Agenda Item 1

Leicestershire County Council

Minutes of a meeting of the Cabinet held at County Hall, Glenfield on Friday, 16 September 2016.

PRESENT

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

Mr. R. Blunt CC
Mr. Dave Houseman MBE, CC
Mr. J. T. Orson JP CC
Mr. P. C. Osborne CC
Mr. I. D. Ould CC
Mr. B. L. Pain CC
Mrs. P. Posnett CC
Mr. J. B. Rhodes CC
Mr. E. F. White CC

In attendance

Mr. P. G. Lewis CC, Mrs. R. Page CC, Dr. R. K. A. Feltham, Mr. R. J. Shepherd CC, Mr. S. J. Galton CC, Mr. R. Sharp CC, Mrs. J. Richards CC and Mr. O. O'Shea CC.

467. Minutes of the previous meeting.

The minutes of the meeting held on 18 July were taken as read, confirmed and signed.

468. Urgent items.

There were no urgent items for consideration.

469. 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.

Mr Pain CC declared a Personal Interest in item 11 on the agenda 'Market Harborough Transport Study' as Leader of Harborough District Council.

Members made the following declarations with regard to item 9 on the agenda, 'Dry Recycling Credits Medium Term Financial Strategy Savings' -

Mr. Rushton CC declared a personal interest as a member of North West Leicestershire District Council. He stated that having considered carefully the effect that the proposals may have upon that Authority he did not consider that he needed to declare any further interest and would therefore take part in the debate on the matter.

Mrs Posnett CC declared a personal interest as the Leader of Melton Borough Council. She stated that she had decided to take part in the debate on the matter at the County Council and had delegated responsibility for the matter to the portfolio holder for waste matters at Melton Borough Council.

Mr. Pain CC declared a personal interest as the Leader of Harborough District Council. He stated that he had taken no part in consideration of the issue at Harborough District Council, having delegated responsibility for the matter to the Deputy Leader and the portfolio holder for waste matters at that Authority.

Mr. Rhodes CC declared a personal interest as a member of Melton Borough Council. He stated that he had decided to take part in the debate on the matter at the County Council and had therefore not participated in any consideration of the issue at Melton Borough Council.

Mr. Orson CC declared a personal interest which might lead to bias as the Lead Member with responsibility for waste matters at Melton Borough Council. He undertook to leave the meeting during consideration of this item.

Mr. Blunt CC declared a personal interest which might lead to bias due to having previously considered the matter at North West Leicestershire District Council in his capacity as Leader of the Authority. He undertook to leave the meeting during consideration of this item.

470. Change to the order of Business.

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

471. A50 Bradgate Hill, Markfield Road, Groby Road and Leicester Road in the Parishes of Groby and Glenfield - Proposed Traffic Regulation Orders.

The Cabinet considered a report of the Director of Environment and Transport which sought approval for proposals to introduce a 40mph speed limit and to close a number of gaps in the central reservation on parts of the A50 corridor through Glenfield, Groby and Markfield. A copy of the report, marked 'Item 13', is filed with these minutes.

The Cabinet noted comments from two of the local members, Mr Yates CC and Mr Sprason CC, a copy of which are filed with these minutes. Mr Rushton CC advised that he had personally received representation from Edward Argar MP and David Tredinnick MP who both supported the proposals set out within the report.

With the agreement of the Leader, Mr O'Shea CC addressed the Cabinet as the local member for Groby and Ratby.

Mr O'Shea CC thanked the Leader for allowing him to speak on the proposed changes to the A50 corridor which was an important issue within his division and one which he had campaigned on since his election in 2013. He also thanked officers for their hard work and dedication in producing a comprehensive report.

He said that due to the current 50mph speed limit, residents living alongside the A50 Bradgate Hill regularly experienced difficulties accessing their drives. The stretch of road had also seen several fatal and many serious accidents over the years. He said that a reduction in the speed limit to 40mph would help address these problems whilst also provide motorists with a consistent speed limit to follow along the A50 corridor.

He added that he also supported the closure of the gaps in the central reservations which had contributed to three recorded personal injury accidents, including one fatality in 2012.

Mr Osborne CC welcomed the proposed measures which he said would make the stretch of road safer.

RESOLVED:

That the introduction of a 40mph speed limit on Leicester Road, Glenfield, Groby Road, Glenfield, Markfield Road, Groby and Bradgate Hill, Groby and the closure of gaps in the central reservation on Markfield Road and Bradgate Hill, Groby as shown on the plan attached as Appendix A of the report be approved.

REASON FOR DECISION:

Implementing a 40mph speed limit will provide a consistent speed limit along the A50 corridor as well as addressing the concerns of and to improve the quality of life for local residents.

There have been three personal injury accidents recorded in connection with the gaps in the central reservation, including one fatality in 2012, closure of the gaps will improve safety along this stretch of the carriageway. A recent safety audit supports the closure of the gaps and there is overwhelming support to do so from consultation respondents (92%).

472. Medium Term Financial Strategy Update.

The Cabinet considered a report of the Director of Corporate Resources which set out the overall financial position faced by the County Council and the proposed approach to updating the Medium Term Financial Strategy (MTFS). The report also sought approval for a letter to be sent to the Secretary of State for Communities and Local Government to accept a four year settlement. A copy of the report, marked 'item 4' is filed with these minutes.

Mr. Rhodes CC said that whilst members and officers continued to make representation to the Government to illustrate how poorly funded the Council was and hoped that the continued pressure would lead to fairer funding in the future, the authority must prepare for the worst and this report portrayed what that position could look like.

Mr White said that the situation with the Government's funding arrangements were similar to those experienced within Pubic Health, where a fairer funding formula had not been introduced and as a result the authority continues to lose out.

RESOLVED:

a) That the significant financial challenge faced by the County Council be noted;

b) That the approach outlined in the report to updating the Medium Term Financial Strategy be noted;

c) That a letter, as set out in the appendix to the report, be sent to the Secretary of State to accept the four year local government finance settlement.

(KEY DECISION)

REASON FOR DECISION;

To enable the County Council to continue to develop plans to address the worsening financial position. The acceptance of a four-year settlement will provide the Council with a degree of certainty as to the minimum funding allocation from the Government which will assist in its financial planning.

473. Responses to Consultation on Self-Sufficient Local Government: 100% Business Rates Retention and Business Rates Reform Fair Funding Review: Call for Evidence on Needs and Redistribution.

The Cabinet considered a report of the Director of Corporate Resources which sought approval for proposed County Council responses to Government consultation concerning Business Rates Retention and Business Rates Reform. A copy of the report, marked 'item 5' is filed with these minutes.

Mr. Rushton CC said that it was important that the Government recognised the tough financial position the Council found itself in and understood that the authority needed fairer funding to help pay for its current responsibilities before it could be expected to fund additional services.

RESOLVED:

That the draft responses to the consultation on 100% Business Rates Retention and the Call for evidence on Needs and Redistribution, as set out in Appendices A and B of the report be approved.

REASON FOR DECISION:

To provide a response to two key consultations on proposals that are expected to change the Local Government funding system significantly.

474. Leicestershire and Rutland Local Safeguarding Children Board and Safeguarding Adult Board Annual Reports 2015/16.

The Cabinet considered a report of the Independent Chairman of the Leicestershire and Rutland Local Safeguarding Children Board and the Leicestershire and Rutland Safeguarding Adult Board regarding the key findings of the Boards' Annual Reports for 2015/16. A copy of the report, marked 'item 6', is filed with these minutes.

Members noted the comments of the Adults and Communities and the Children and Families Overview and Scrutiny Committees, copies of which are filed with these minutes.

On behalf of the Cabinet, the Chairman thanked Mr. Burnett, the Independent Chairman, for his work and commended the Annual Reports.

RESOLVED:

a) That the comments of the Adults and Communities and the Children and Families Overview and Scrutiny Committees be noted;

b) That the Leicestershire and Rutland Local Safeguarding Children Board and Safeguarding Adult Board Annual Reports for 2015/16 be welcomed and noted.

REASON FOR DECISION:

The Leicestershire and Rutland Local Safeguarding Children Board (LRLSCB) and Leicestershire and Rutland Safeguarding Adult Board (LRSAB) are statutory bodies and local authorities have a duty to ensure that the Boards are enabled to operate effectively.

It is a requirement of (the statutory guidance) Working Together 2015 that the LRLSCB 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, and the Police and Crime Commissioner. It is a requirement of the Care Act 2014 statutory guidance that the LRSAB Annual Report is also reported to these individuals as well as the Chief Constable and Healthwatch.

It has been considered good practice in Leicestershire to submit both the Annual Report and Business Plans to the Cabinet and the relevant Overview and Scrutiny Committees for the LRSAB and the LRLSCB.

475. <u>Better Care Fund Plan/Disabled Facilities Grant.</u>

The Cabinet considered a report of the Director of Health and Care Integration which provided an update on progress made since its June meeting in regards to the Disabled Facilities Grant allocation as part of the Better Care Fund (BCF) Plan and pooled budget for 2016/17. A copy of the report, marked '7', is filed with these minutes.

Mr White CC welcomed the recent developments which would allow for the continuation of a joined up approach between the Districts and County Council. He said he hoped that clearer Government guidance would be published in due course to avoid such difficulties in future BCF funding arrangements.

RESOLVED:

a) That it be noted that Charnwood Borough Council has now indicated that it wishes to progress the matter in accordance with the recommendation of the Integration Executive as set out in paragraph 28 of the report, and that the Health and Wellbeing Board was informed at its meeting on 15th September;

b) That the response of Charnwood Borough Council be welcomed;

c) That the development of the business case for the Lightbulb Integrated Housing Service, which is predicated on joint investment by partners to incorporate the delivery of Disabled Facilities Grant in a wider offer of support to individual residents, and the constructive engagement of the district councils, be noted and supported.

REASON FOR DECISION:

To update the Cabinet in respect of progress made since the June 2016 Cabinet meeting.

476. Syrian Vulnerable Persons Resettlement Scheme.

The Cabinet considered a report of the Chief Executive which provided an update on the Government's current Syrian Vulnerable Persons Relocation Scheme and detailed its implications for the Authority. A copy of the report marked 'Item 8' is filed with these minutes.

The Cabinet noted comments from Mr. R. Sharp CC, a copy of which is filed with these minutes.

Mr Ould CC said that the Council was still awaiting agreement from the representatives of the district councils as to how the scheme would actually work. He said he would personally seek reassurance that safeguarding issues would be properly catered for.

Mr Houseman CC said that it was very important that the County Council played its part in helping vulnerable people from Syria. Considering the existing requirements and budgetary challenges the County Council already faced, it was imperative that the associated costs were fully met. Such costs should include not only the initial costs of caring for the vulnerable people transferred to the Council's care but also the potential long term costs to care for the more vulnerable who may require additional social care in the future.

Mr Rushton CC added that the Local Government Association continued to insist that the costs associated with the Syrian Vulnerable Persons Resettlement Scheme should be fully reimbursed by Government. He said that the Council was not in a position to be able to shoulder additional financial responsibility.

RESOLVED:

a) That the County Council remains committed to assist in the resettlement locally of families under the Syrian Vulnerable Persons Resettlement Scheme (SVPRS) in keeping with its previous decision and will provide support in accordance with its responsibilities;

b) That it is regrettable that the key issue of social care costs remains unresolved and that the County Council's dealings with Charnwood Borough Council, who are co-ordinating the response to the SVPRS of the district councils as housing authorities, have not been productive;

c) That the recognition by Charnwood Borough Council officers on 13th September that Government funding to support the SVPRS can be used for social care costs, a change from Charnwood's previous position, is welcomed, but the arrangements for and level of reimbursement need clarification taking account of advice from the Regional Strategic Migration Partnership, the Local Government Association and the Home Office;

d) That a unilateral decision by district council officers to draft and sign memoranda of understanding directly affecting the County Council is unacceptable;

e) That the County Council would expect a change of view from district councils in regard to the local governance of the SVPRS, where their decisions currently exclude the County Council and elected members;

f) That no memorandum of understanding will be considered or signed by the County Council until the County Council is satisfied as to arrangements in respect of governance and funding;

g) That the County Council's response to the Government's National Transfer Scheme for Unaccompanied Asylum Seeking and Refugee Children and the Government's Vulnerable Children's Resettlement Scheme, which carry significant financial and other consequences for the County Council, and which will be the subject of a report to the next Cabinet meeting, will be considered alongside the ongoing response to the SVPRS;

h) That a copy of this resolution be sent to all district councils.

REASON FOR DECISION:

To ensure that the Cabinet continues to be aware of the latest position regarding the Syrian Vulnerable Persons Resettlement Scheme, and to seek to ensure the Scheme is appropriately governed and deploys Government funding in line with Government guidance and the support needs of refugee households.

477. Dry Recycling Credits Medium Term Financial Strategy Savings.

(Mr. Orson CC and Mr. Blunt CC, having each declared a personal interest which might lead to bias, left the meeting during consideration of this item).

The Cabinet considered a report of the Director of Environment and Transport which detailed the outcome of consultation on the options appraisal to achieve the required savings on dry recycling credits as identified in the 2016 Medium Term Financial Strategy and sought approval for a preferred option.

Comments of the Environment and Transport Overview and Scrutiny Committee and the Liberal Democrat Group are filed with these minutes.

The Director explained that the County Council's Medium Term Financial Strategy which was approved by the County Council in February 2016, identified a required saving of £1,030,000 from recycling credits in 2018/19. He said that following formal consultation with all of the Waste Collection Authorities (WCA) and an independent financial analysis and deliverability review, Option 4, which proposed that the County Council should procure capacity for all the WCAs dry recycling and direct them to use it, offered the greatest potential savings levels over the period to 2030.

The Director of Law and Governance said that in proposing the changes the Council was acting reasonably and it had engaged with the WCAs, including via a formal consultation process pursuant to the implied duty to consult, and had had regard to their existing contractual arrangements.

Mr Pain CC said that the County Council had arrived at the recommended approach following a lengthy consultation process and detailed review. He said it was important to remember that recycling credit payments were initially provided to WCAs to manage waste on behalf of the County Council and the Authority had now come to the conclusion that a different approach was necessary in order to help manage the financial demands placed upon the Council.

Mr Rhodes CC acknowledged that this was a difficult decision and recognised the good work WCAs had done in recent years to increase recycling rates. Whilst he understood that the County Council's recycling credits had helped the authorities achieve the positive results, the Council had savings targets to reach and following extensive work by officers and discussions with the WCAs it had identified that considerable savings could be made by centralising the disposal of recycling waste and option 4 would maximise those possible savings.

RESOLVED:

a) That the comments of the Environment and Transport Overview and Scrutiny Committee be noted;

b) That the outcome of the options appraisal for achieving the necessary savings and the views of the Waste Collection Authorities (WCAs) be noted;

c) That Option 4 as set out in paragraph 32 of the report be agreed;

d) That the Director of Environment and Transport be authorised –

    I. to commence a procurement exercise to secure processing capacity for dry recycling by 1st April 2018;

    II. following consultation with the Director of Law and Governance, to serve reasonable notice objecting to WCAs retaining dry materials for recycling with effect from 1st April 2018 or such other date as the Director of Environment and Transport shall determine for each WCA,

    III. to issue directions to WCAs to deliver dry materials for recycling to the most appropriate facility made available under a new contract following the completion of a procurement exercise,

    IV. following consultation with the Cabinet Lead Member and the Director of Law and Governance, to enter into new local arrangements for incentive payments to financially compensate the WCAs for reductions in residual household waste with such of the seven WCAs as he considers appropriate.

(KEY DECISION)

REASON FOR DECISION:

The preferred way forward, Option 4, offers the greatest potential savings for the County Council within a feasible timescale and authorising the Director to take the necessary actions to give effect to the decision will facilitate the implementation of Option 4 within the planned timescales.

OTHER OPTIONS CONSIDERED:

The following 8 options were considered:

1) Baseline – i.e. to continue with current arrangements.

2) Reach local agreements (individually with each WCA) to reduce the value of the recycling credit.

3) Develop and agree a new payment model to incentivise a reduction in residual waste / increase in recycling.

4) The County Council to procure capacity for all WCA dry recycling and direct the WCAs to use it.

5) The County Council to procure capacity for all WCA dry recycling and agree a mechanism for cost / income sharing.

6) The County Council to build a materials recovery facility (MRF), individually or with another authority, and direct the WCAs to use it.

7) The County Council to develop a MRF with the WCAs and agree a mechanism for cost / income sharing.

8) The County Council and the WCAs to develop a long term strategic private / public partnership with a private sector company for MRF provision.

(Mr. Orson and Mr. Blunt then returned to the meeting).

478. Future Strategy for the Delivery of Library Services - Outcome of Consultation on Kirby Muxloe Library and Update concerning Desford Library.

The Cabinet considered a report of the Director of Adults and Communities regarding the outcome of consultation with the Kirby Muxloe community regarding alternative library provision and outlined progress made in relation to Desford library. A copy of the report, marked ‘10’, is filed with these minutes.

Comments of the Adults and Communities Overview and Scrutiny Committee are filed with these minutes.

Mr Blunt CC welcomed the business case submitted by residents within the Kirby Muxloe area which would enable the library to remain open. He continued to be hopeful that issues currently preventing Desford Library’s transfer could be overcome.

Mr Pain CC thanked officers and the Lead Member, Mr Blunt CC, for their hard work and thanked members of the Adults and Communities Overview and Scrutiny Committee for their positive input throughout the process.

RESOLVED:

a) That the comments of the Adults and Communities Overview and Scrutiny Committee be noted;

b) That the consultation undertaken to explore alternative library provision in the Kirby Muxloe area and the outcome of the consultation be noted;

c) That the submission of an outline business case by a group of residents in Kirby Muxloe which meets the County Council’s criteria and is capable of moving forward to formal agreements be noted;

d) That the Director of Adults and Communities, in consultation with the Director of Law and Governance, be authorised to enter into formal agreements for the transfer of Kirby Muxloe Library;

e) That the current position regarding Desford Library be noted and if an agreed position cannot be reached with the Desford Community Group by the end of September, a three-month consultation exercise in Desford to explore alternative library provision in the area be agreed;

f) That a report in respect of Desford Library be submitted to the Cabinet in the new year detailing the outcome of a consultation exercise referred to in e) above, if an agreed position cannot be reached with the Desford Community Group by the end of September;

g) That the period for which the £150,000 contingency fund is made available be extended until such time as it is exhausted and that the possibility of future provision be reviewed at that time.

(KEY DECISION)

REASON FOR DECISION:

The Council has a statutory obligation to ensure provision of a comprehensive and efficient library service. It has sought to enable and facilitate the ongoing provision, wherever possible, of library services by closer working with communities and other providers, whilst at the same time sustaining the countywide infrastructure to enable it to meet both its statutory obligations and budget challenges.

In November 2014, the Cabinet agreed, inter alia, a delivery model for its library services and a support package for community libraries.

The outline business plan submitted by the Kirby Muxloe community group meets the criteria set out by the County Council to enable it to access the support package.

The County Council and the existing Desford Community Group have been unable to reconcile differences over the provision of leasing arrangements to enable them to progress with their original plans.

479. <u>Market Harborough Transport Study.</u>

The Cabinet considered a report of the Director of Environment and Transport which detailed the findings of a transport study into the current and expected future condition and performance of the transport network in Market Harborough and sought approval for the commencement of a consultation exercise to help develop a transport strategy for the town. A copy of the report, marked ‘Item 11’, is filed with these minutes.

The Cabinet noted comments from the Liberal Democrat Group, a copy of which is filed with these minutes.

RESOLVED:

a) That the emerging outcomes of the recent study work, with particular reference to the key findings and recommendations outlined in paragraphs 31 to 45 of the report be noted;

b) That a consultation exercise to commence later in 2016 on the draft Market Harborough Transport strategy identified within the Transport Study be approved;

c) That a further report be submitted to the Cabinet in the new year detailing the outcome of the consultation and engagement exercise, and identifying how the refinement and implementation of the Transport Strategy will be progressed.

(KEY DECISION)

REASON FOR DECISION:

It is intended that the transport strategy will not only assist with the implementation of Harborough District Council’s new Local Plan, but it will also ensure that the County Council continues to deliver an efficient transport network and develop well planned infrastructure to support economic and population growth ambitions in the town.

Government funding for transport projects remains heavily focused on the delivery of economic growth. Government money for local schemes is generally now being awarded via Local Enterprise Partnerships (LEPs), which have to demonstrate how investments will support economic growth.

The strategy will provide a strong evidence base, bringing together existing known and future anticipated transport issues and the enhanced context and justification required to exploit future funding and delivery opportunities. The strategy will be used to inform future bid opportunities, such as the Single Local Growth Fund (SLGF), and will also provide a basis for securing developer contributions.

480. <u>LTP3 Hinckley Area Project Zone 4- Proposed Transport Improvements.</u>

The Cabinet considered a report of the Director of Environment and Transport seeking approval for a consultation exercise on proposals within the Local Transport Plan 3 Hinckley Area Project (Zone 4) covering Hinckley town Centre and the A47 Corridor around the town. A copy of the report, marked ‘Item 12’, is filed with these minutes.

The Cabinet noted comments which had been received from the Liberal Democrat Group, a copy of which is filed with these minutes.

With the agreement of the Leader, Mrs Richards CC addressed the Cabinet as the local member for Earl Shilton.

Mrs Richards CC informed the Cabinet of two highways issues which had been raised by members of her division. The first concerned the recent removal of three central reservations from a road in Earl Shilton which had made it more difficult to cross. The second was in regard to issues concerning the double yellow lines positioned outside shops at the top of Castle Street in Hinckley.

In response, The Director explained that whilst the issues concerning the central reservations in Earl Shilton did not feature within the Zone 4 proposals being considered by the Cabinet, he would arrange for an officer to meet with Mrs Richards CC to discuss the issue. With regards to the potential removal of double yellow lines, the Director reminded members that the process was often costly due to associated legal and advertising costs but applications would be considered on a case by case basis.

Mr Osborne CC welcomed the proposed Zone 4 works which would build upon and complement the improvements delivered by the Hinckley Area Project, significantly benefiting the economic growth of the town.

RESOLVED:

a) That the commencement of a consultation and engagement exercise on the proposals outline for phase 1 of the Hinckley Project Area Zone 4 as outlined in Paragraphs 31 – 39 of the report be approved;

b) That a further report on the outcome of the Government announcement regarding the next round of Local Growth Funding and the outcome of the consultation and engagement exercise be submitted to the Cabinet in the new year in order to determine how best to progress the Hinckley Area Project Zone 4 transport improvements.

(KEY DECISION)

REASON FOR DECISION:

To enable work to continue to develop proposals for Zone 4, including a key stakeholder and public consultation and engagement exercise.

481. <u>Infrastructure Plan.</u>

The Cabinet considered a report of the Chief Executive which sought approval for the County Council's Infrastructure Plan and subsequent management and review arrangements. A copy of the report, marked '14', is filed with these minutes.

RESOLVED:

a) That the County Council Infrastructure Plan be approved;

b) That the management and review arrangements for the Plan, including strengthening long-term infrastructure planning and associated funding requirement estimates, be overseen by the Enabling Growth Board;

c) That it be noted that the Plan will be reviewed to incorporate projected demographic, housing and employment growth and associated spatial options agreed through the development of the Strategic Growth Plan being prepared by the seven district councils, Leicester City Council and the County Council up until 2050.

REASON FOR DECISION:

The Plan sets out how the Council will establish a more strategic approach to planning infrastructure across service departments by prioritising capital investment to achieve Leicestershire's spatial and economic aspirations in the short (to 2021) and medium (to 2028/31) terms.

The Enabling Growth Board has overseen the development of the Plan to date, and recognises the need to strengthen and further develop long-term infrastructure planning including ensuring realistic funding estimates are available to help prioritise the Council's Capital Programme. The Enabling Growth Board will also work closely with the Council's Finance Team to explore innovative and commercial funding models to help meet future demands.

This is the County Council's first Infrastructure Plan which brings together information on future capital investment requirements as a result of demographic and economic growth. All nine local authorities are currently working collaboratively to develop a Strategic Growth Plan (SGP) which will provide agreed spatial options for housing and economic growth up to 2050 and it will be necessary to align the Infrastructure Plan to the SGP as a second phase of the Plan's development.

482. Items referred from Overview and Scrutiny.

There were no items referred from Overview and Scrutiny.

11.00am – 12.40pm CHAIRMAN
16 September 2016

This page is intentionally left blank