

**MINUTES OF THE MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL
HELD AT COUNTY HALL, GLENFIELD ON WEDNESDAY, 10 JULY 2019**

PRESENT

Mrs. P. Posnett MBE CC (in the Chair)

Mr. T. Barkley CC, Mr. P. Bedford CC, Mr. I. E. G. Bentley CC, Mr. R. Blunt CC, Mr. G. A. Boulter CC, Mr. S. L. Bray CC, Mr. L. Breckon JP CC, Dr. P. Bremner CC, Ms. L. Broadley CC, Mr. M. H. Charlesworth CC, Mr. J. G. Coxon CC, Dr. T. Eynon CC, Dr. R. K. A. Feltham CC, Mrs. H. J. Fryer CC, Mr. S. J. Galton CC, Mr. D. A. Gamble CC, Mr. T. Gillard CC, Mrs. A. J. Hack CC, Mr. D. Harrison CC, Dr. S. Hill CC, Mr. Max Hunt CC, Mr. D. Jennings CC, Mr. J. Kaufman CC, Mr. J. Miah CC, Mr. M. T. Mullaney CC, Ms. Betty Newton CC, Mr. O. O'Shea JP CC, Mr. J. T. Orson JP CC, Mr. P. C. Osborne CC, Mr. I. D. Ould OBE 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. 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, Mrs. M. Wright CC and Mr. M. B. Wyatt CC

11. CHAIRMAN'S ANNOUNCEMENTS.

Jenny O'Shea

The Chairman referred to the very sad and untimely passing of Mrs O'Shea following a short illness. It was only a matter of a few weeks that tribute had been paid to Mrs O'Shea at the Annual Meeting, for her unstinting support to Mr O'Shea during their highly successful civic year. Members joined the Chairman in a round of applause in memory of Jenny O'Shea.

Ernie White - Commemoration

On Saturday, 29th June the Chairman was privileged to host commemorations to mark the late Mr Ernie White's contribution to public life. It was also pleasing that members of Mr White's family were present.

Mr White passed away in January 2018 after a lifetime in local politics. The commemorations, which involved tree planting off Arbor Road in Croft, which was being developed as woodland, and the unveiling of a plaque at Stoney Stanton library, reflected Mr White's love of nature and literature, particularly the works of American author John Steinbeck.

Mr John Sinnott CBE MVO

Members joined the Chairman in congratulating the Chief Executive, who was made a Member of the Royal Victorian Order in the Birthday 2019 Honours List. This was a special honour given at the personal discretion of Her Majesty The Queen for services to the Royal Family. The Chief Executive had been recognised for his longstanding work as Clerk of the Leicestershire Lieutenancy.

12. MINUTES.

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

“That the minutes of the meeting of the Council held on 15 May 2019, copies of which have been circulated to members, be taken as read, confirmed and signed.”

13. 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.

Mrs Hack declared a personal interest in the notice of motion on Secondary School Transport (minute 18(b)) as her son attended one of the secondary schools affected.

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

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

“Several local authorities have agreed tree planting programmes with targets to spur them on. Despite the creation of the National Forest, Leicestershire still remains one of the least wooded counties in England. Could the Leader therefore tell the Council what plans we have to step up tree planting in the county?”

Mr Pain replied as follows:-

“The historic human and natural development of the County has had an impact on the landscape character and the amount of woodland cover we have. Currently approximately 4% of Leicestershire and Rutland has woodland cover.

Leicestershire County Council supports small scale tree planting through various tree planting initiatives including the MOREhedges, MOREwoods, Targeting Tree Disease Pack and Free Tree Replacement Schemes. Since 2009-10 over 25,400 trees and 13,000 metres of hedges have been planted through these schemes.

On the Council’s own land, larger capital schemes have been implemented. These include several National Forest Schemes and intensive landscape schemes on newly constructed roads.

During 2019, the Council has reviewed and updated its Tree Management Strategy which is due to be officially adopted in Autumn 2019. This Strategy identifies the need for a ‘substantial and sustained’ programme of tree planting to offset the effects of tree loss throughout the County and the likely impact of Ash Dieback.

The County Council established an Ash Dieback Project board in 2018 to

plan and manage the risks to the trees and landscape in Leicestershire. This includes a £5M indicative budget to manage the impact of the disease, including future replanting considerations.

Additional resources and innovative technology have been employed to support effective management, surveying and monitoring of tree health throughout the County.

To mitigate the effects of decline in the County's trees, following the publication of the updated Tree Management Strategy, a programme of tree planting will be developed. This will support the Government's "Green Future", 25-year Environmental plan and aspiration to increase woodland cover in England to 12% by 2060.

Not only will this help to minimise the effect on the County's landscape, it will also contribute to mitigating the effects of climate change and help to achieve many of the objectives outlined in the Council's Environmental Strategy and the commitments made as part of the recent climate emergency declaration.

There are other potential opportunities to increase tree planting which will be explored over the coming years including:

- Urban Tree Challenge fund which was launched in May and the Council is looking to work with partners to submit a joint bid;
- Countryside Stewardship Scheme;
- Proposed new Agri-environment scheme known as the Environmental Land Management Scheme;
- Local Growth Fund;
- Developer contributions;
- Planning conditions/obligations."

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

"Much of our major highways programme seems to be governed by the 'predict and provide' approach as far as resources allow. Could the Leader advise what plans we have for accommodating the huge predicted use of electric bikes?"

Mr Pain replied as follows:-

"The growth of the electric bike market is something the County Council is aware of and is fully embracing because of its many sustainable benefits and how it will form another vital part of the Council's commitment to tackling climate change.

Electric bikes enable faster, sweat-free travel as well as easier riding in windy and uphill conditions, therefore removing many of the barriers to people getting on two wheels. By law electric bikes are limited to 15mph and are suitable for off road infrastructure. Therefore, like conventional cyclists, electric bike users will benefit from the cycle infrastructure the Council has built over many years connecting communities, schools, businesses and leisure facilities.

Electric bike users are also more inclined to use the road network, especially in built up areas, as they feel more confident in their ability to keep pace with motor traffic and therefore better integrate.

The Council is actively encouraging its employees to try out electric bikes through the stock of electric pool bikes it currently holds with further communications and support to come as part of the refresh of the County Council's travel plan, which is underway.

In addition, through its Access Fund work, the Council is actively working with businesses to develop their travel plans and encourage take up of electric bike use by their employees. Sustainable Travel Business Grants are available to those businesses to help fund the provision of electric pool bikes for staff.

The Council is in the process of revamping its Choose How You Move website and going forward this will be utilised as a key platform for promoting electric bike use as well as all other sustainable modes of travel.

The Council see this market as an ideal opportunity to reduce the level of single occupancy car use and hence help contribute to lowering carbon emissions and will be working hard with partners to promote usage."

Mr Hunt asked the following supplementary question:-

"My question was about the increasing use of electric bikes. The answer is not about accommodating them, which was what my question was. The answer is about promoting them, which is in a sense the opposite, and we really do look to an increasing problem, particularly on shared use cycle ways, of faster electric bikes and I would appreciate an answer on that particular question in due course."

Mr Pain replied as follows:-

"I will send an answer out to Mr Hunt on that question."

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

"The weedkiller glyphosate is the subject of many claims that it causes cancer. Could the Leader please advise whether Leicestershire County Council uses such products and, if so, to what extent and with what safeguards to the health of operatives and the public?"

Mr Pain replied as follows:-

"The County Council does use the herbicide Glyphosate but does so in the most environmentally friendly way possible. By following the procedure set out below overall use of Glyphosate has been reduced by 40% on previous years.

The County Council employs a specialist contractor to target weed growth

within the highway twice a year, usually around June and September dependent upon growing conditions. The contractor also treats known areas of invasive noxious weeds such as Japanese Knotweed on a reactive basis. The contract is let in accordance with the Manual of Contract Documents for Highway Works – Volume 1 Specification for Highway Works.

The contractor applies herbicide on the highways by means of a Total Droplet Control (TDC) system. This is a targeted application with virtually no run-off or spray drift, and significantly reduces the risk of water pollution. The chemical formulation requires a much lower level of the active ingredient Glyphosate. The TDC formulations produce no breathable droplets, are safer for operators, bystanders, wildlife and the environment. Application does not take place on either wet or windy days to eliminate the risk of spread.

The use of chemicals and all applications are carried out under strict guidelines. Our contractors use the Amenity Forum best practice guidelines to ensure all applications are carried out in accordance with the latest guidelines. <https://amenityforum.co.uk/>

Glyphosate leaves no residual residue, it breaks down within the soil structure. The herbicide is applied to actively growing plants, we do not “blanket spray”. This targets the areas of weed growth and with this system only 4 to 5 drops of chemical per leaf are required to kill the plant. The herbicide comes as a ‘pre-mixed’ solution and this reduces operator exposure and the risk of spillage.

At the current time Glyphosate is the only really effective way of treating weeds in the highway. More recently a number of other authorities have tried alternative treatments, but these trials have not as yet identified an effective alternative. As part of our wider bio-diversity work however, the County Council are proposing to carry small area patch testing of our own.”

Mr Hunt asked the following supplementary question:-

“Can we enforce the guidelines that we talked about with our contractors who are doing most of the weeding on our roads?”

Mr Pain replied as follows:-

“As far as I am aware the contract does ensure that they comply with all the legislation and health and safety guidance.”

(D) Question by MR HUNT

“Noting the recent Cabinet decision to invest an initial £550,000 in 2019/20 in an enhanced service for Parish and Town Councils across the county, to assist third party funding, signage including Vehicle Activated Signs, trees and vegetation and edging back on pavements in built up areas, which is in addition to the automated communications system and quarterly clerks meetings, neither officers nor Cabinet members made reference to communities other than parish and town councils. Could the Leader explain:

- a. How he sees this working for communities seeking to deliver their own improvements and their elected member representatives in non-parished areas?
- b. How elected members in non-parished areas will access funding for enhanced signing and edging back on pavements, not to mention better regulation of parking and protecting verges on so many large council estates?"

Reply by MR PAIN

- "a. The proposal for the enhanced service to parishes and communities was developed due to the increase in the level of communication either directly to the Environment and Transport Department or via elected members. Parish councils are constantly active in this regard and the County Council wants to be as responsive as it can within reason.

Officers are, however, happy to work with non-parished areas using alternative means such as the local member or a community group.

The additional resource will allow the Department to develop a more co-ordinated approach to increase community and parish engagement, working together to build on the priorities of the Leicestershire Communities Strategy.

An update on progress will be presented to the Environment and Transport Overview and Scrutiny Committee in 2020. That can cover the level of resource committed to non-parished areas in response to similar requests for maintenance and tidying up works during 2019/20.

- b. Contact should be made initially through the usual channel of Customer Services for the specific groups of highway assets that Mr Hunt refers to in his question.

It is worth noting that this scheme will also allow the Council to build on its work in supporting communities to undertake their own initiatives. An example is the support that the Council has given to communities to hold their own events for Remembrance Day and other special events. For next May's 70th anniversary VE Day celebrations the Council will provide the following for free:

- event planning and traffic marshall training;
- loan of signs and cones;
- road closures as necessary."

Mr Hunt asked the following supplementary question:-

"This is something that arose out of the blue, we did not have it at our Highways Scrutiny and it was the decision by the Cabinet last week. It was clear to anyone there this was an offer of half a million pounds to assist parish and town councils with their particular needs. Now, I know it mentions communities, and that is the nub of my question here, because the answer suggests that non-parished areas will only be interested in maintenance and

tidying up works, which one would expect the authority to do anyway, and not through third party funding because they do not have third party funding in that sense and no forum for deciding things as parish and town councils do. Whilst the officers are saying they are happy to work with non-parished areas, we are grateful for that, but it is something we expect anyway. Really, without creating town councils in our non-parished areas, does the Lead Member agree that this is not equal and breaches the kind of equality we would expect in the use of highways funding?"

Mr Pain replied as follows:-

"I do not agree with the premise of this supplementary question that has just been raised. The intention is to serve all our communities equally. We think we have seen customer contacts to the Highways Department rising over the last five years. We had about 380 customer contacts in 2014/15 and we are now looking at 1323 customer contacts, many relating to these types of issues that we are now putting additional funding for. It is the intention to serve all the communities equally, indeed, many of the unparished areas are covered also by district councils. I know, as a former leader of a district council, that some areas with parish and town councils feel they are at a disadvantage to those in the unparished areas. We will not get into that argument but, needless to say, we will serve all of our communities absolutely equally."

15. POSITION STATEMENTS UNDER STANDING ORDER 8.

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

- Local Government Association Conference;
- Medium Term Financial Strategy Consultation;
- Regulatory Excellence Awards;
- Update on the 'Start a Conversation' Suicide Prevention Campaign;
- Loughborough University;
- Campaign to restore the Leicester-Burton Line.

The Lead Member for Children and Family Services gave a position statement on the following matters:-

- Children's Innovation Partnership;
- MISTLE (Multi-Agency Intervention Support Team Leicestershire);
- Virtual School for Children in Care and Care Leavers.

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

16. REPORTS OF THE CABINET.

(a) Leicestershire County Council Planning Obligations Policy.

It was moved by Mr Rushton and seconded by Mr Pendleton:-

"That the revised Leicestershire Planning Obligations Policy, referred to in Section A of the report to the Cabinet, be approved and that the Chief

Executive be authorised, following consultation with the Cabinet Lead Member for planning matters, to make any necessary future revisions to the Leicestershire Planning Obligations Policy to ensure that it is up-to-date and relevant provided that these do not constitute material changes to the Policy.”

The motion was put and carried unanimously.

(b) Youth Justice Strategic Plan 2019-2020.

It was moved by Mr Ould and seconded by Mrs Taylor:-

- “(a) That the draft Leicestershire Youth Justice Strategic Plan 2019 – 2020, be approved;
- (b) That the Director of Children and Family Services be authorised, following consultation with the Lead Member for Children and Young People, to make minor amendments to the Youth Justice Strategic Plan 2019-2020 as are considered necessary to ensure it remains current and conforms to the requirements of the Youth Justice Board.”

The motion was put and carried unanimously.

17. REPORT OF THE SCRUTINY COMMISSION.

(a) Overview and Scrutiny Annual Report 2018/19.

It was moved by Mr Galton and seconded by Mrs Page:-

“That the information contained in the Overview and Scrutiny Annual Report 2018/19, attached as Appendix 1 to this report, on its activities, be noted.”

The motion was put and carried unanimously.

18. NOTICES OF MOTION:

(a) Safe Passage 'Our Turn' Campaign.

It was moved by Mr Kaufman and seconded by Mr Ould.

- “(a) That this Council notes that the world is experiencing the largest refugee crisis since World War Two with over half the refugees being children, many unaccompanied;
- (b) That this Council notes that the number of Unaccompanied Asylum Seeking Children supported in Leicestershire now stands at 92 and that the cost to the County Council to support such children is £352,000 per annum (net of Government grant);
- (c) That this Council builds on its achievements in caring for vulnerable unaccompanied asylum seeking children and refugee children by supporting the Safe Passage ‘Our Turn’ Campaign and commits to a

target of ten at risk refugee children per year for the next ten years as part of a fully funded Government vulnerable children's resettlement scheme."

The motion was put and carried unanimously.

(b) Secondary School Transport.

Mrs Hack, with the consent of the seconder of the motion, sought the consent of the Council to move the following altered motion:-

It was moved by Mrs Hack and seconded by Mr Pain:-

"1. This Council notes that:-

- (a) Secondary school transport plays an important role in ensuring students get to school safely, reduces vehicle journeys, road congestion and, as a result, vehicle emissions;
- (b) Whilst legislation requires that transport is provided free of charge to secondary age children up to the age of 16 who live more than three miles walking distance to their nearest school only, Leicestershire also offers transport to the nearest Leicestershire school (if the nearest school is not in Leicestershire);
- (c) The Department for Education provides funding to allow an extended choice of the three nearest secondary schools, providing that these are within two and six miles walking distance, to qualifying low income families and there are currently 196 pupils taking up this benefit;
- (d) The Academies Act 2010 created a more autonomous schools system, giving schools independence from local authority control and increasing parental choice;
- (e) The cost of discretionary transport provided or arranged by schools in conjunction with commercial bus operators has in some cases increased significantly and has placed a further burden on already hard-pressed families;
- (f) At its meeting on 15th May 2019 the County Council declared a climate emergency and committed to work with other public bodies across the county and deliver carbon neutrality from its own operations by 2030;
- (g) Reducing private vehicle usage is an important component of tackling the climate emergency and the County Council has already demonstrated considerable success in this area through working with schools and academies to support walking, cycling and other forms of sustainable travel for the journey to and from school;

- (h) Legislation allows for the use of salary sacrifice schemes to subsidise the use of cycles and Ultra Low Emission Vehicles.
2. This Council therefore:
- (a) Encourages all maintained schools and academies to work with the County Council to build safe and active travel into their pupils' daily routines and increase the opportunities they have to choose active travel for their journey to school;
 - (b) Calls on the Government to ensure that, where active travel is not an option, maintained schools and academies are fully funded to provide affordable and environmentally sustainable school transport for secondary age pupils;
 - (c) Calls on the Government also to recognise that as a consequence of the Academies Act 2010 additional burdens have passed to local authorities and to ensure that, in the interests of children, young people and their families, the importance of fully funding local authorities is given the same priority as fully funding schools and academies.
3. That as an interim measure this Council calls on the Government to bring forward legislation to allow parents to use salary sacrifice schemes such as child care vouchers to pay for secondary school transport up to the age of 18.
4. That all Leicestershire MPs be advised of the Council's position and be requested to offer their support."

The motion was put and carried unanimously.

2.00 pm – 4.45 pm
10 July 2019

CHAIRMAN