

MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL**WEDNESDAY, 26 SEPTEMBER 2018 AT 2.00 PM****DRAFT ORDER PAPER****AGENDA ITEM NO. 1 – CHAIRMAN'S ANNOUNCEMENTS**

The Chairman will make his announcements.

AGENDA ITEM NO. 1A – TO RECEIVE THE REPORT OF THE RETURNING OFFICER

The Chief Executive will present the report of the Returning Officer on the election of MR TOM BARKLEY to the County Council at the election held on 28th June 2018. Copies of the report were circulated with the revised agenda.

AGENDA ITEM NO. 2 – MINUTES

MR O'SHEA will move and MR JENNINGS will second:-

“That the minutes of the meeting of the Council held on 27th June 2018, copies of which have been circulated to members, be taken as read, confirmed and signed.”

AGENDA ITEM NO. 3 – DECLARATIONS OF INTEREST

The Chairman will invite members who wish to do so to make declarations of interest in respect of items on the agenda for this meeting.

AGENDA ITEM NO. 4
QUESTIONS ASKED UNDER STANDING ORDER 7(1) (2) &(5)**(A) Question by MR KAUFMAN**

- a) What contingency arrangements have been made by the County Council in the event of there being no deal over Brexit?
- b) What arrangements have been made to inform members of any such arrangements?
- c) What contingency arrangements have been made with our partner agencies to mitigate the effect of the country leaving the European Union without an agreement?
- d) What arrangements have been made to inform the residents of Leicestershire?
- e) Would the Leader make a statement on the expected impact of Brexit to the next full Council meeting in December?”

Reply by MR RUSHTON

“In response to a) to e) above:

The Chief Officers are carefully considering the risks arising from Brexit and are closely monitoring the situation as it evolves. Senior Officers are collecting information on their key services in order that, in the event of a no-deal scenario, appropriate actions can be taken. This includes collaboration with Partner agencies and other organisations such as East Midlands Airport. Elected Members and members of the public will be informed if any changes to service delivery or service performance are anticipated.

I will make a statement to Full Council at the most appropriate time following the conclusion of the national negotiations.”

(B) Question by MR HUNT

“English councils have spent almost £4 billion on redundancies for more than 220,000 staff in the past eight years, according to recent research by the Local Government Chronicle.

Could the Leader tell me:

- i) how much Leicestershire County Council has spent annually since 2010/11 on redundancies for staff directly employed by the Council?
- ii) the annual reduction in FTE staff from each council in the county from 2010/11 according to figures published by the Leicestershire County Council Pension Fund?”

Reply by MR RHODES

- “i) The County Council has spent £34 million in the eight years since 2010/11. This is broken down as follows:

10/11 - £7.6m
11/12 - £9.4m
12/13 - £3.7m
13/14 - £2.0m
14/15 - £2.9m
15/16 - £3.9m
16/17 - £2.5m
17/18 - £1.7m

- ii) The pension fund does not publish this information. To obtain this information the other council’s in the county would need to be contacted individually.”

(C) Question by MR MIAH

- “a) How many members of the Council have produced and published annual reports for the previous council year?
- b) Which members, if any, have annual reports outstanding?
- c) Who is responsible for ensuring that members produce annual reports and what is being done to get them to publish a report?”

Reply by MR RUSHTON

- “a) In accordance with the Independent Remuneration Panel’s (IRP) 2017 report and recommendations forty four out of fifty three members produced an annual report for the municipal year 2017/18.
- b) The following Members have not submitted an annual report:-
- (i) Mr. Bill CC
 - (ii) Mr. Bray CC
 - (iii) Mrs. Broadley CC
 - (iv) Mr Galton CC
 - (v) Dr Hill CC
 - (vi) Mr. Mullaney
 - (vii) Mr. Welsh
 - (viii) Mr. Wyatt
- c) The IRP as part of its recommendations made it the responsibility of Group Leaders and Group Whips to ensure that Members of their Groups complete and submit an annual report. They were provided with a weekly update as to which Members of their Group had submitted an annual report to help them comply with this recommendation.

The IRP in all its reports has always had a strong view that Members should demonstrate their accountability to the people of Leicestershire via the submission of an Annual Report. The IRP in its September 2017 report advised the Council that it would meet in the autumn of 2018 to review annual reports. That meeting has been arranged for Friday 12th October following which a report will be submitted to the Constitution Committee.”

TO DISPOSE OF BUSINESS FROM THE LAST MEETING**AGENDA ITEM NO. 5**
REPORT OF THE CONSTITUTION COMMITTEE
(Pages 17 – 20)

Principal Speakers:-
Chairman (Mr N J Rushton)
Liberal Democrat Spokesman (Mr S J Galton)
Labour Spokesperson (Dr T Eynon)

(A) Review of Standing Orders (Meeting Procedure Rules)

MR RUSHTON will move and MR SHEPHERD will second:-

“That the changes to Standing Order 1 (the Meeting Procedure Rules), as set out in Appendix A to the report of the Constitution Committee, be approved.”

**AGENDA ITEM NO. 6 – TO RECEIVE POSITION STATEMENTS
FROM MEMBERS OF THE CABINET**

(Note: Standing Order 8 provides as follows:-

- (a) A position statement may give rise to an informal discussion by the Council.
- (b) At the conclusion of the discussion a formal motion may be moved to the effect that a particular issue relevant to the statement be referred to the Cabinet, the Commission, a Board or a Committee for consideration. This shall be moved and seconded formally and put without discussion. No other motion or amendment may be moved.
- (c) The discussion of any position statement shall not exceed 20 minutes but the Chairman may permit an extension to this period.)

LEADER

- (i) The Leader will make his statement.
- (ii) An informal discussion may then take place.

DEPUTY LEADER

- (i) The Deputy Leader will make his statement.
- (ii) An informal discussion may then take place.

LEAD MEMBER FOR ENVIRONMENT AND TRANSPORT

- (i) The Lead Member will make his statement.
- (ii) An informal discussion may then take place.

LEAD MEMBER FOR HEALTH

- (i) The Lead Member will make her statement.
- (ii) An informal discussion may then take place.

**TO CONSIDER REPORTS OF THE
CABINET, SCRUTINY COMMISSION, SCRUTINY COMMITTEES,
AND OTHER BODIES**

**AGENDA ITEM NO. 7
REPORT OF THE CORPORATE GOVERNANCE COMMITTEE**

(Pages 21 to 26)

Principal Speakers:-
Chairman (Mr P Bedford)
Liberal Democrat Spokesman (Mr B Boulter)
Labour Spokesperson (Mr S Sheahan)

(A) Outcome of the Investigation by the Member Conduct Panel

MR BEDFORD will move and MR JENNINGS will second:

- “(a) That the unanimous decision of the Member Conduct Panel that Mr M H Charlesworth CC had breached the Council’s Members’ Code of Conduct in that his comments made at the County Council meeting held on 27th September 2017 which questioned the independence of three members of the Independent Remuneration Panel (IRP) were ‘unwarranted, unjustified and personalised’, did not treat members of the IRP with respect, and thereby brought the Authority into disrepute, be noted;
- (b) That the response received by the Monitoring Officer from Mr Charlesworth to the findings of the Member Conduct Panel and his decision to refuse to apologise to the members of the IRP as ordered by the Panel be noted with disappointment and regret;
- (c) That in view of the fact that Mr Charlesworth’s conduct had brought the Authority into disrepute and his failure to accept the finding of the Member Conduct Panel and apologise the full Council be asked to agree an apology to the members of the IRP).”

**AGENDA ITEM NO. 8 - APPOINTMENTS IN ACCORDANCE WITH ITEMS 11 AND
12 OF STANDING ORDER 4**

(Pages 27 – 28)

(A) Parent Governor Representatives to serve of Local Authority Committees dealing with Education

MR SHEPHERD will move and MRS BROADLEY will second:-

“That Mr David Ryan be appointed as a co-opted member of the Children and Families Overview and Scrutiny Committee (or other appropriate scrutiny committee dealing with Education) for the period ending May 2021.”

AGENDA ITEM NO. 9 - NOTICE OF MOTION**(A) A New Unitary Structure for Local Government in Leicestershire – Mr S J Galton**

MR GALTON will move and MR MULLANEY will second:-

- “(a) That this Council:-
- (i) Notes with regret that the Leader’s proposal to create a single Unitary Council for the whole of Leicestershire was announced by email and press release 2 days after the last Council Meeting on 27th June;
 - (ii) Expresses concern that the proposals are being drawn up by the Administration at County Hall without the involvement of all councils affected and not on a cross party basis;
 - (iii) Believes it is essential that any reorganisation ensures Local Government remains local and does not create a democratic deficit;
 - (iv) Believes that the preferred option being advocated by the Leader and the Cabinet fails to address the fundamental and historic underfunding of public services in Leicestershire;
 - (v) Notes that one of the stated drivers for change is the need to create a Strategic Alliance for the East Midlands although it is not clear what level of support this has outside Leicestershire and what benefits would result;
 - (vi) Notes that the 2014 Ernst and Young report commissioned by the County Council suggesting that savings of £31m could be achieved contained inaccuracies and that reorganisations elsewhere have failed to deliver the level of savings indicated in consultants’ reports;
- (b) This Council therefore requests the Cabinet to reconsider the current process and commence a more open and inclusive process with representatives from all affected tiers to consider how Local Government can be improved in Leicestershire.”

An amendment will be moved by MR RUSHTON and seconded by MR RHODES:-

- a) That this Council:
- i) Notes that plans for a unitary structure of government in principle for Leicestershire were drawn up after a positive endorsement by the Conservative Group at its meeting on 26th June 2018 and were communicated promptly and appropriately to stakeholders in the usual way;

- ii) has started a much needed and long overdue debate on the future provision of local government services in the county, which leaders of the seven district councils have recognised is in need of reform;
 - iii) recognises that continuing austerity and cost pressures for services are placing councils of all types in an impossible financial position, requiring Councils such as Leicestershire to consider a unitary structure;
 - iv) that plans for an East Midlands Strategic Alliance to counterbalance the West Midlands Combined Authority requires further work and agreement amongst regional leaders and stakeholders before a business case is submitted to the Secretary of State;
 - v) that the information to be provided in the Cabinet report will allow Members to undertake detailed scrutiny of the level of savings including savings that have been achieved by other Councils who have already undertaken local government reorganisation;
 - vi) recognises that Leicestershire County Council must be allowed to pursue its right to self-determination of policy via the democratic process and that this Council respects the rights of other local authorities to do the same.
- b) That this Council notes:-
- i) That in line with the decision of the Cabinet on 6th July 2018 proposals for a new unitary structure for local government in Leicestershire will be published in a report to the Cabinet on Friday 5th October;
 - ii) That the proposals will provide a basis and framework for Scrutiny Bodies, members and stakeholders to consider and make representations on the future shape of local government in Leicestershire;
- c) That recognising the need for member involvement a cross party group be established to consider the proposals and advise the Cabinet on the next steps including a timescale for consultation;
- d) That the Chief Executive be asked to include proposed terms of reference for the cross party working group in the report to the Cabinet on 16th October, 2018.

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