



Minutes of a meeting of the Cabinet held at County Hall, Glenfield on Friday, 9 March 2018.

PRESENT

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

Mr. R. Blunt CC
Mr. I. D. Ould CC
Mr. B. L. Pain CC
Mrs. P. Posnett CC

Mr. J. B. Rhodes CC
Mrs H. L. Richardson CC
Mr. R. J. Shepherd CC

Also in attendance.

Mr. T. Pendleton CC, Mrs C. Radford CC, Dr. T. Eynon CC, Mr. D. Jennings CC, Mr. S. J. Galton CC, Mr. D. Slater CC.

103. Minutes of the previous meeting.

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

104. Urgent items.

There were no urgent items for consideration.

105. Declarations of interest.

The Chairman invited members who wished to do so to declare any interests in respect of items on the agenda for the meeting.

Mr. B. L. Pain CC declared a personal interest in item 11 on the agenda, "Draft Passenger Transport Policy and Strategy and Review of Community Bus Partnerships" as relatives owned a local taxi company.

106. Response to Fair Funding Review Technical Consultation on Relative Need.

The Cabinet considered a report of the Director of Corporate Resources regarding the Council's response to the Government's Fair Funding Technical Consultation on Relative Need. A copy of the report, marked '4', is filed with these minutes.

Mr. Rhodes said that the Government's proposals were encouraging and indicated that it had listened to criticisms of the existing local government funding system.

RESOLVED:

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

REASONS FOR DECISION:

To respond to a Government technical consultation seeking views on what factors drive local government spending and how these can be reflected in the new “fair funding” system from 2020.

107. Determination of Statutory Notice for the Removal (Closure) of Residential Facilities at Maplewell Hall Special School.

The Cabinet considered a report of the Director of Children and Family Services concerning the responses received to the publication of the Statutory Notice relating to the removal (closure) of the residential facilities at the Maplewell Hall Special School, and recommending the removal of those facilities with effect from September 2018. A copy of the report, marked ‘5’, is filed with these minutes.

The Cabinet noted a letter from Mr. J. Brooks, Head teacher of Maplewell School, a response to this from the Director of Children and Family Services, and comments from Mr. S. D. Sheahan CC, copies of which are filed with these minutes.

With the agreement of the Chairman, Mrs D. Taylor CC spoke on the proposals. Mrs Taylor said that the afterschool activities and residential provision were closely intertwined. She suggested that the School might seek to continue the residential provision via other funding streams and asked the Cabinet to consider extending financial support until the spring of 2019 to enable this to be explored.

The Director of Children and Family Services presented the report and highlighted the rationale for the proposals. In response to the Chairman, he explained to the meeting that Mr. Brooks’ letter had been redacted to remove references to a council officer, for the reasons stated in his reply to Mr. Brooks. The Director added that despite many efforts to speak with the School, no formal response to the consultation had been received from its Head teacher or Governors (Mr. Brooks’ letter having been sent after the consultation had closed), nor had they put forward any cogent proposals as to how the residential facilities might continue with other funding. If the School submitted a formal proposal in the future it would be considered.

Mr. Ould said that residential support should be provided only where identified in a child’s Education and Health Care Plan, and noted that parents were welcome to request a reassessment if they considered that their child did require additional support.

Mr. Rhodes said that it was not appropriate for High Needs Block (HNB) budget, which was under considerable pressure and already overspent, to be used for residential facilities at the School.

RESOLVED:

- (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.

(KEY DECISION)

REASONS FOR DECISION:

Although there have been some objections to the Statutory Notice proposals, the overriding majority of the reasons put forward to keep the residential facilities open do not relate directly to an educational need. There are no pupils at Maplewell Hall who have been assessed as needing educational residential provision as stated in their Education Health and Care Plans.

The Internal Audit report indicates that a significant proportion of funding provided to the School for the residential facilities has not been used for that purpose.

There is significant pressure on the Council's HNB budget which funds the residential provision. This budget is solely for the purpose of providing education for pupils with special educational needs (SEN). It should not be used to fund children's social care needs, including respite care or short breaks.

The closure of the residential facilities in September 2018 will allow for appropriate support to be put in place (where assessed to be required) for families and pupils affected by the change.

Removal of the residential funding will not affect afterschool activities as these are operated separately by the School, supported by parental contributions.

108. 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 regarding the Leicestershire School Admissions Policy for entry from autumn 2019 and the associated oversubscription criteria and three co-ordinated schemes for the normal round of transfers, the proposed merger of catchment areas in Hinckley, and enlargement of three primary schools. A copy of the report, marked '6', is filed with these minutes.

RESOLVED:

- (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.

REASONS FOR DECISION:

The Council is required to determine the admission arrangements for schools in Leicestershire by 28 February 2018.

The variation to the School Admissions Policy will ensure compliance with the National School Admissions Code.

The mergers of catchments in the Hinckley area will better align schools to the communities they serve and help improve choice for parents. The primary school expansions will address a forecast shortfall in school places.

109. Leicester and Leicestershire Strategic Growth Plan - Consultation Draft.

The Cabinet considered a report of the Chief Executive regarding the Council's response to the Consultation Draft Strategic Growth Plan (SGP). A copy of the report, marked '7', is filed with these minutes.

Mr. Rushton said that it was important that housing developments were located appropriately and sufficient infrastructure provided. The Member Advisory Group, comprising representatives from the County, City, and District Councils, had done excellent work to prepare the draft SGP.

RESOLVED:

- (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.

(KEY DECISION)

REASONS FOR DECISION:

To express the Cabinet's support for the content of the Consultation Draft Strategic Growth Plan and to suggest detailed improvements.

The County and Leicester City highway authorities may prepare a joint statement on the findings of the strategic transport assessment, which would sit alongside it as part of the suite of SGP supporting documents.

110. A5 Strategy.

The Cabinet considered a report of the Director of Environment and Transport concerning the Council's response to the A5 Partnership's draft revised Strategy "The A5: A Strategy for Growth 2018-2031" and recommendations for the future operation of the Partnership. A copy of the report, marked '8', is filed with these minutes.

The Cabinet noted comments from Mr. D. C. Bill CC, a copy of which is filed with these minutes.

Mr. Pain said that the A5 Partnership had had an important role but needed to be more open and transparent and that, whilst he continued to support improvements to the A5, the A5 Strategy should be seen in the context of other priorities.

Mr. Ould, the Council's current representative on the A5 Partnership, added his support for the recommendations.

RESOLVED:

- (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.

REASONS FOR DECISION:

In 2012 the Cabinet approved the A5 Strategy. Since then there have been significant changes to the way in which both national and local policies, priorities and funding are developed and managed. This has resulted in the Council having a wider set of priorities, as set out in the Prospectus for Growth. It is therefore proposed that the draft A5 Strategy is amended, to reflect financial constraints, growth aspirations and wider priorities.

In October 2014, the Government published 'Local Government Transparency Code 2014'. Adoption of a formal and transparent constitution by the Partnership would help ensure it acts in accordance with this Code.

111. Creation of a Major Road Network.

The Cabinet considered a report of the Director of Environment and Transport concerning the Council's response to Department for Transport (DfT) consultation on the creation of a Major Road Network (MRN) which would benefit from the new National Roads Fund. A copy of the report, marked '9', is filed with these minutes.

RESOLVED:

- (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 DfT consultation on the 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.

REASONS FOR DECISION:

To enable the County Council to respond to the Government consultation on proposals to create a new MRN.

The MRN would enable local strategic routes to benefit from additional investment. The submission of a formal response will enable the County Council to influence its development at this early stage and ensure that key strategic routes in Leicestershire, including those identified in the Council's Prospectus for Growth, are considered by the Secretary of State.

112. Mainstream and Special Educational Needs Home to School Transport Policy.

The Cabinet considered a report of the Director of Environment and Transport regarding revisions to the Special Educational Needs (SEN) Transport Policy and Mainstream Home to School Transport Policy following consultation. The proposals related to discretionary transport provision for children with SEN or disabilities under the age of 5, young people with SEN aged 16 to 18, and other young people aged 16+. A copy of the report, marked '10', is filed with these minutes.

The Cabinet noted comments of the Environment and Transport Overview and Scrutiny Committee and from Mr. S. J. Galton CC, copies of which are filed with these minutes.

The Director, in introducing the report, explained that the Chairmen and Spokesmen of the Children and Families and the Adults and Communities Overview and Scrutiny Committees had also been involved in the consultation.

Mr. Pain thanked the Overview and Scrutiny Committee and the Leicestershire Equalities Group in particular for their input. He said that the changes would enable limited funding to be directed at those most in need, and the inclusion of an exceptions policy should address concerns about Personal Transport Budgets. Mr. Pain added that not all councils funded discretionary (non-statutory) transport and he was pleased that Leicestershire could continue to do this.

Mr. Ould said that he was very much aware of the issues, particularly for children with SEN, and hoped that the amendments to the original proposals resulting from the consultation and the exceptions policy would give some reassurance to those affected by the changes.

Comments were also made regarding the need to address the shortfall in the Medium Term Financial Strategy (MTFS) which was necessitating some difficult decisions.

RESOLVED:

- (a) That the responses to the public consultation on proposed changes to the 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.

(KEY DECISION)

REASONS FOR DECISION:

To enable savings to be made to help address the shortfall in the MTFS 2018/19 to 2021/22. The Council does not have a statutory duty to provide home to school/college transport free of charge to students aged 16-18 (SEN and Mainstream), nor to provide home to nursery transport for children under 5 years with SEN. With transport costs for all home to school transport continuing to rise, the Council needs to reduce the cost of non-statutory education transport provision.

An annual review of the charges for Nursery and Post-16 Transport will help ensure that they are adjusted to reflect transport costs.

An exception clause for Post-16 SEN Transport will enable individual circumstances to be accommodated where a PTB would not be appropriate or feasible and traditional transport arrangements need to be maintained.

The £150 travel grant will assist those mainstream Post-16 students from low-income backgrounds or living in isolated rural areas with their transport costs.

Implementing the changes with effect from September 2019 will give students and their families plenty of notice so that alternative arrangements can be made where necessary. This also removes the need for any transitional provision to be put in place.

113. Draft Passenger Transport Policy and Strategy and Review of the Community Bus Partnerships.

The Cabinet considered a report of the Director of Environment and Transport concerning the need to develop a Passenger Transport Policy and Strategy (PTPS) to replace the 'Revised Policy on the Supported Bus Network' and seeking approval to undertake engagement and consultation exercise on the draft Policy and Strategy. A copy of the report, marked '11', is filed with these minutes.

Mr. Pain said that the Council needed to ensure that its support for passenger transport was based on robust and equitable criteria.

RESOLVED:

- (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 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.

(KEY DECISION)

REASONS FOR DECISION:

A new PTPS will ensure that the Authority meets its statutory duties and delivers value-for-money passenger transport services.

Updating the Council's approach to managing and maintaining passenger transport services will deliver a service that supports the 2018/19 to 2021/22 Medium Term Financial Strategy.

Initial engagement and consultation with stakeholders is an important part of the process for developing new policies. This also helps to ensure that the Authority's policies take account of customer expectations and delivers the most appropriate service levels, consistent with the budget available. The extension to Community Bus Partnership contracts will enable all the CBPs to be fully assessed against the PTPS.

114. Midlands Connect - Sub-national Transport Body.

The Cabinet considered a report of the Director of Environment and Transport concerning a response to proposals from Midlands Connect to become a Sub-national Transport Body (STB), with particular reference to proposed STB voting options and functions. A copy of the report, marked '12', is filed with these minutes.

The Cabinet noted comments of the Scrutiny Commission, a copy of which is filed with these minutes.

Mr. Rushton, the County Council's representative on the Midlands Connect Strategic Board, commended the proposals.

RESOLVED:

- (a) That Midlands Connect be advised that -
 - (i) the Council agrees in principle to the draft proposed functions of the proposed 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.

REASONS FOR DECISION:

To ensure that Midlands Connect is aware of the County Council's views before it finalises its proposals to the Department for Transport to become an STB. In terms of voting, Option i provides fairer representation for constituent members. In principle, the proposed functions of the STB are reasonable and sensible and will add weight/benefit to Midlands Connect's engagement with Government to secure transport investment to enable the Midlands Engine's future growth.

115. Development of an Integrated Lifestyle Service for Leicestershire.

The Cabinet considered a report of the Director of Public Health regarding a new model for integrated lifestyle services for Leicestershire. A copy of the report, marked '13', is filed with these minutes.

Mrs Posnett said that the proposed model would result in improved services which would be more compatible with people's lives.

RESOLVED:

- (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.

REASONS FOR DECISION:

The County Council has a statutory duty to take appropriate steps to improve the health of people living in Leicestershire. This includes the provision of health improvement information, advice and services aimed at preventing illness.

Multiple unhealthy behaviours that contribute to ill health such as poor diet, smoking etc. often cluster in the same populations. An integrated approach will enable services currently offered separately to be more targeted and therefore more effective in addressing unhealthy behaviours. This approach may also generate cost efficiencies by avoiding duplication and through the use of alternative delivery models (e.g. text messaging and online support) which have been shown to be successful through First Contact Plus and the Quit Ready programmes.

116. Draft Leicester, Leicestershire and Rutland Living Well With Dementia Strategy 2018-2022.

The Cabinet considered a report of the Director of Adults and Communities regarding proposed consultation on the draft Leicester, Leicestershire and Rutland Living Well with Dementia Strategy 2019–2022. A copy of the report, marked '14', is filed with these minutes.

The Cabinet noted comments of the Adults and Communities Overview and Scrutiny Committee, a copy of which is filed with these minutes.

RESOLVED:

- (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.

REASONS FOR DECISION:

To undertake a formal joint consultation alongside Leicester City Council, Rutland Council, Leicester City CCG, West Leicestershire CCG and East Leicestershire and Rutland CCG on the priorities and actions identified for supporting people with dementia, their carers and families.

Following significant stakeholder engagement, the draft Strategy has been developed alongside partner agencies. Amendments may be required to the draft Strategy after formal consultation responses are received.

117. Draft Leicestershire Adult Learning Services Strategy 2018-22.

The Cabinet considered a report of the Director of Adults and Communities regarding proposed consultation on the draft Leicestershire Adult Learning Services (LALS) Strategy 2018-22. A copy of the report, marked '15', is filed with these minutes.

The Director reported that the Adults and Communities Overview and Scrutiny Committee had supported the proposals.

RESOLVED:

- (a) That the draft 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 Strategy for approval.

REASONS FOR DECISION:

A LALS Strategy will provide a basis for planning, commissioning and delivering adult learning services for the next four years and will be the first published Strategy for this service.

The views of learners and stakeholders are useful to inform the Strategy so that it is positioned to contribute to a range of strategic objectives, in particular, the County Council's Strategic Plan 2018-22 - "Working together for the benefit of everyone".

118. Future Strategy for the Delivery of Library Services - Braunstone Town Library.

The Cabinet considered a report of the Director of Adults and Communities regarding further engagement activity that had taken place in relation to the transfer of Braunstone Town Library to community management and recommending its transfer to Braunstone Town Council. A copy of the report, marked '16', is filed with these minutes.

The Cabinet noted comments of the Adults and Communities Overview and Scrutiny Committee, a copy of which is filed with these minutes.

Mr. Blunt commented that the proposals represented a pragmatic and sensible way forward.

RESOLVED:

- (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.

REASONS FOR DECISION:

The Braunstone Town Community Library group has reluctantly decided not to proceed with the transfer of the Library, given the timescale and difficulties experienced in recruiting volunteers.

The plan previously submitted by Braunstone Town Council presents the most cost-effective way forward given the obligations of the long-term lease arrangement for the site from which the Library operates, and recent engagement activity with the Town Council supports this. It will enable the public library service in Braunstone Town to continue.

OTHER OPTIONS CONSIDERED:

Option 1 - Braunstone Town Council to manage the library in partnership with the County Council and Blaby District Council offering enhanced services from the venue.

Option 3 - Alternative local authority provision from the venue.

Option 4 - Library closure and replacement with a mobile library service.

119. Delegation Agreement with Rutland Council to Undertake Certain Functions Under the Care Act and Mental Health Act.

The Cabinet considered a report of the Director of Adults and Communities regarding a delegation from Rutland Council to enable the County Council to undertake certain statutory functions on its behalf in relation to services for people with mental health needs. A copy of the report, marked '17', is filed with these minutes.

RESOLVED:

- (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.

REASONS FOR DECISION:

The delegation by Rutland Council of its statutory functions under the Care Act and Mental Health Act will enable the County Council to provide these services across both areas in a more efficient and effective manner.

120. Items referred from Overview and Scrutiny.

There were no items referred from Overview and Scrutiny.

121. Exclusion of the press and public.

RESOLVED:

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

East of Lutterworth Strategic Development Area.

122. East of Lutterworth Strategic Development Area.

The Cabinet considered an exempt report of the Director of Corporate Resources regarding progress with the East of Lutterworth Strategic Development Area (SDA), its inclusion in the emerging Harborough Local Plan, the land assembly required for its delivery, and seeking approval for a number of actions including further land purchases and the allocation of resources for the submission of a planning application. The report was not for publication by virtue of paragraphs 3 and 10 of Schedule 12(A) of the Local Government Act 1972. A copy of the report, marked '21' is filed with these minutes.

The Cabinet noted comments of the Scrutiny Commission, a copy of which is filed with these minutes.

RESOLVED:

- (a) That progress with the East of Lutterworth SDA including the Council's acquisition of land from Hallam Land Management Ltd. and the inclusion of the SDA within the emerging Harborough Local Plan 2011-2031 be noted;
- (b) That the continued promotion of the SDA in the Harborough Local Plan and development of the SDA be agreed, noting the financial and resource implications as set out in paragraphs 15 to 21 of the report;
- (c) That all necessary preparatory work be undertaken to enable the submission of a planning application;
- (d) That the Director of Corporate Resources, following consultation with the Cabinet Lead Member for Resources, be authorised to:
 - (i) acquire land within the SDA as he considers necessary to secure its inclusion within the Harborough Local Plan and the deliverability of the project, subject to

- satisfactory terms first being approved by the Director of Finance and the Director of Law and Governance, and
 - the total capital costs not exceeding £27 million;
- (ii) enter into a Compulsory Purchase Order Indemnity Agreement with Harborough District Council with regard to the District Council's possible acquisition of the land required to enable the northern access to the SDA site and construction of the motorway bridge;
- (iii) purchase the land referred to at (d) (ii) above from Harborough District Council should it not prove possible to acquire it privately from the landowners;
- (iv) take all action and/or decisions necessary to ensure the future development of the SDA site, including submitting all planning applications, entering into development contracts, and securing appropriate specialist advice on the basis set out in the report.

(KEY DECISION)

REASONS FOR DECISION:

The acquisition of additional land from Hallam Land Management has helped secure the County Council's interest in the SDA and the purchase of further land will help ensure inclusion of the SDA within the Local Plan and the deliverability of the project.

The continued promotion of the site and preparation of a planning application will require significant expenditure. It is intended to commence the latter in advance of adoption of the Local Plan in view of the amount of work required, which presents an element of risk.

The County Council is seeking to purchase land for northern access to the SDA site and construction of a motorway bridge. Should this not prove possible Harborough District Council would acquire the land via Compulsory Purchase Order(s) to sell on to the County Council. The Indemnity Agreement would ensure this presents no financial risk to the District Council.

Authorising the Director of Corporate Resources to take all actions and decisions to progress matters on basis set out in the report within the parameters of the agreed finance and resources will enable the scheme to be developed efficiently and at the earliest opportunity.