. D. A. Sprason CC, Mr. G. Welsh CC, Mr. E. F. White CC, Miss. H. Worman CC and Mr. L. E. Yates CC

**35. CHAIRMAN'S ANNOUNCEMENTS.**

**Ernie White**

The Chairman reported that Mr Ernie White had completed over 40 years continuous service, having been first elected to the Council in November 1975.

Members joined the Chairman in showing their appreciation for Mr White's many years of continuous service within the Authority.

**Mr Noel Melvin**

Noel had been a Leicestershire head teacher for 20 years and was retiring at the end of December. He had been involved in setting up the successful School Behaviour Partnerships and the School Sports Partnerships. More recently he had been the lead head teacher working with Children and Family Services on combating child sexual exploitation. Noel was highly respected by his peers and had always provided good support to the local authority. Members joined the Chairman in wishing Noel the very best for the future.

**'Century of Stories' event**

The Chairman reported that on 29<sup>th</sup> October he had the great pleasure of hosting the Interfaith Schools Sharing Day at County Hall. The event had been arranged by the Communities and Wellbeing Service. The event had been attended by the Secretary of State for Education, Nicky Morgan MP,

and children from the Falcons, Krishna Avanti, St John the Baptist, and Madani primary schools. This unique sharing day had showcased the learning of pupils from the Sikh, Hindu, Christian and Muslim communities, which connected to their personal heritage and contributions to the First World War.

### **Visitors**

The Chairman welcomed to the meeting all visitors and guests of members and anyone who was viewing the meeting via the webcast.

#### **36. MINUTES OF THE ORDINARY MEETING OF THE COUNCIL HELD ON 23 SEPTEMBER 2015.**

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

“That the minutes of the meeting of the Council held on 23 September 2015, copies of which have been circulated to members, be taken as read, confirmed and signed.”

#### **37. MINUTES OF THE EXTRAORDINARY MEETING OF THE COUNCIL HELD ON 8 OCTOBER 2015.**

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

“That the minutes of the Extraordinary meeting of the Council held on 8 October 2015, copies of which have been circulated to members, be taken as read, confirmed and signed.”

#### **38. DECLARATIONS OF INTEREST.**

The Chairman invited members who wished to do so to make declarations of interest in respect of items on the agenda for the meeting.

The Chairman assumed that all members who were also members of a District Council would wish to declare a personal interest in relation to the Cabinet report on the Leicester and Leicestershire Combined Authority.

The Chairman assumed that all members who were also members of the Leicester, Leicestershire and Rutland Combined Fire Authority would wish to declare a personal interest in relation to the Cabinet report on that matter.

Dr Eynon declared a personal interest in the Annual Report of the Director of Public Health, as she was a salaried GP.

#### **39. QUESTIONS ASKED UNDER STANDING ORDER 7(1)(2) AND (5).**

**(A) Mr Sharp asked the following question of the Leader or his nominee:-**

“It is deeply disappointing to note that the Leader has chosen to scrap the lengthy trial of opposition requests for position statements. To date, these

had allowed members outside of Cabinet to table issues of significant interest and allow full and frank debate of issues to both inform and challenge.

The Leader has chosen to restrict scrutiny and suppress democracy in this way as he is concerned that the last statement was 'hijacked' by the Labour Group and members had made 'pre-prepared speeches.'

Could the Leader clarify:

1. When every member requesting to speak had been called and the 20 minutes allocated had not been fully used how this constitutes a 'hijack'?
2. Whether pre-prepared speeches are now also not to be tolerated or could he explain the level of preparedness he will 'allow' from members of the opposition?"

**Mr Rushton replied as follows:-**

- "1. Whilst I accept that Mr Sharp in his questions largely followed the format given to the Lead Member for his Statement, that did not apply to Members who spoke afterwards. Their role was also to ask questions, which they failed to do without a request from the chair. Instead we had long statements and a strong sense the meeting was being turned into a medical seminar. That clearly went against the spirit of the Requested Position Statement and was therefore a hijack, i.e. seizing something for a purpose for which it was not intended. It was unfortunate since there was and is cross-party agreement on the importance of public health and prevention.
2. Whilst it will ultimately be a matter for the Chairman during meetings of the Council, I am sure that the chair, and the meeting, will always be prepared to accept a pre-prepared speech, recognising it for what it is, if it is within the spirit of the occasion, is relevant and assists the Council in its business."

**Mr Sharp asked the following supplementary question:-**

"The constitution rules exist to prevent a bad Leader riding roughshod and provide confidence to the public and serving members. Now the Leader has time to reflect, can I ask whether he would be prepared to pick up his toys, put them back in the pram and reinstate the opposition requests for position statements?"

**Mr Rushton replied as follows:-**

"The scheme which was in operation was an experiment. It worked quite well at times but, the last time we had it, it was an absolute fiasco but I am willing to discuss ideas which may benefit debate in this Council at the Leaders meeting."

**(B) Mr Bray asked the following question of the Leader or his nominee:-**

"In the past I have reported a number of incidents of vehicles flouting the "no right turn" exiting Trinity Vicarage Road on to Trinity Lane, and was grateful when the County Council increased the road markings in the area. Residents have now reported that they have seen an increase in the number of cars turning right on to Trinity Lane, which is extremely dangerous due to the close proximity of the pedestrian crossing. Would the Leader please ask highways officers to look again at this problem and see if further measures can be taken, maybe in conjunction with the police, to resolve this problem?"

**Mr Osborne replied as follows:-**

"The County Council is aware of the local concerns over vehicles contravening the no right turn" exiting Trinity Vicarage Road on to Trinity Lane. I am pleased to inform Mr Bray that as part of the development of our proposals for the fourth phase of the Hinckley Area Project, officers are currently reviewing the Traffic Regulation Orders within the town centre. This will include an assessment of the banned right turn restriction at this junction and this work is expected to be complete by March 2016. The implementation of any proposals developed from the review will be dependent on a successful bid for single local growth funding via the Leicester and Leicestershire Enterprise Partnership."

**(C) Mr Sprason asked the following question of the Leader or his nominee:-**

"The Prime Minister has offered the Leader of Oxfordshire County Council, Cllr Hudspeth, an invitation to meet the No 10 policy unit regarding budget cuts. The Prime Minister's spokesman states that there is still significant scope for sensible savings across local government to be made by back office consolidation, disposing of surplus property and joining up our local public services.

1. Has the Leader been invited to meet with the No. 10 policy unit to help with his service cuts? And
2. Will the Leader of Leicestershire County Council be looking to take forward in his budget planning the Prime Minister's suggestions of sensible savings?"

**Mr Rushton replied as follows:-**

- "1. No
2. Those suggestions have already been pursued wherever possible."

**(D) Mr Charlesworth asked the following question of the Leader or his nominee:-**

- "1. The data for Recycling and Household Waste Sites (RHWS's) in Leicestershire show that for every 5 visitors to Somerby there are 100 to Oadby. Instead of doing a 'one size fits all' reduction in opening hours, would the Leader consider introducing a pro-rata scheme that keeps the most used sites open for longer than the least used?"

2. The recent consultation on RHWS's showed that 70% of the responses wanted out of county users to be charged. This cost-saving and popular policy has not been introduced. Could the Leader explain why?
3. Oadby is the most visited RHWS in the County, and a very significant percentage of users come from the City. Could the Leader explain when are county council tax payers going to stop subsidising the City?"

**Mr Pain replied as follows:-**

"I am somewhat surprised by these questions from Mr Charlesworth.

Could I remind Mr Charlesworth that the outcome of the consultation on proposed changes to the operation and use of RHWS's was the subject of a report to the Environment and Transport Scrutiny Committee on 5<sup>th</sup> November and that Committee supported the proposals that were agreed by the Cabinet on 18<sup>th</sup> November.

The issues that Mr Charlesworth now raises should have been raised earlier in the decision making process – raised at the Scrutiny Committee meeting. Mr Charlesworth has complained quite vehemently about the lack of scrutiny in another place yet chooses not to engage in the scrutiny processes here.

The question asked about out of county users is perplexing. Could I draw Mr Charlesworth's attention to the article in the Leicester Mercury on 31<sup>st</sup> October 2015 in which Simon Galton, the Leader of the Liberal Democrat Group is quoted as follows:-

'...pleased the idea of charging non-Leicestershire residents to use the tips had been dropped. That would have led to neighbouring authorities charging tit-for-tat and we know that people in Birstall use city run tips and people in the city use Oadby for example..'

It would appear that Mr Charlesworth is not in tune with his Leader on this matter."

**(E) Dr Eynon asked the following question of the Leader or his nominee:-**

- "1. Is the Leader aware that in pursuing its Strategy for Industrial Development in Coalville, the County Council is proposing to develop land on Vulcan Way which is currently occupied by businesses 'holding over' land previously held on a short term lease?
2. Could the Leader advise me how many established jobs are being put at risk by this Strategy and how can this risk be mitigated?"

**Mr Pain replied as follows:-**

- "1. The Strategy needs to be set in context. Over the next few years the County Council is proposing to develop around 60,000 sq ft of new workspace, incubator units, start up units and grow on space on sites it

owns at Vulcan Way and Samson Road. These new units will start to become available to rent from mid 2017 onwards.

The development sites at Vulcan Way are currently occupied under short term agreements by adjoining businesses and are used for open storage purposes. These arrangements will come to an end when the County Council starts development works but the occupying businesses will continue to operate from their adjoining properties.

2. The County Council is not aware that any established jobs are being put at risk by the re-development of its land on Vulcan Way. To the contrary, through this proposal, which is included in the LLEP Strategic Economic Plan and is being supported by Growth Deal 2 funding, the County Council will be making a major contribution to the economic development plans of Coalville. The re-development of County Council sites at Vulcan Way comprises 52,000 sq ft of new accommodation and will provide opportunities for an estimated 89 businesses and 258 jobs. This will be hugely beneficial for the town and the wider area of North West Leicestershire and is a great example of how public sector assets can be used to create these opportunities.”

**(F) Mr Charlesworth asked the following question of the Leader or his nominee:-**

- “1. Does the Leader have a conflict of interest with his roles as Leader of the County Council and Leader of Leicester and Leicestershire Fire and Rescue Service (LFRS)?
2. Does the Leader want to see compulsory redundancies introduced at LFRS?”

**Mr Rushton replied as follows:-**

- “1. I have a personal interest along with all members who have been appointed by the Council to serve on the Combined Fire Authority (CFA). I would advise Mr Charlesworth that I am not the Leader of the LFRS but Chairman of the CFA.
2. No, if another way could be found to deal with the 100 posts in the Fire Service previously disestablished by the CFA, posts which all concerned agree are not needed but which continue to be funded by the taxpayer.”

**(G) Mr Charlesworth asked the following question of the Leader or his nominee:-**

“In relation to the proposed Combined Authority for Leicester and Leicestershire could the Leader advise on the following:-

1. The estimated cost of running the Combined Authority and how these costs are apportioned to each Council?
2. The number of members proposed for the Combined Authority Joint

### Overview and Scrutiny Committee?

3. The political make-up of the Combined Authority Joint Overview and Scrutiny Committee if based on the current political balance on each constituent authority?
4. Why a member of an Executive of a constituent council cannot serve on the Joint Overview and Scrutiny Committee?
5. Why future housing needs are included in Part 2 of the Scheme when the Scheme state that 'no constituent council is ceding existing functions to the Combined Authority'?
6. How can anyone have confidence in the Leicester and Leicestershire Combined Authority bid and its scrutiny function after the Leader and Mr Soulsby's abolition of scrutiny at the other combined authority in Leicester and Leicestershire – the Leicestershire Fire & Rescue Service?"

### **Mr Rushton replied as follows:-**

#### "Questions 1, 2, and 3

I would refer Mr Charlesworth to the report of the Cabinet on the Leicester and Leicestershire Combined Authority which we are due to debate this afternoon. That report states that when we get agreement to the Scheme, *'officers of the nine councils will work together in the coming months to expand on the governance principles outlined in the Scheme with a view to creating a full constitution of the Combined Authority and any other documents necessary for the operation of the Combined Authority.'* When that work is complete I will be in a better position to answer the questions now posed.

In relation to the apportionment of costs at a recent Economic Growth Board meeting, (which comprises the Leaders of all Constituent bodies making up the Combined Authority), a proposal that the cost should be apportioned as follows was suggested for consideration:

- 1/3<sup>rd</sup> met by the City Council
- 1/3<sup>rd</sup> met by the County Council
- 1/3<sup>rd</sup> met by the District Councils – apportioned on a population basis.

Following the meeting of the Economic Growth Board on 5<sup>th</sup> November, which among others was attended by the Leader of Oadby and Wigston Borough Council, information was sent by the County Council to Christine Fisher, the Chief Executive of North West Leicestershire District Council, who leads on this matter in communicating with District Council Leaders, outlining the apportionment arrangements and some broad indicative costs. These are to be considered by the Leicestershire Treasurers' Association and when they have completed their work I will be in a better position to advise.

4. Membership of the Combined Authority is to be drawn from the leadership of the Constituent bodies. It is therefore appropriate and

indeed good practice that those scrutinising decision making are not also drawn from the leadership but from the backbench elected members of the Constituent bodies.

5. The Scheme does not say functions in relation to future housing needs are being ceded. The reference to housing need in the Scheme is because the Combined Authority will concurrently hold functions in relation to strategic planning policy and this includes planning for future housing needs.
6. The Cities and Local Government Devolution Bill stipulates the need for an Overview and Scrutiny Body. There is no such legal requirement for the Combined Fire Authority. The most important consideration for a scrutiny body, however, is that it is effective, which was not the case with the CFA's scrutiny committee."

**(H) Mr Hunt asked the following question of the Leader or his nominee:-**

- "1. Will the Leader outline the key achievements in the Leicestershire Carbon Reduction Strategy since it was agreed by Cabinet in July 2014?
2. What are the monitoring and updating arrangements supporting the Leicestershire Carbon Reduction Strategy?
3. Will he confirm Leicestershire's commitment to the DEC/LGA "Carbon Local" pledge?
4. What effect will the Government's recent announcements withdrawing green energy subsidies, removal of Local Sustainable Transport Fund and on grid decarbonisation have on our target of reducing carbon emissions in the county by 1,000 ktonnes by 2020?
5. Over 50 British cities have joined up with other EU cities to eradicate carbon emissions by 2050. This a long term target but an ambitious one. How can we match and support this initiative?"

**Mrs Posnett replied as follows:-**

- "1. The Carbon Reduction Strategy (CRS) was adopted on the basis that implementation would be reliant on using existing resources and securing additional resources through partnership working and external funding sources.

The CRS was developed using 4 priority areas. A summary of progress on the actions under each of the priorities is provided below.

Priority 1: To support the reduction of carbon emissions from the residential housing stock in Leicestershire.

There has been modest progress in relation to domestic emissions. Two factors have contributed to limited progress:

- Uncertainty and changes in policy and finance from central government has undermined any ability to develop meaningful and sustainable plans. The diminishment of the Energy Company Obligation and Green Deal has not enabled significant progress to be made.
- It has not been possible to secure agreement with district councils on the delivery of a shared plan of action which is required to act on this area.

Public Health and Adults and Communities departments have worked closely together to secure resources to deliver projects that will address fuel poverty issues in the County.

Priority 2: Create the demand from business for carbon reduction

There has been limited progress in delivering the short-term actions related to this priority. However, a bid for ERDF funding has been submitted to deliver the actions identified in the future. There is optimism therefore that the longer-term actions will be delivered.

Priority 3: To ensure carbon emissions from transport do not exceed current levels over the life of the strategy, irrespective of growth in net travel

There has been significant progress in delivering the actions in the CRS which reflect the targets within the Local Transport Plan 3. In general the plans are on track to be delivered. Details of this can be provided to Mr Hunt if he so wishes.

Priority 4: Support communities to develop small-scale community owned renewable energy and energy efficiency projects.

There has been progress with the actions that were already underway when the CRS was agreed. The focus has been on developing a delivery plan for community energy initiatives and securing ERDF Funding to support delivery (as stated above an ERDF bid has been submitted to support this priority area).

2. Progress reports on the CRS are made to the Lead Member and escalated as appropriate.

It is too early to obtain reliable data to understand what progress is being made in delivering a reduction in county wide carbon emissions within the timeframe of the CRS since its adoption. The earliest the data will be available covering the period of the plan to date will be in 2017.

3. The County Council is a signatory of Climate Local (which replaced the Nottingham Declaration on Climate Change) and reports progress towards the County Council's carbon reduction target and climate change resilience annually.
4. It is unclear whether withdrawal of Government subsidies will challenge

the delivery of the ambitions within the CRS. However, the County Council will continue to explore funding opportunities with partners. The Council will continue with its 'invest to save' approach to implementing initiatives which drive down carbon emissions e.g. the LED street lighting project and solar panel installations on the Council's estate.

Following the Autumn spending review the Government has announced that there is a new 'Access' fund for sustainable travel, building on the legacy of the Local Sustainable Transport Fund and supporting growth in cycling and walking, with £580 million (£80 million revenue and £500 million capital).

The DfT plans to publish the Cycling and Walking Investment Strategy in summer 2016, with a statement of funds available by February 2016. The County Council will explore this funding opportunity when further details become available.

5. We are not a unitary authority therefore there are limits to our ability to influence certain areas such as social housing and development control (i.e. planning) throughout the county. There are currently no plans to revise the CRS to incorporate this initiative."

**Mr Hunt asked the following supplementary question:-**

"On point 2 a matter of clarification. Would the Lead Member confirm that the first update report on the carbon dioxide strategy will be at the 3-year mark in 2017 and that that will go to scrutiny and would she vouch to pass progress reports on the strategy to the spokespersons from the other 2 groups as and when she gets them?"

**Mrs Posnett replied as follows:-**

"Yes that will happen and I am happy at given periods to report on how things are progressing."

**(I) Mr Galton asked the following question of the Leader or his nominee:-**

"Following criticism from the Prime Minister about cuts to local services, the Leader of Oxfordshire County Council responded saying that excluding schools, total government grants had fallen from £194m in 2009/10 to £122m in 2015/16, a reduction of £72m. What is the comparable figure for Leicestershire County Council over the same period?"

**Mr Rhodes replied as follows:-**

"Comparisons of the levels of grant between 2009/10 and 2015/16 are complicated by the significant changes to Local Government funding which have occurred over that period, including the addition of Public Health and Localisation of Council Tax Support grant funding from 2013/14. Formula Grant was also replaced from 2013/14 by Revenue Support Grant and the Business Rates Retention Scheme. Adjusting for the impacts of these major changes, the total of Government grants (excluding schools) to

Leicestershire County Council has reduced from £178m to £112m.

The method of calculation used by Oxfordshire County Council is not known but based on this analysis both Counties have had the same (37%) reduction in grants.

It is also worth noting that spending power, the measure the Government uses to show the level of funding for authorities, for Leicestershire is £1,520 per dwelling compared to Oxfordshire's £1,730. If Leicestershire had the same spending power as Oxfordshire it would be £56m better off."

**(J) Mr Galton asked the following question of the Leader or his nominee:-**

"As the Leader will be aware, the motion Cabinet passed on the Leicestershire Fire and Rescue Service (LFRS) IMRP at its recent meeting differed from the motion passed by the Scrutiny Commission on the same topic. One difference was the inclusion of point (e) which called on the Combined Fire Authority (CFA) to give special consideration of the impacts these proposals would have on the City, and to consider ways these impacts could be mitigated. Can the Leader please explain:-

1. Why this point was included and what evidence was it based on, considering that it did not arise from the Scrutiny Commission's discussion of the topic?
2. Why the Leader and his Cabinet considers there to be a need for special consideration of the impacts these proposals would have on the City, but not in County areas?"

**Mr Rushton replied as follows:-**

"By asking this question Mr Galton demonstrates his lack of understanding about the Fire Service. The Fire Service is a service for the whole area, Leicester, Leicestershire and Rutland. Engines based in the County are a resource for the City and engines based in the City can and are often called to support incidents in the County. For parts of the area Mr Galton represents there is a great likelihood that engines based at Eastern Leicester (Hastings Road) will get there sooner than an engine from Wigston.

The Chief Fire Officer (CFO) has been asked to look again at the City Centre cover because the Cabinet were aware of concerns and because, should there be an incident, it will be engines from Wigston and Birstall that would have to be mobilised to go into the City.

At the Commission meeting members were expressing concern that such deployments would leave parts of the County vulnerable. The Fire Brigades Union (FBU) make this very point in its submission to the Commission – Page 319 of the Council book '*... the closure of Central Station for example would frequently pull all the Fire Engines from the county into the city, leaving those areas exposed and not leaving anything else to deal with any other lifesaving incident should they occur.*' Given that the Scrutiny Commission meeting lasted nearly 5½ hours it is not surprising that Mr Galton missed this

point.”

**(K) Mr Kaufman asked the following question of the Leader or his nominee:-**

- “1. Will the Leader join me in welcoming that the Oadby family of schools are working together as a family of schools and have put together a plan of converting to 11+ that most residents are happy with?
2. So these efforts are not wasted, what can the Council do to assist with these plans, particularly in regards of the capital needed to provide primary schools with Year 6 classrooms?”

**Mr Ould replied as follows:-**

- “1. Yes.
2. Officers of the Council are working closely with all of the primary schools in the area, to ensure that (in the event of approval to the age range change) there is suitable and sufficient space to accommodate Year 6 pupils on their return. This will be reflected in the draft capital programme to be considered early in the New Year (as part of the Council’s Medium Term Financial Strategy approvals process) in line with the commitment to seek to remove the remaining 10+ educational system in Leicestershire set out in our Strategy for School Place Planning ‘In the Right Place’ approved by the Cabinet in autumn 2014.”

**40. POSITION STATEMENTS UNDER STANDING ORDER 8.**

The Leader presented a position statement on the following matters:

- Combined Authorities;
- Boundary Review;
- Rugby World Cup;
- Green Plaque Awards;
- Terror Attacks.

The Deputy Leader presented a position statement on the Medium Term Financial Outlook.

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

**41. REPORTS OF THE CABINET.**

**(a) Combined Authority for Leicester and Leicestershire.**

It was moved by Mr Rushton and seconded by Mr Pain:-

- “(a) That the Scheme for the Combined Authority (‘the Scheme’) set out in Appendix 2 to the report of the Cabinet be approved;
- (b) That the Governance Review set out in Appendix 1 to the report of the

Cabinet be approved;

- (c) That approval be given to the publication of the Scheme and its submission to the Department for Communities and Local Government;
- (d) That the Chief Executive be authorised, following consultation with the Leader, to make any final amendments to the Scheme and Governance Review prior to their submission to the Department for Communities and Local Government in December 2015 or January 2016;
- (e) That the Chief Executive be authorised, following consultation with the Leader, to enter into discussions with the Department for Communities and Local Government and such other Government departments and other persons as are considered necessary by the Chief Executive to agree the terms of the Order establishing the Combined Authority and to approve the final form of the Order on behalf of the County Council;
- (f) That the Chief Executive be authorised, following consultation with the Leader:
  - (i) to negotiate, agree and execute all ancillary documents in support of the operation of the Combined Authority, including (without limitation) the constitution of the Combined Authority; and
  - (ii) to take all decisions and actions necessary to enable the establishment of the Combined Authority;
- (g) that progress on taking forward the proposal as set out in (e) and (f) above be communicated by the Leader and the Chief Executive to the Chairman of the Scrutiny Commission and the Labour Group Spokesman on the Commission on a regular basis and that any matters arising, for example in light of changes in legislation, be highlighted.”

The motion was put and carried, 42 members voting for the motion and none against.

**(b) Leicestershire County Council Annual Performance Report 2015.**

It was moved by Mr Rhodes, seconded by Dr Feltham, and carried:-

“That the Leicestershire County Council Annual Performance Report 2015, as referred to in Section B of the report of the Cabinet, be approved.”

**(c) Annual Report of the Director of Public Health 2015.**

It was moved by Mr White, seconded by Mrs Posnett, and carried:-

“That the Director of Public Health Annual Report 2015 be noted with support.”

**(d) Leicestershire Fire and Rescue Service Consultation - Integrated Risk Management Plan 2016-2020.**

It was moved by Mr Osborne and seconded by Mr Shepherd:-

- “(a) That this Council notes:-
- (i) That there are significant financial pressures on the Combined Fire Authority (CFA) and the consultation proposals should be seen in that context;
  - (ii) That the consultation proposals should be seen in the context of a 42% reduction in emergency incident rates in the last 10 years;
  - (iii) That the proposals now outlined by the Chief Fire Officer (CFO) represent his and his management team’s professional assessment of the best use of reduced resources to deal with risk;
  - (iv) That the CFA is required by law to set a balanced budget.
- (b) That this Council notes the concerns expressed by the Fire Brigades Union (FBU), the Retained Firefighters Union, retired members of the Leicestershire and Fire and Rescue Service and others about the potential impact of these proposals but expresses its disappointment at the lack of factual evidence presented to support their concerns;
- (c) That this Council notes that the consultation undertaken has been extensive, well publicised and enabled all those wishing to comment to do so;
- (d) That this Council notes that in seeking to address the difficult financial the CFA has already:-
- (i) disestablished 101 operational posts but has had to make financial provision to be made for these posts in the absence of an agreement with the trade unions as to a way forward, a situation which cannot be allowed to continue;
  - (ii) pressed ahead with proposals for reducing its costs by engaging in shared service agreements and exploring a range of uses by other organisations of office space at its Headquarters.
- (e) That this Council whilst recognising that the proposals as now outlined are in the professional view of the CFO the best option going forward, requests the CFO and CFA to consider further the impact the proposals would have on provision to Leicester City Centre and consider any further mitigation that would address the concerns

expressed regarding the response times and cover for significant buildings within the City Centre;

- (f) That this Council calls upon the FBU and others to engage with the CFO and CFA in a constructive manner in dealing with the significant financial challenges and in particular address how the necessary changes in operational staffing and practices including the 101 disestablished posts can be addressed by local arrangements outside the provisions of the grey book thereby avoiding compulsory redundancies and provide the additional resources required for any mitigating actions proposed as a result of (e) above.”

An amendment was moved by Mr Sharp and seconded by Mr Galton:-

“That the motion be amended to read as follows:-

- (a) That this Council notes that there is a clear need for the Fire Service to make financial savings and/or generate additional income;
- (b) That the recommendations put forward in the consultation document raise significant concerns as outlined below:-
- (i) whilst the use of Tactical Response Vehicles will improve efficiency the proposals now outlined are over reliant on their use and concerns remain about their capabilities as the first response vehicle on the scene;
  - (ii) whilst accepting the assertion that the 10 minute response times will be met under the new proposals, the reduction in the number of fire engines and stations will heighten the risk of delays in the response times of the second and subsequent fire vehicles and ensuring sufficient and timely ‘weight of response’ to major incidents;
  - (iii) the impact of any proposed changes in the scale of Fire Services in neighbouring authorities has not been properly addressed as part of the overall resilience of the Leicester, Leicestershire and Rutland Fire Service;
  - (iv) alternative cost reduction proposals which would reduce the need for frontline service cuts appear not to have been properly investigated;
- (c) That this Council agrees that the CFA must treat the whole of Leicester and Leicestershire on an equal basis, that no area should receive preferential treatment in the name of political expediency and any consideration of the impact of changes to the service, and how to mitigate said impact, must be applied to the area as a whole;
- (d) That this Council therefore agrees to advise the Combined Fire Authority as follows:-
- (i) That the scale of the proposed changes as now outlined in the consultation paper is unacceptable;
  - (ii) That an urgent review of alternate cost reduction options

- be undertaken to reduce the scale of front line service cuts;
- (iii) That a clear plan be developed in consultation with staff and the unions to deliver the £1.3million savings already identified within the budget;
  - (iv) That a full and transparent audit of incident response times including the measurement of appropriate 'weight of response' times be undertaken and its results be published."

The amendment was put and not carried, 21 members voting for the amendment and 29 against.

The original motion was put and carried, 29 members voting for the motion and 21 against.

#### **42. REPORT OF THE CORPORATE GOVERNANCE COMMITTEE.**

##### **(a) Proposed Changes to the Contract Procedure Rules.**

It was moved by Mr Kershaw and seconded by Mr Shepherd:-

"That the proposed amendments to the Contract Procedure Rules, set out in Appendix 1 to the report of the Corporate Governance Committee, be approved."

The motion was put and carried, 46 members voting for and 2 against.

2.30 pm – 6.16 pm  
02 December 2015

CHAIRMAN