

**MINUTES OF THE MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL
HELD AT COUNTY HALL, GLENFIELD ON WEDNESDAY, 26 SEPTEMBER
2018**

PRESENT

Mr. L. J. P. O'Shea CC (in the Chair)

Mr. T. Barkley CC, Mr. P. Bedford CC, Mr. I. E. G. Bentley CC, Mr. D. C. Bill MBE CC, Mr. R. Blunt CC, Mr. G. A. Boulter CC, Mr. S. L. Bray CC, Mr. L. Breckon JP CC, Dr. P. Bremner CC, Mr. J. G. Coxon CC, Mr. B. Crooks CC, Dr. T. Eynon CC, Dr. R. K. A. Feltham CC, Mrs. H. J. Fryer CC, Mr. S. J. Galton CC, Mr. T. Gillard CC, Mr. D. Harrison CC, Dr. S. Hill CC, Mr. Max Hunt CC, Mr. D. Jennings CC, Mr. J. Kaufman CC, Mr. W. Liquorish JP CC, Mr. J. Miah CC, Mr. J. Morgan CC, Mr. M. T. Mullaney CC, Ms. Betty Newton CC, Mr. J. T. Orson JP CC, Mr. P. C. Osborne CC, Mr. I. D. Ould CC, Mrs. R. Page CC, Mr. B. L. Pain CC, Mr T. Parton CC, Mr. A. E. Pearson CC, Mr. T. J. Pendleton CC, Mr J. Poland CC, Mrs. P. Posnett MBE CC, Mrs. C. M. Radford CC, Mr. J. B. Rhodes CC, Mr. T. J. Richardson CC, Mrs H. L. Richardson CC, Mrs. J. Richards CC, Mr. N. J. Rushton CC, Mrs B. Seaton CC, Mr. S. D. Sheahan CC, Mr. R. J. Shepherd CC, Mrs D. Taylor CC, Mr. G. Welsh CC, Mrs. A. Wright CC and Mrs. M. Wright CC

18. CHAIRMAN'S ANNOUNCEMENTS.

The Countryside Show 2018

The Chairman had had the pleasure of attending the Countryside Show held at Beacon Hill Country Park on 27th August 2018.

He reported that the organisation, the displays, events and craft activities were excellent as was the food. Members of the public he spoke to also commented favourably and following the show the County Council received a wonderful letter from a lady, Mrs Watts, who concluded by saying '*whoever organised this lovely event merits 5 gold stars*'.

The Chairman agreed with Mrs Watts and extended his appreciation to the staff in the property services team who organised the Show.

County Service

The Chairman reminded Members that he and the Lord-Lieutenant would be hosting the County Service on Sunday 7th October. The Service would be held at the Cathedral at 3.00pm and the Bishop of Leicester would be preaching. The Chairman encouraged all members to attend the service.

Visitors

The Chairman welcomed to the meeting all visitors and guests of members and anyone who was joining the meeting via the webcast.

19. REPORT OF THE RETURNING OFFICER.

The Chief Executive presented the report of the Returning Officer on the election of the County Councillor Mr Tom Barkley for the Syston Ridgeway Electoral Division on 28 June 2018.

The Chairman welcomed Mr Tom Barkley CC to the Council.

20. MINUTES.

It was moved by the Chairman, seconded by the Vice-Chairman and carried:-

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

21. DECLARATIONS OF INTEREST.

The Chairman invited members who wished to do so to make declarations of interest in respect of items on the agenda for the meeting.

All members who were also members of District Councils declared a personal interest in the Notice of Motion on a New Unitary Structure for Local Government in Leicestershire (minute 27 refers).

22. QUESTIONS ASKED UNDER STANDING ORDER 7(1)(2) AND (5).

(A) Mr Kaufman asked the following question of the Leader or his nominee:-

- “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?”

Mr Rushton replied as follows:-

“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) Mr Hunt asked the following question of the Leader or his nominee:-

“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?”

Mr Rhodes replied as follows:-

- “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 councils in the county would need to be contacted individually.”

(C) Mr Miah asked the following question of the Leader or his nominee:-

- “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?”

Mr Rushton replied as follows:-

- “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.”

Mr Miah asked the following supplementary question:-

“How can we ensure for next year that we do not have the same reoccurrence where eight members or nine members of one particular group do not submit their Annual Report as per the recommendations of the Independent Remuneration Panel?”

Mr Rushton replied as follows:-

“As an administration we take this extremely seriously. There is no point having an Independent Remuneration Panel that makes recommendations, which we all adhere to bar these eight or nine Liberal Democrats. I would ask the Independent Remuneration Panel when they meet to consider the fact that these members have not completed an Annual Report, which is not onerous. After that I would intend to report it to the Constitution Committee to make some recommendations and if they do not do it by Christmas I'll bring a Notice of Motion to Full Council condemning them and asking them to claim no allowances until they have completed their Annual Reports.”

23. REPORT OF THE CONSTITUTION COMMITTEE.

(a) Review of Standing Orders (Meeting Procedure Rules).

It was moved by Mr Rushton, seconded by Mr Shepherd and carried:-

“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.”

24. POSITION STATEMENTS UNDER STANDING ORDER 8.

The Leader gave a position statement on the following matters:-

- Leicester and Leicestershire Enterprise Partnership;
- Local Industrial Strategy;
- Strategic Growth Plan;
- Fostering and Adoption;
- Children and Families Partnership Plan;
- Loughborough University;
- ‘Start A Conversation’ – suicide prevention campaign.

The Cabinet Lead Member for Finance and Resources gave a position statement on the financial position and refresh of the Medium Term Financial Strategy.

The Cabinet Lead Member for Environment and Transport gave a position statement on the following matters:-

- Community Speed Enforcement;
- School Keep Clear – Camera Car;
- Gully Cleaning;
- Gritting in Summer and Storm Clean Up;
- Waste Treatment;
- Body Cameras;
- Centenary Remembrance Events 2018.

The Cabinet Lead Member for Health gave a position statement on the following matters:-

- Tackling Loneliness and Social Isolation;
- ‘Start A Conversation’ – suicide prevention campaign.

A copy of the position statements is filed with these minutes.

25. REPORT OF THE CORPORATE GOVERNANCE COMMITTEE.

(a) Outcome of the Investigation by the Member Conduct Panel.

It was moved by Mr Bedford and seconded by Mr Jennings:-

- “(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).”

On the motion being put and before the vote was taken, five members rose asking that a named vote be recorded.

The vote was recorded as follows:-

For the motion

Mr Barkley, Mr Bedford, Mr Bentley, Mr Bill, Mr Blunt, Mr Boulter, Mr Bray, Mr Breckon, Dr Bremner, Mr Coxon, Mr Crooks, Dr Eynon, Dr Feltham, Mrs Fryer, Mr Galton, Mr Gillard, Mr Harrison, Dr Hill, Mr Hunt, Mr Jennings, Mr Kaufman, Mr Liquorish, Mr Miah, Mr Morgan, Mr Mullaney, Ms Newton, Mr O’Shea, Mr Orson, Mr Osborne, Mr Ould, Mrs Page, Mr Pain, Mr Parton, Mr Pearson, Mr Pendleton, Mr Poland, Mrs Posnett, Mrs Radford, Mr Rhodes, Mrs Richards, Mr Richardson, Mrs Richardson, Mr Rushton, Mrs Seaton, Mr Sheahan, Mr Shepherd, Mrs Taylor, Mr Welsh, Mrs A Wright, Mrs M Wright.

The motion was put and carried unanimously, with 50 members voting for motion and none voting against.

26. TO MAKE THE FOLLOWING APPOINTMENT IN ACCORDANCE WITH ITEM 12 OF STANDING ORDER 4:-

- (a) **To appoint a parent governor representative to serve on the Children and Families Overview and Scrutiny Committee.**

It was moved by Mr Shepherd, seconded by Mr Hunt and carried unanimously:-

“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.”

27. TO CONSIDER THE FOLLOWING NOTICE OF MOTION:

(a) A New Unitary Structure for Local Government in Leicestershire.

It was moved by Mr Galton and seconded by Mr Mullaney:-

- “(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 two 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 was moved by Mr Rushton and seconded by Mr Rhodes:-

“That the motion be amended to read as follows:-

- (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) recognises that plans for an East Midlands Strategic Alliance to counterbalance the West Midlands Combined Authority require further work and agreement amongst regional leaders and stakeholders before a business case is submitted to the Secretary of State;
 - (v) notes 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.”

The amendment was put and carried, with 36 members voting for the amendment, 9 against and 5 abstentions.

The substantive motion was put and carried, with 36 members voting for the amendment and 14 abstentions.