

MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL

WEDNESDAY, 5 DECEMBER 2018 AT 2.00 PM

ORDER PAPER

AGENDA ITEM NO. 1 – CHAIRMAN'S ANNOUNCEMENTS

The Chairman will make his announcements.

AGENDA ITEM NO. 2 – MINUTES (Pages 5 to 24)

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

“that the minutes of the meeting of the Council held on 26 September 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 CROOKS

“The 159 route runs between Coalville and Hinckley, via local villages of Ibstock, Nailstone, Barlestone, Newbold Verdon, Market Bosworth, Stapleton and Barwell. Some villages such as Stapleton will have no buses at all if this service is cut!

The service is used by School Children/Students who go to College in Hinckley, people who work and more senior residents who have no other means of transport to go shopping, etc. With local Post Offices, Pubs and Shops closing in the rural areas, the loss of this service will only increase isolation of villagers who do not drive.

Could the Lead Member advise me what the Council intends to do to ensure that the residents served by the 159 bus route will continue to have a public bus service?”

Reply by MR PAIN

“On 16th October 2018 the Cabinet adopted its new passenger transport policy and strategy. This policy and strategy sets out how the County Council will meet its statutory duties and deliver (where the policy need is established) fit for purpose and value for money passenger transport services across Leicestershire.

The County Council fully appreciates the importance of people being able to access key services. This is why the new policy and strategy affords priority to connecting people to food shopping, primary healthcare and employment opportunities at local centres.

I can confirm, following Roberts Coaches registration to withdraw the 159 service from 22nd December 2018, that the County Council has agreed to provide a subsidy to enable them to continue running the service until the end of June 2019. This is in line with the majority of the other services currently subsidised by the County Council. This extension to June 2019 also allows time for a full review of this, and all other subsidised services, against the new policy assessment criteria with the results of that assessment being used to decide on the most fit for purpose passenger transport outcome for each service from mid 2019.

The County Council will continue to provide transport funding support for eligible school pupils and community transport continues to be a service on offer for those people unable to use conventional passenger transport.”

(B) Question by DR EYNON

“Despite increasing prevalence of Type 2 Diabetes in Leicestershire many public events still rely on unsuitable sweet-biscuits and cake as the default snack option. What are the barriers and enablers to developing this Council’s public-facing catering offer so that it demonstrates our Public Health priorities?”

Reply by MRS POSNETT

“The catering ordering page on the Council intranet has options such as wraps and fruit readily available to order. Therefore the issue is down to changing the behaviour of people placing the order.

To promote healthy eating alternatives a paragraph has recently been added to the online order form:

“Before you order your refreshments we thought you may be interested to know that more healthy options are available in buffets, and fruit is available as well as/instead of biscuits. Also please do contact us if you have any special dietary requirements or need information about allergens.”

The head chef has also been asked to review the range of alternatives on offer.

Ultimately diet is a matter of individual responsibility, but by making healthy alternatives more prominent on the order form the Council would seek to encourage healthy eating. Members can play their part by taking a lead in putting down the custard creams and picking up the carrots.

Across the Council the Workplace Health and Well Being Strategy Group, co-chaired by Corporate Resources and Public Health and supported by voluntary departmental health and wellbeing coordinator and champions, helps develop plans and activities to promote the wellbeing of staff.”

(C) Question by MR WELSH

“With regard to Education, Health and Care Plans (EHCPs) could the Leader let me know for each academic year since 2014:-

- (a) The number of plans requested?
- (b) The number of assessments carried out?
- (c) The number of appeals made by parents or carers to the Special Educational Needs and Disability Tribunal and how many of these appeals were successful?”

Reply by MR OULD

- (a) 2014/15 - 516
2015/16 - 576
2016/17 - 640
2017/18 – 887
- (b) 2014/15 - 354
2015/16 - 395
2016/17 - 396
2017/18 – 635

(c)		2014/2015	2015/2016	2016/2017	2017/2018
Total tribunals		30	21	84	80
Tribunal outcome	Resolved prior to tribunal	18	15	63	52
	Tribunal ordered in favour of parent	6	4	17	13
	Tribunal ordered in favour of LA	6	0	3	2
	Ongoing	0	0	0	13
	Transferred to another LA	0	2	1	0

(D) Question by MR MIAH

“Could the Lead Member inform the Council on how many road traffic collisions involving pedestrians have occurred in Loughborough in the past three years? Of those reported how many resulted in fatalities?”

Could the Lead Member advise what actions the Council takes in terms of investigations and any preventative measures following a serious or fatal accident?”

Reply by MR PAIN

“In the past three years (1st October 2015 to 30th September 2018) 43 injury accidents involving pedestrians were recorded within the area of Loughborough. There were no fatalities.

Accident reports submitted by the Police are usually three months behind although preliminary notifications for fatalities are reported immediately. As such we are aware of the two recent fatal accidents. On 11th November 2018, a 64 year old man tragically lost his life on Holt Drive and then on 13th November 2018 a 12 year old boy tragically lost his life on Meadow Lane.

Following any fatal accident officers undertake urgent investigations to ensure that there is no highway defect which could have been a contributory factor in the incident. In doing so they will analyse the information provided by the Police, to determine if the Police have highlighted any cause for concern regarding the highway. The investigations for the above two fatalities concluded that there were no highway defects found to have been a contributing factor.

Each year a Casualty Reduction report is produced for Leicestershire. This report analyses all the reportable injury accidents in the county. The report is presented annually at the Environment and Transport Overview and Scrutiny meeting in February/March. Any areas of significant concern are highlighted in this report and officers will then request funding to carry out works based on the evidence contained in the report. Whilst it is fully appreciated that one accident is one too many, the adopted process for dealing with reportable injury accidents is clearly set out in the Casualty Reduction Report and is based on an evidence led approach which ensures parity across the county.

As part of business as usual all safety concerns highlighted to the Council by members, parishes, residents or other bodies are investigated and appropriate action taken where necessary.”

**AGENDA ITEM NO. 5 – 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.

LEAD MEMBER FOR CHILDREN AND FAMILY SERVICES

- (i) The Lead Member will make his 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. 6
REPORT OF THE CORPORATE GOVERNANCE COMMITTEE**

(Pages 25 to 42)

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

(A) Proposed Changes to the Contract Procedure Rules

MR BEDFORD will move and MR RICHARDSON will second:

“That the proposed amendments to the Contract Procedure Rules, set out in Appendix 1 to the report of the Corporate Governance Committee, be approved.”

**AGENDA ITEM NO. 7
REPORT OF THE CONSTITUTION COMMITTEE**

(Pages 43 to 60)

Principal Speakers:-
Chairman (Mr N Rushton)
Liberal Democrat Spokesman (Mr S Galton)

(A) Review of the Constitution – Management of Trustee Responsibility

MR RUSHTON will move and MR RHODES will second:

“That the proposed changes to Part 3 (Responsibility for Functions) of the Constitution relating to the extension of role and responsibilities of the Constitution Committee to deal with the functions of the County Council as a Charitable Trustee, be approved.”

(B) Report of the Independent Remuneration Panel

MR RUSHTON will move and MR RHODES will second:

- “(a) That those Members who submitted an Annual Report be thanked for doing so.
- (b) That those Members who have not submitted an Annual Report for the municipal year 2017/18 do so at the earliest opportunity.
- (c) That all Members of the County Council be required to prepare and submit a second Annual Report for publication on the County Council’s website by June 2019 and it be noted that the Panel intends to reconvene in the autumn of 2019 to review the outcome of this recommendation.
- (d) That Group Leaders and Whips, in particular the Conservative and Labour Group Leaders and Whips, be thanked for their hard work in ensuring that all Members of their Group submitted an Annual Report.
- (e) That Group Leaders and Group Whips be reminded of their responsibility for ensuring that all Members of their Groups complete and submit a second Annual Report.
- (f) That the allowance payable to Group Whips continues to be paid at the current rate of £60.20 per Member.
- (g) That it be noted that the Panel will review the Group Whips allowance at its next meeting (Autumn 2019).”

AGENDA ITEM NO. 8
REPORT OF THE CABINET

(Pages 61 to 242)

Principal Speakers:-
Mover of motion (as appropriate)
Leader of the Opposition (Mr S J Galton)

(A) Annual Report of the Director of Public Health

MRS POSNETT will move and MR OULD will second:

“That the Director of Public Health Annual Report 2018 be noted with support.”

(B) Annual Delivery Report and Performance Compendium 2018

MR RHODES will move and MR SHEPHERD will second:

“That the Annual Delivery Report and Performance Compendium 2018 be approved.”

**AGENDA ITEM NO. 9 - APPOINTMENTS IN ACCORDANCE WITH ITEMS 11 AND
12 OF STANDING ORDER 4**

(A) TO APPOINT A CABINET SUPPORT MEMBER

MR RUSHTON will move and MR SHEPHERD will second:-

“That Mr T J Pendleton CC be appointed as Cabinet Support Member until the next Annual Meeting of the County Council, as provided for in Article 7 of the Council’s Constitution.”

**AGENDA ITEM NO. 10.
NOTICE OF MOTION**

(A) Police Funding – Mr D C Bill CC

MR BILL will move and MR CROOKS will second:-

“(a) That this Council notes:-

- (i) concerns expressed by the Home Office Select Committee predicting dire consequences for public safety unless police budgets are increased;
- (ii) the view of the National Audit Office that the funding model for policing is financially unsustainable;
- (iii) since 2010 Government grant received by Leicestershire Police has gone from £134m in 2010, down to £104m this year resulting in police numbers falling from 2,300 in 2010 to 1806 this year;
- (iv) the most recent Treasury decision to pass on to local forces the full cost of pension revaluation that will cost Leicestershire Police £5million per annum equivalent to the cost of employing approximately 180 police officers;
- (v) the considerable effort undertaken by Leicestershire Police to date to reduce back office costs and improve efficiency through transformation and innovation and as a result saving £8million since 2010;
- (vi) the increasing pressures faced by the police as a result of an increasing population, the proliferation of cyber-crime and fraud and increased demands arising from safeguarding vulnerable people.

(b) That this Council believes that the current level of police funding is inadequate to meet the needs of the people of Leicester, Leicestershire and Rutland and supports the representations made by the Chief Constable and Police and Crime Commissioner to Leicestershire MPs urging them to make representations to Government on this matter.”

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

“(a) That the County Council fully supports Leicestershire Police and notes recent speculation about Government intentions on police funding, including further council tax rises, and that the most recent issue affecting police funding, the question of pension costs, may be the subject of court proceedings.

- (b) That the County Council is not in a position to comment on the above but believes that the answer to any of the serious funding shortfalls affecting front-line public services does not lie in short-term fixes but in medium to longer term funding changes and therefore notes the crucial importance of the Government's forthcoming Comprehensive Spending Review.
- (c) That accordingly, the County Council asks Leicestershire MPs to support the County Council, Leicestershire Police and the Fire and Rescue Service and to draw the attention of Government to the Council's view that, in order to be effective, the CSR as a minimum should adopt the following principles:
- Taxpayers' money should be focussed on maintaining and improving services.
 - Services must be cost-effective.
 - Recognition of service demand.
 - Recognition of the impact of austerity.
 - Fairness in public sector funding.
 - Equity in service provision.
 - An end to silo decision-making within Government which frustrates local service delivery.
 - The importance of prevention in longer term solutions to societal and service pressures."