

MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL

WEDNESDAY, 4 DECEMBER 2019 AT 2.00 PM

ORDER PAPER

AGENDA ITEM NO. 1 – CHAIRMAN'S ANNOUNCEMENTS

The Chairman will make her announcements.

AGENDA ITEM NO. 2 – MINUTES (Pages 3 to 32)

MRS POSNETT will move and MR O'SHEA will second:-

“that the minutes of the meeting of the Council held on 25 September 2019, 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 GALTON

“The Leader will no doubt be aware of the recent BBC investigation into the use of unregulated accommodation by local authorities to house children aged 16 – 18. This looked at how houses being used to accommodate young people in the care of the local authority do not need to be registered with OFSTED if they only provide support and not care.

The investigation raised concerns about the lack of qualified staff employed by private providers and concluded that many of the providers are operating de facto children's homes and should be registered.

Reference was also made to a letter having been sent by the relevant Minister to Chief Executives on the subject of the use of unregulated accommodation.

Could the Leader let me know:-

- (a) How many young people in the care of Leicestershire County Council have been placed in this type of accommodation in each of the last 3 years?

- (b) Are any young people in the care of Leicestershire currently placed in unregulated accommodation?
- (c) What action was the letter from the Minister asking the Council to take on this matter and has a response been sent?
- (d) How are referrals to providers undertaken and what checks are carried out? Specifically are the properties inspected and would the Council require staff working in these homes to be DBS checked?
- (e) Is the Leader satisfied that the process requiring other local authorities to inform the Council when placing a young person in unregistered accommodation in this Authority's area, working as it should do?
- (f) Once notified what duties and responsibilities does this Council have in respect of young people placed in accommodation in Leicestershire by other local authorities?"

Reply by MR OULD

- (a) The number of individuals that have been placed within unregulated 16/18 accommodation broken down by placements made per year is:

2017 – 44 young people
2018 – 46 young people
2019 – 51 young people
- (b) The County Council currently has 84 young people in unregulated accommodation. This accommodation is a mix of supported accommodation, semi-independent living and supported lodgings.
- (c) The letter from Nadhim Zahawi MP, Parliamentary Under-Secretary of State for Children and Families, in March 2019 requested that Local Authorities review their procedures when placing young people in unregulated provision to ensure that statutory requirements are being met and that young people are not put at risk. This request was considered and it was acknowledged that good robust procedures for making placements and quality assurance of placements were already in place in Leicestershire. An update on this will be presented to members in the New Year.
- (d) Referrals to providers are anonymised and highlight the needs and behaviours of the young person, their gender and any geographical areas they wish to be in and equally any geographical areas they cannot be placed in. Once a response is received this is sent to the Social Worker to make an informed decision as to whether it is a good placement match. Where possible the young person would get to view the property before moving in.

Providers go through a robust quality process to become a Framework Provider which includes health and safety checks and evidence of all relevant policies and procedures. All Framework providers are also visited, and a full Quality Assurance visit is undertaken before a placement is made. All staff

are required to have a full enhanced DBS (Disclosure and Barring Service) check and be checked against the barred list for working with children.

- (e) Notifications should be received where another local authority places a Looked After Child in Leicestershire and the provider includes this information when they offer accommodation for a young person. It is the responsibility of the placing local authority to inform the County Council but this does not always happen.
- (f) The Youth Offending Service, the Special Educational Needs Assessment and Commissioning Services, Child Sexual Exploitation Service and other Partner organisations would work with these young people if they were placed in Leicestershire and the Safeguarding Children's Partnership have safeguarding responsibility for all Looked After Children living in Leicestershire up to the age of 18 years.

If a child is looked after and placed in Leicestershire by another authority and there is a safeguarding concern (called a S47 investigation), the host county has a duty to lead on the investigation until the matter is handed over to the placing authority."

(B) Question by MR HUNT

- "1. I understand from the Chairman of the Environment and Transport Overview and Scrutiny Committee that the "non-motorised user audit" on the proposal for the J23/A512 scheme was obliged to ensure the scheme "tied in appropriately" with the walking and cycling provision along the A512, yet the shared pedestrian/cycle way alongside the Ashby Road East section of carriageway widening clearly does not meet highways standards for shared cycle/pedestrian use (notably for cycles or permitted electric vehicles). Bearing in mind that this is a popular route to work for many Shepshed inhabitants, can the Leader explain why this was overlooked?
- 2. How can we ensure future major highways schemes benefit non-motorised users as well as motorised traffic?
- 3. What future arrangements could be made to ensure that cycling and disability groups are consulted before submitting non-motorised user audits in future?"

Reply by MR PAIN

- "1. The key criteria for securing funding for the A512 widening programme was to unlock housing and economic growth. As part of this, a non-motorised user audit on the proposed J23/A512 scheme identified the need to ensure the scheme tied in appropriately with the existing walking and cycling provision along the A512. As part of the scheme, toucan crossings are being provided across the on and off slips of J23 and the new roundabout on the A512 to allow cyclists to access the shared footway cycleway on the north side of the A512 towards Loughborough. It is only possible to improve cycling facilities where funding and land allow. On the northside of the A512, Ashby Road East, there is insufficient land in the control of the County Council to widen the route. Taking additional land on the southern side would require the

entire arm of the roundabout to be realigned along with the circulatory carriageway and this would increase the scope of the developer's scheme beyond that agreed and has no allocated funding. Therefore unfortunately we are unable to widen this section of the route.

2. When developing any bids, such as the Local Growth Fund or the Growth and Housing Fund, Leicestershire County Council, as the local highway authority, will always look to see what transport improvements can be made against the funding stream criteria. If public transport access, cycle provision or pedestrian facilities are appropriate we will bid accordingly or look to ensure these can be accommodated when funding becomes available. However other funding streams such as the Access Fund or Local Sustainable Transport Fund are often more suitable for funding these type of measures. Whilst we always seek to secure sustainable travel infrastructure, it is dependent on the criteria of the funding stream as well as what can be physically delivered. We are embedding the design of infrastructure for non-motorised users as part of the overall highway scheme design process and where possible will include these designs as part of any competitive funding bid.
3. The County Council is always looking to review and improve processes where needed. In line with the most recent guidance we will look to incorporate input from appropriate user groups when considering what facilities can be included in future schemes for non-motorised users, in line with the funding criteria for any bidding process. Dependent on the nature and size of the scheme this input could include workshops, design reviews and consultation.”

(C) Question by MR HUNT

- “1. The public have been told the A512/J23 Major Highways Scheme will affect traffic through Junction 23 throughout 2020 and into 2021. Can the authority take further action to reduce congestion at peak time?
2. What can be done to reduce traffic backing up on Old Ashby Road?
3. Is it possible to provide information of time delays from week to week so that people can time their journeys better?
4. It seems some of the congestion is caused by heavy plant being moved across the carriageway at peak times; can this be limited?”

Reply by MR PAIN

- “1. Unfortunately, when carrying out improvement works on the highway there is inevitably some disruption, particularly when traffic levels are at their highest during morning and evening peak. Whilst construction works are programmed to minimise lane closures during peak times, it is only possible to reopen closed lanes where it is safe, and the surface is suitable. In addition, the installation of traffic management of the scale needed around J23 takes several hours to put in place under a full road closure and therefore it is not possible to install/remove the restrictions during peak times. The impact on the travelling public is constantly reviewed and every effort is made

to reduce delays where possible. Any changes that can be made safely whilst still facilitating the works will be assessed and implemented.

2. The potential to amend the traffic management at this location is currently being explored. Any changes will need to comply with national guidance that aims to protect the workforce as well as minimising the disruption to the travelling public. Local members will be kept informed of progress.
3. There are many different reasons for traffic levels to fluctuate from day to day and across the peak period; including incidents elsewhere on the network. Several weeks of data would need to be collected by officers driving the routes to provide average delays. The possibility of using commercially available data such as Google Maps will be explored. Information on the works programme and restrictions can be found on the dedicated webpage for the project along with contact details for the contractor Morgan Sindall's Public Liaison Officer.
[https://www.leicestershire.gov.uk/roads-and-travel/road-maintenance/m1-
junction-23-and-a512-improvement-scheme](https://www.leicestershire.gov.uk/roads-and-travel/road-maintenance/m1-
junction-23-and-a512-improvement-scheme)
4. We will discuss this with the contractor Morgan Sindall and ensure any movements are minimised but as peaks in traffic cannot always be predicted, there may be times when plant needing to be moved coincides with higher traffic volumes.”

TO DISPOSE OF BUSINESS FROM THE LAST MEETING

AGENDA ITEM NO. 5

REPORT OF THE CONSTITUTION COMMITTEE

(Pages 33 – 38)

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

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

MR RUSHTON will move and MR SHEPHERD will second:-

“That the changes to Standing Orders (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

GENERAL POSITION STATEMENTS

(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.

CHAIRMAN OF THE SCRUTINY COMMISSION

- (i) The Chairman 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. 7

REPORT OF THE CABINET

(Pages 39 to 206)

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

(A) Annual Report of the Director of Public Health 2019

NOTE: The Health and Wellbeing Board at its meeting on 28th November 2019 welcomed and supported the report.

MR BRECKON will move and MR OULD will second:

“That the Annual Report of the Director of Public Health 2019 be noted with support.”

(B) Annual Delivery Report and Performance Compendium 2019

MR RHODES will move and MR SHEPHERD will second:-

“That the Annual Delivery Report and Performance Compendium 2019 be approved.”

AGENDA ITEM NO. 8

REPORT OF THE EMPLOYMENT COMMITTEE

(Pages 207 to 222)

Principal Speakers:-

Chairman (Mr J B Rhodes)

Liberal Democrat Spokesman (Mrs L Broadley)

Labour Spokesman (Ms B Newton)

(A) Pay Policy Statement 2020/21

MR RHODES will move and MR SHEPHERD will second:-

“That the County Council’s Pay Policy Statement 2020/21, attached as Appendix A to the report of the Employment Committee, be approved.”

AGENDA ITEM NO. 9

REPORT OF THE CORPORATE GOVERNANCE COMMITTEE

(Pages 223 to 258)

Principal Speakers:-

Chairman (Mr T Barkley)

Liberal Democrat Spokesman (Mr B Boulter)

Labour Spokesman (Mr S Sheahan)

(A) Proposed Changes to the Financial Procedure Rules

MR BARKLEY will move and MR RICHARDSON will second:-

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

(B) Proposed Changes to the Contract Procedure Rules

MR BARKLEY will move and MR RICHARDSON will second:-

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

AGENDA ITEM NO. 10

SECOND REPORT OF THE CONSTITUTION COMMITTEE

(Pages 259 – 270)

Principal Speakers:-

Chairman (Mr N J Rushton)

Liberal Democrat Spokesman (Mr S J Galton)

(A) Report of the Independent Remuneration Panel on Members' Allowances

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 2018/19 do so at the earliest opportunity;
- (c) That all Members of the County Council be asked to submit an Annual Report for the municipal year 2019/20 for publication on the County Council's website;
- (d) That officers be asked to investigate what support can be provided to Members with regard to writing content relevant for their constituents;
- (e) That the allowance payable to Group Whips continues to be paid at the current rate of £61.40 per Member and increased annually in line with the Local Government Employee Pay Award).”