

CABINET - 9 MARCH 2018**ORDER PAPER****ITEM DETAILS****APOLOGIES FOR ABSENCE**

None.

1. MINUTES**Proposed motion**

That the minutes of the meeting held on 9 February 2018 be taken as read, confirmed, and signed.

2. URGENT ITEMS

None.

3. DECLARATIONS OF INTEREST

Members of the Cabinet are asked to declare any interests in the business to be discussed.

**4. RESPONSE TO FAIR FUNDING REVIEW TECHNICAL CONSULTATION ON
RELATIVE NEED (Pages 15 - 18) (Appendices pages 3 - 14)****Proposed motion**

That the draft response to the Fair Funding Technical Consultation on Relative Need as set out in the Appendix to the report be approved.

**5. DETERMINATION OF STATUTORY NOTICE FOR THE REMOVAL (CLOSURE)
OF RESIDENTIAL FACILITIES AT MAPLEWELL HALL SPECIAL SCHOOL
(Pages 19 - 34) (Appendices pages 15 - 76)**

- *A letter has been received from Mr. J. Brooks, Headteacher of Maplewell Hall Special School. A copy of this (redacted to remove names of individuals) and the response from the Director of Children and Family Services are attached to this Order Paper, marked '5a' and '5b' respectively.*
- *Comments have been received from Mr. S. D. Sheahan CC which are attached to this Order Paper, marked '5c'.*
- *With the permission of the Chairman, Mrs D. Taylor CC will speak on this item.*

Proposed motion

- (a) That the representations (objections) received to the Statutory Notice be noted;
- (b) That the findings and recommendations arising from the Internal Audit investigation of the funding arrangements for the residential facilities and the related afterschool activities that precede overnight stays for pupils be noted;
- (c) That the residential facilities at Maplewell Hall School be removed (closed) with effect from September 2018 in accordance with paragraph 8 of Schedule 2 to the Education and Inspections Act 2006;
- (d) That it be noted that the purpose of the Council's High Needs Block is not to fund residential provision or social care needs, but to support the education of children with special educational needs and that the Block is under increasing pressure;
- (e) That further support be given to those pupils currently attending the School who have made use of the residential facilities and their families in the period leading up to the closure;
- (f) That in response to the request to delay closure, Mrs Taylor be advised that determining to proceed with the proposal set out in the Statutory Notice does not prevent the School producing a business case to maintain the residential facilities, although it is re-confirmed that no pupils placed at the School have residential provision named in their Education Health and Care Plans.

6. LEICESTERSHIRE'S POLICY ON ADMISSIONS TO MAINSTREAM SCHOOLS: DETERMINATION OF ADMISSION ARRANGEMENTS (Pages 35 - 42)
(Appendices pages 77 - 108)

Proposed motion

- (a) That the Leicestershire School Admissions Policy for entry from September 2019 as set out in Appendix A to the report be approved;
- (b) That Leicestershire's oversubscription criteria and the three co-ordinated Admission Schemes as set out in Appendix B to the report be approved;
- (c) That the catchment mergers in Hinckley as detailed in Appendix C to the report be approved;
- (d) That it be noted that the statutory notices will now be launched following the significant enlargement consultation of three primary schools detailed in Appendix C.

7. LEICESTER AND LEICESTERSHIRE STRATEGIC GROWTH PLAN - CONSULTATION DRAFT (Pages 43 - 52) (Appendices pages 109 - 156)

Proposed motion

- (a) That the Consultation Draft Strategic Growth Plan be welcomed as a key, long-term strategy for the future development and prosperity of Leicester and Leicestershire;
- (b) That the detailed comments on the draft Strategic Growth Plan as set out in paragraphs 33 to 36 of the report be submitted to the Members Advisory Group for its consideration in finalising the Plan;
- (c) That the Director of Environment and Transport, following consultation with the Cabinet Lead Member, be authorised to agree a joint statement on the findings of the strategic transport assessment with Leicester City Council if it is decided that this is required.

8. A5 STRATEGY (Pages 53 - 60) (Appendices pages 157 - 228)

- *Comments have been received from Mr. D. C. Bill CC which are attached to this Order Paper, marked '8'.*

Proposed motion

- (a) That the Council continues to express its support in principle for the upgrade of the A5, but in the context of the Council's wider transport infrastructure priorities as set out in the Leicester and Leicestershire Rail Strategy and its Prospectus for Growth;
- (b) That the Council's response to the draft revised A5 Strategy be approved based on the key issues set out at paragraphs 20 to 21 of the report;
- (c) That the Director of Environment and Transport, following consultation with the Cabinet Lead Member and the County Council's representative on the A5 Partnership, be directed to enter into immediate discussions with the local highway authorities and other A5 Partnership members, with the aim of establishing a constitution for the Partnership;
- (d) That a further report be submitted to the Cabinet to present a final version of the revised A5 Strategy and a new Partnership constitution for approval when available;
- (e) That until such time as the Cabinet has approved a final version of the A5 Strategy and a new Partnership constitution, the Council advises the other A5 Partnership members that it is unable to endorse the draft revised Strategy or support the continued functioning of the Partnership in its current form.

9. CREATION OF A MAJOR ROAD NETWORK (Pages 61 - 70) (Appendices pages 229 - 234)

Proposed motion

- (a) That the Director of Environment and Transport, following consultation with the Cabinet Lead Member, be authorised to -
- (i) agree the County Council's response to the Department for Transport (DfT) consultation on the Major Road Network (MRN) based on the key comments set out in paragraphs 39 to 55 of the report and the proposed Leicestershire MRN (Appendix B to the report),
 - (ii) enter into any further negotiations with DfT and/or Midlands Connect as appropriate with regard to the proposed Leicestershire MRN and make any subsequent amendments;
- (b) That it be noted that the Secretary of State for Transport will make the final decision as to what routes will be included in the MRN, and that an announcement is expected in the summer of 2018.

10. MAINSTREAM AND SPECIAL EDUCATIONAL NEEDS HOME TO SCHOOL TRANSPORT POLICY (Pages 71 - 86) (Appendices pages 235 - 318)

- *The Environment and Transport Overview and Scrutiny Committee considered this report at its meeting on 1st March and a draft minute is attached to this Order Paper, marked '10a'.*
- *Comments have been received from Mr. S. J. Galton CC on behalf of the Liberal Democrat group, which are attached to this Order Paper, marked '10b'.*

Proposed motion

- (a) That the responses to the public consultation on proposed changes to the Special Educational Needs (SEN) and Mainstream Home to School Transport Policies be noted;
- (b) That the following changes to the above Policies be approved for implementation with effect from September 2019:
- (i) Nursery Transport

A reduction in the exemption, from a 100% discount to a 50% discount for low-income families with an annual contribution of £330 (50% of the current full charge rate) for affected children/families, with the charge being reviewed annually.
 - (ii) Post-16 SEN Transport

A reduction in the exemption, from a 100% discount to a 50% discount for low-income families with an annual contribution of £330 (50% of the current full charge rate) for affected children/families, with the charge being reviewed annually.

Provision of traditional transport (Council fleet minibuses or taxis) for all eligible children between 16 and 18 removed and replaced with a Personal Transport Budget (PTB) direct payment, noting that

- PTBs will be amended to take account of the low-income “discount” of 50% (i.e., a PTB amount offered will be £330 higher for students from low-income families), and
- Exceptions to the Policy will be considered on a case-by-case basis.

(iii) Mainstream Post-16 Transport -

Provision of traditional transport (mainly taxis and commercial bus passes) for students removed and the exemption for students from a qualifying low-income background removed, to be replaced with an annual travel grant of £150 for those from a low-income background or living in isolated rural areas.

11. DRAFT PASSENGER TRANSPORT POLICY AND STRATEGY AND REVIEW OF THE COMMUNITY BUS PARTNERSHIPS (Pages 87 - 102) (Appendices pages 319 - 358)

Proposed motion

- (a) That the draft Passenger Transport Policy and Strategy be approved for consultation;
- (b) That the outcome of the review of Community Bus Partnerships and the extension of CBP contracts to June 2019 be noted;
- (c) That a further report be submitted to the Cabinet in autumn 2018 presenting the outcome of the consultation and seeking approval for the final Passenger Transport Policy and Strategy.

12. MIDLANDS CONNECT - SUB-NATIONAL TRANSPORT BODY (Pages 103 - 114)

- *The Scrutiny Commission considered this report at its meeting on 7th March and a draft minute is attached to this Order Paper, marked ‘12’.*

Proposed motion

- (a) That Midlands Connect be advised that -
 - (i) the Council agrees in principle to the draft proposed functions of the proposed Sub-national Transport Body (STB), noting that precise detail will be subject to approval by all constituent members of Midlands Connect;

- (ii) the Council's preferred voting option is Option i, voting weighted on a population base of one vote for every 200,000 people;
- (b) That further clarity be sought from Midlands Connect about its Scrutiny Committee proposal;
- (c) That the Director of Environment and Transport be authorised to respond to the Midlands Connect consultation on its draft STB proposal, taking (a) and (b) above into account;
- (d) That a further report be submitted to the Cabinet to ratify the finalised STB proposal, prior to submission to the Department for Transport.

13. DEVELOPMENT OF AN INTEGRATED LIFESTYLE SERVICE FOR LEICESTERSHIRE (Pages 115 - 120) (Pages 359 - 374)

Proposed motion

- (a) That the draft service model for the delivery of integrated lifestyle services as set out in paragraphs 18 to 21 of the report be agreed for consultation;
- (b) That a further report be submitted to the Cabinet in autumn 2018 regarding the outcome of the consultation and presenting the final service model for approval.

14. DRAFT LEICESTER, LEICESTERSHIRE AND RUTLAND LIVING WELL WITH DEMENTIA STRATEGY 2018-2022 (Pages 121 - 128) (Appendices pages 375 - 408)

- *The Adults and Communities Overview and Scrutiny Committee considered this report at its meeting on 6th March and a draft minute is attached to this Order Paper, marked '14'.*

Proposed motion

- (a) That the draft Leicester, Leicestershire and Rutland Living Well with Dementia Strategy 2019–2022, attached as Appendix A to the report, be approved for consultation;
- (b) That a further report be submitted to the Cabinet in autumn 2018 regarding the outcome of the consultation and presenting the final Leicester, Leicestershire and Rutland Living Well with Dementia Strategy 2019-2022 for approval.

15. DRAFT LEICESTERSHIRE ADULT LEARNING SERVICES STRATEGY 2018-22 (Pages 129 - 138) (Appendices pages 409 - 422)

- *The Adults and Communities Overview and Scrutiny Committee considered this report at its meeting on 6th March and supported the Strategy.*

Proposed motion

- (a) That the draft Leicestershire Adult Learning Services (LALS) Strategy 2018-22 as attached to the report be approved for consultation;
- (b) That a further report be submitted to the Cabinet on 6 July 2018 regarding the outcome of the consultation, and submitting the final LALS Strategy 2018-22 for approval.

16. FUTURE STRATEGY FOR THE DELIVERY OF LIBRARY SERVICES - BRAUNSTONE TOWN LIBRARY (Pages 139 - 146)

- *The Adults and Communities Overview and Scrutiny Committee considered this report at its meeting on 6th March and a draft minute is attached to this Order Paper, marked '16'.*

Proposed motion

- (a) That the outcome of the further engagement activity and the comments of the Adults and Communities Overview and Scrutiny Committee be noted;
- (b) That the proposal from Braunstone Town Council to manage Braunstone Town Library be accepted and that the Option 2 proposal outlined in paragraph 30 of the report be adopted, whereby the Town Council will manage the Library using existing resources;
- (c) That the Director of Adults and Communities in conjunction with the Director of Corporate Resources be authorised to progress formal agreements to enable Braunstone Town Council to manage the Library.

17. DELEGATION AGREEMENT WITH RUTLAND COUNCIL TO UNDERTAKE CERTAIN FUNCTIONS UNDER THE CARE ACT AND MENTAL HEALTH ACT (Pages 147 - 150)

Proposed motion

- (a) That the delegation from Rutland Council to undertake its statutory functions under Part 1 of the Care Act 2014 and Section 13 of the Mental Health Act 1983, as detailed in paragraph 15 of the report be accepted, in accordance with the provisions of Section 9EA of the Local Government Act 1972, the Local Authorities (arrangements for the Discharge of Functions) (England) Regulations 2012 and all other enabling powers;
- (b) That the County Council enters into an Agreement with Rutland Council under Section 9EA of the Local Government Act 1972, such Agreement to be reviewed and renewed as and when necessary for the duration of the delegation in (a) above;
- (c) That the Director of Adults and Communities be authorised to negotiate and agree the detailed terms of the Agreement at (b) above for an initial period of three years and to thereafter negotiate and agree the terms of future Agreements as are necessary for the duration of the delegation.

18. ITEMS REFERRED FROM OVERVIEW AND SCRUTINY

No items have been referred from the Overview and Scrutiny Committees.

19. ANY OTHER ITEMS WHICH THE CHAIRMAN HAS DECIDED TO TAKE AS URGENT

None.

20. EXCLUSION OF THE PRESS AND PUBLIC

Proposed motion

That under Section 100A of the Local Government Act 1972, the public be excluded for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 3 and 10 of Part 1 of Schedule 12A of the Act and that, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

21. EAST OF LUTTERWORTH STRATEGIC DEVELOPMENT AREA

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