



**CABINET – 16 OCTOBER 2018**

**PUBLIC ORDER PAPER**

**ITEM    DETAILS**

**APOLOGIES FOR ABSENCE**

None.

**1.    MINUTES** (Pages 5 - 12)

Proposed motion

That the minutes of the meeting held on 14 September 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.    THE DEVELOPMENT OF A UNITARY STRUCTURE FOR LOCAL GOVERNMENT IN LEICESTERSHIRE.** (pages 13 – 102)

Proposed motion

- (a)    That the outline proposals for the development of a unitary structure for local government in Leicestershire be approved for stakeholder engagement;
- (b)    That the proposed terms of reference for the working party established by the County Council on 26 September be approved;
- (c)    That the present position in respect of a Strategic Alliance for the East Midlands be noted.

**5.    LEICESTER, LEICESTERSHIRE AND RUTLAND LIVING WELL WITH DEMENTIA STRATEGY 2019-2022.** (pages 103 – 110) (Appendices pages 3 - 44)

Proposed motion

- (a)    That the outcome of the consultation on the draft Leicester, Leicestershire and Rutland Living Well with Dementia Strategy 2019-2022, be noted;
- (b)    That the Leicester, Leicestershire and Rutland Living Well with Dementia Strategy 2019-2022 and associated delivery plan, be approved.

**6. REVIEW OF LONG TERM RESIDENTIAL AND NURSING CARE FEES.**  
(pages 111 – 116) (Appendices pages 45 - 46)

Proposed motion

- (a) That the Director of Adults and Communities be authorised to consult on the proposed changes to the way in which the Council agrees prices for residential care and residential nursing care, as detailed in paragraphs 19 to 27 of the report;
- (b) A further report be submitted to the Cabinet in June 2019 regarding the outcome of the consultation and the proposed way forward.

**7. CAPITAL INVESTMENT INTO ADULT SOCIAL CARE ACCOMMODATION-BASED SUPPORT SERVICES.** (pages 117 – 124) (Appendices pages 47 - 50)

Proposed motion

- (a) That the development of a capital investment plan for adult social care accommodation-based support services, including its aims and objectives as detailed in paragraph 13 of the report, be noted;
- (b) That the publication of the Public Information Notice (PIN) to initiate engagement with the adult social care and investment market be approved;
- (c) That a further report be submitted to the Cabinet in late spring 2019 outlining the outcome of the PIN engagement exercise and presenting for approval the capital investment plan and strategic business case for future capital investment in adult social care accommodation.

**8. LEICESTER, LEICESTERSHIRE AND RUTLAND CARERS' STRATEGY 2018 - 2021.** (pages 125 – 132) (Appendices pages 51 - 98)

Proposed motion

- (a) That the outcome of the consultation on the draft joint Leicester, Leicestershire and Rutland Carers' Strategy 2018–2021, be noted;
- (b) That the joint Leicester, Leicestershire and Rutland Carers' Strategy 2018–2021, attached at Appendix A to the report be approved;
- (c) That the Implementation Plan for the Strategy (attached at Appendix C to the report), to be delivered by the County Council, be approved.

**9. DEVELOPMENT OF INTEGRATED LIFESTYLE SERVICES FOR LEICESTERSHIRE - OUTCOME OF CONSULTATION.** (pages 133 – 140)  
(Appendices pages 99 - 152)

Proposed motion

- (a) That the results of the public consultation on the delivery of integrated lifestyle services be noted;
- (b) That the proposed model for the new integrated approach to lifestyle services and remodelled weight management service, set out at paragraph 30 of the report, be approved;
- (c) That the Director of Public Health, following consultation with the Cabinet Lead Member for Health and Wellbeing, be authorised to implement the new integrated approach to lifestyle services and remodelled weight management service.

**10. DRAFT PASSENGER TRANSPORT POLICY AND STRATEGY.** (pages 141 – 160) (Appendices pages 153 - 350)

- *The Environment and Transport Overview and Scrutiny Committee considered a report on the matter at its meeting on 11 October 2018 and a draft minute is attached to this Order Paper marked '10'.*

Proposed motion

- (a) That the comments of the Environment and Transport Overview and Scrutiny Committee be noted;
- (b) That the results of the consultation on the draft Passenger Transport Policy and Strategy (PTPS) be noted;
- (c) That the response to the consultation, as set out in paragraphs 49 to 55 and appendices to the report, be agreed;
- (d) That the draft PTPS, attached as Appendices A and B to the report, be approved;
- (e) That the reallocation of £145,000 from the current passenger transport budget be approved for assisting in the delivery of the PTPS, including the development of local solutions and building public understanding of and confidence in Demand Responsive Transport;
- (f) That a PTPS Operational Handbook be developed (as set out in paragraphs 56 to 58 of the report) to ensure a clear, consistent and effective approach to the day-to-day operational delivery of the PTPS;

- (g) That the Director of Environment and Transport, following consultation with the Cabinet Lead Member for Environment and Transport, be authorised to make such minor amendments to the PTPS and associated Operational Handbook as necessary to ensure that they remain current and conform to legislation (provided that such changes have no material effects on the PTPS).

**11. HS2 PHASE 2B.** (pages 161 – 176) (Appendices pages 351 - 354)

- *The Environment and Transport Overview and Scrutiny Committee considered a report on the matter at its meeting on 11 October 2018 and a draft minute is attached to this Order Paper marked '11a'.*
- *Comments have been received from Mr. S. D. Sheahan CC, which are attached to this Order Paper marked '11b'.*
- *Comments have been received from Mr. Max Hunt CC, which are attached to this Order Paper marked '11c'.*

Proposed motion

- (a) That the comments of the Environment and Transport Overview and Scrutiny Committee be noted and its suggested amendment is reflected in (e) below;
- (b) That the County Council continues to work collaboratively with East Midlands Councils regarding HS2 and issues of common interest, as set out in paragraphs 28 to 35 of the report;
- (c) That the discussion and feedback received from Warwickshire and Buckinghamshire County Councils regarding their experiences of managing Phase 1 of HS2 be noted;
- (d) That Option 3, a full proactive approach to engagement with HS2 Ltd, be approved, noting the resources implications;
- (e) That the Director of Environment and Transport, following consultation with the Cabinet Lead Member for Environment and Transport and subject to engagement with the relevant local members, be authorised to respond on behalf of the Council to requests and consultations from HS2 Ltd;
- (f) That the County Council's response to the Secretary of State regarding a proposed route change near Measham, as set out in Appendix B to the report, be noted.

- 12. TRAFFIC REGULATION ORDER - CHURCHILL CLOSE, OADBY - NO WAITING AT ANY TIME RESTRICTIONS.** (pages 177 – 182) (Appendices pages 355 - 360)

Proposed motion

That the Traffic Regulation Order proposed “waiting restrictions” associated with Churchill Close, Oadby, as shown on drawing no. TM4422/T1/1/1 attached as Appendix A to the report, be approved for implementation.

- 13. REVIEW OF LEICESTERSHIRE COUNTY COUNCIL'S PLANNING OBLIGATIONS POLICY - CONSULTATION DRAFT.** (pages 183 – 188) (Appendices pages 361 - 428)

Proposed motion

- (a) That the revised draft Leicestershire Planning Obligations Policy document attached as an Appendix to the report be approved for consultation;
- (b) That a further report be submitted to the Cabinet in February 2019 regarding the outcome of the consultation exercise and presenting the final revised Planning Obligations Policy for approval.

- 14. DEVELOPER CONTRIBUTIONS TOWARDS COUNTY COUNCIL SERVICES.** (pages 189 – 194)

Proposed motion

That the update be noted and that progress with regard to securing Developer Contributions continues to be monitored.

- 15. RESPONSE TO GOVERNMENT CONSULTATION ON PERMITTED DEVELOPMENT FOR SHALE GAS EXPLORATION AND INCLUSION OF SHALE GAS PRODUCTION PROJECTS IN THE NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECT REGIME.** (pages 195 – 204) (Appendices pages 429 - 434)

Proposed motion

That the responses set out in Appendices A and B to the report be approved for submission to the Ministry of Housing, Communities and Local Government and the Department for Business, Energy and Industrial Strategy respectively as the views of the County Council.

- 16. SOCIAL VALUE POLICY STATEMENT.** (pages 205 – 208) (Appendices pages 435 - 438)

Proposed motion

- (a) That the Social Value Policy Statement appended to the report be approved;
- (b) That the Chief Executive, in consultation with the Director of Corporate Resources, be authorised to review and amend the Social Value Policy

Statement annually to ensure that it remains fit for purpose and in line with legislation and good practice.

**17. ITEMS REFERRED FROM OVERVIEW AND SCRUTINY.**

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

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

None.

**19. 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.

**20. SALE OF LAND AT MARKET HARBOROUGH - REPORT TO THE CABINET AS TRUSTEE OF THE NICHOLSON MEMORIAL TRUST (EXEMPT ITEM).**

Officer to contact

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**DRAFT MINUTE OF THE ENVIRONMENT AND TRANSPORT  
OVERVIEW AND SCRUTINY COMMITTEE - 11 OCTOBER 2018**

**Draft Passenger Transport Policy and Strategy**

The Committee considered a report of the Director of Environment and Transport concerning Draft Passenger Transport Policy and Strategy. A copy of the report, marked "Agenda Item 8" is filed with these minutes.

Arising from discussion, the following points were raised:

- i) All current subsidised services had been extended to June 2019 to allow for the new Policy and Strategy to be in place and implemented.
- ii) Leicestershire County Council could only assess current demand for transport, as a robust evidence base was needed. When new developments were proposed there would be an assessment of passenger transport needs in relation to that development as part of the planning process.
- iii) Concerns were raised that over 77% of respondents felt the draft policy would make it harder for them to access essential services. However, it was clarified that people fundamentally agreed with the priority groupings and priority activities identified, but disagreed that an alternative solution could be anything but a bus.
- iv) Demand Responsive Transport (DRT) represented a far more cost effective solution than operating and paying for a scheduled bus, which on some occasions may carry no, or few passengers. The Council recognised more work needed to be done to promote the benefits and increase the awareness and understanding of how it works; hence £145,000 was being put into resources to help with the transition in the areas that would be affected.
- v) The draft PTPS did not consider "Leisure" as a priority journey; however this did not preclude those users from accessing such services via DRT.
- v) Currently a major piece of work was underway to refresh the County Council's Section 106 policy. The County Council had to look to the regulations governing Section 106 Developer Contributions. Where such contributions had been sought, for instance transport for a new

development, if that development was then serviced by a commercial bus operator, the S106 monies would need to be refunded.

- vi) Some Bus Pass users had indicated they would be willing to pay towards their concessionary fare. However, there was no mechanism for the County Council to facilitate this. The only way for these users to contribute would be for those people to pay the full fare.

RESOLVED:

That the comments of the Committee be forwarded to the Cabinet for consideration at its meeting on 16 October 2018, and that the Cabinet be advised that the majority of the Committee supported the draft Passenger Transport Policy and Strategy. (Members of the Labour and Liberal Democrat Group expressed concern at the level of savings required of this area of service.)

**DRAFT MINUTE OF THE ENVIRONMENT AND TRANSPORT  
OVERVIEW AND SCRUTINY COMMITTEE - 11 OCTOBER 2018**

**HS2 Mitigation**

The Committee considered a report of the Director of Environment and Transport concerning HS2 Mitigation. A copy of the report, marked "Agenda Item 9" is filed with these minutes.

It was noted that as of 11<sup>th</sup> October the Government had published the Working Draft Environmental Statement for consultation on HS2 Phase 2b. The consultation would close on 21<sup>st</sup> December.

Members noted the comments that had been tabled by Local Member Mr Sheahan CC and supported his suggestion that the Director of Environment and Transport should engage with the relevant Local Members when responding to any consultation by HS2.

Arising from the discussion was as follows:

- i) The impacts on the County will not just be restricted to transport. In 2023, construction would begin and could take up to eight years. This would have implications for departments such as public health, education and social services.
- ii) Option 3 was recognised as a high cost. Experience from other councils had shown that investment was necessary to both minimise the impact and get the financial support for mitigation measures for the communities affected. In Buckinghamshire and Warwickshire, the councils had been successful in obtaining approximately £1 million per kilometre of rail to support mitigation.
- iii) Route 4, an alternative proposal through Measham, which would avoid Ashby Canal was with the Secretary of State for decision. The Working Draft Environmental Statement which is out for consultation concerns the preferred route and does not include this alternative route.
- iv) Warwickshire's team had been in place for around seven years. Over that time the focus had changed depending on the phase. The County Council would employ staff on a permanent basis.

- v) Some Members were sceptical over whether HS2 would go ahead. Officers advised that the Department for Transport and HS2 were working on the basis that the project would go ahead but if that were to change the County Council would review its current approach.

#### RESOLVED

- a) That the comments of the Committee be forwarded to the Cabinet for consideration at its meeting on 16 October 2018, and that
- b) That the Committee recommends, that part 2(e) be amended to read as follows:

*The Director of Environment and Transport, following consultation with the Lead Member for Environment and Transport and subject to engagement with the relevant local members, be authorised to respond on behalf of the Council to HS2 requests and consultations.*

**Cabinet – 16 October 2018**

**Item 11 – HS2 Phase 2b**

The best of the options is proactive engagement with HS2: option 3.

When the lead member is consulted, I support the view of E & T Scrutiny that engagement with local members is also undertaken.

The County Council should vigorously pursue community level mitigation or compensation from the Government to address the wide-ranging material blight on Measham, particularly with respect to the Ashby Canal Restoration and Measham Leisure Centre extension.

In considering the alternative route 4, the views of Oakthorpe residents should be given all due consideration.

Sean Sheahan CC

**Cabinet - 16 October 2018**  
**Item 11 – HS2 Phase 2b**

This paper raises very serious matters and at significant cost to the County Council demanding a clear grasp and understanding of our priorities.

At Scrutiny last Thursday the Lead Cabinet Member still believed the commitment to be a single sum of £400,000 for a ten year project. In reality, of course, it is an open ended request for growth which could therefore amount to around £4million

The paper is complex and at times confusing. No costs are given for Option 2 whilst Option 1 is hardly an option at all (para 38). There are further costs beyond the scope of the paper (eg paras 15 and 55). The project itself has such a wide sweep that caution is expressed that it could overlap the HS2 Mitigation Board (para 35). The reporting structure is bureaucratic with a Mitigation Board responsible to Executive Board, reporting to a Strategic Board which is overseen by D2N2 and EMC of which we are members.

If this sounds harsh it is a warning to the Cabinet, and the Council as a whole, how difficult it is becoming to fulfil our strategic role, to respond to external demand from government and industry, to meet our long term our environmental responsibilities and at the same time fulfil our 'day job' of keeping the county moving.

It was clear at Scrutiny that this paper carried a serious message and at significant ongoing cost. Such projects therefore require rather better engagement by the Cabinet in the future.

*All meetings of the E&T Scrutiny Committee are broadcast and can be found here:*  
<https://www.youtube.com/channel/UCWFpwBLs6MnUzG0WjejrQtQ>

**COMMENTS FROM MAX HUNT CC**