



CABINET – 24 MARCH 2020

PUBLIC ORDER PAPER

ITEM DETAILS

APOLOGIES FOR ABSENCE

Mr. T. J. Pendleton CC

1. MINUTES (Pages 5 - 14)

Proposed motion

That the minutes of the meeting held on 7 February 2020 be taken as read, confirmed, and signed.

2. URGENT ITEMS

The Chairman has agreed to consider two urgent items; a report on the South West Leicestershire Growth Area Housing Infrastructure Fund and on Coronavirus. These will be taken under item 17 on the agenda.

3. DECLARATIONS OF INTEREST

Members of the Cabinet are asked to declare any interests in the business to be discussed.

**4. REPORT OF THE SCRUTINY REVIEW PANEL ON MULTI-ACADEMY TRUSTS
(Pages 15 - 26)**

Proposed motion

- a) That further work takes place to ensure that elected members understand how and where to raise concerns around a Multi-Academy Trust;
- b) That MATs be encouraged to appoint elected members to their local governing bodies to ensure better engagement between MATs, elected members and the local authority;
- c) That a discussion takes place at the Academy CEO Network Group around arranging visits to local schools for elected members in order to develop and maintain the local link;
- d) That details of local elected members be sent to relevant schools to enable them to make contact should they wish;
- e) That the Children and Families Overview and Scrutiny Committee receives

an annual progress report from the School Effectiveness Team.

5. CHILDREN'S SOCIAL CARE INVESTMENT PLAN (Pages 27 - 36)

Proposed motion

- a) That the comments of the Children and Families Overview and Scrutiny Committee be noted;
- b) That the Children's Social Care Investment Plan as outlined in the report be approved;
- c) That £2.5m capital investment be allocated to the Children's Social Care Investment Plan to purchase:
 - (i) a Hub to house the Assessment and Resource Team and three assessment beds,
 - (ii) three multi-functional properties which can house up to two children/young people alongside staff accommodation.

6. ENVIRONMENT AND TRANSPORT 2020/21 HIGHWAYS CAPITAL PROGRAMME AND HIGHWAYS AND TRANSPORTATION WORK PROGRAMME (Pages 37 - 68)

Comments have been received from Mr. M. Hunt CC, which are attached to this Order Paper marked '6'.

Proposed motion

- a) The Environment and Transport 2020/21 Highways and Transportation Capital Programme and Works Programme be approved;
- b) That, noting the comments from the Director of Corporate Resources in the separate report to this meeting on Coronavirus (COVID-19) impact on the County Council's finances the Director of Environment and Transport be authorised at this stage and subject as necessary to (i) further reports to the Cabinet, and (ii) the Director's use of delegated powers in urgent matters:
 - (i) following consultation with the Director of Corporate Resources and the Cabinet Lead Member for Highways and Transportation, to make minor amendments to the 2020/21 Highways and Transportation Capital Programme and Works Programme;
 - (ii) following consultation with the Director of Corporate Resources and the Cabinet Lead Members for Highways and Transportation and Corporate Resources, to prepare and submit bids, as appropriate, to secure external funding for delivery of schemes identified in the Highways and Transportation Capital and Works Programmes;
 - (iii) following consultation with the Director of Corporate Resources, the Director of Law and Governance and the Cabinet Lead Member for

Corporate Resources, to enter into such contracts as are necessary to progress schemes in the approved Highways and Transportation Capital and Works Programmes to allow early contractor involvement to take place in advance of all external funding required to deliver the scheme, subject to the key principles (a) to (d) set out in paragraph 27 of the report.

7. HINCKLEY ZONE 4: RUGBY ROAD AND TOWN CENTRE IMPROVEMENTS
(Pages 69 - 82) (Appendices pages 3 – 36)

Comments have been received from Mr. S. Bray CC, which are attached to this Order Paper marked '7a'.

Mr. D. C. Bill CC has asked that the Cabinet be made aware of the comments of some District Councillors from Hinckley and Bosworth Borough Council, attached to this Order Paper marked '7b'.

Proposed motion

- a) That the outcome of the public consultation on the proposed Hinckley Zone 4: Rugby Road and Town Centre Improvements and the amendments to the scheme developed in response be noted;
- b) That the amended scheme as detailed in the report and appendices B1-9 and C1-2 be approved;
- c) That the Director of Environment and Transport, following consultation with the Director of Corporate Resources and the Cabinet Lead Members for Highways and Transportation and Corporate Resources, be authorised to undertake the necessary processes to deliver the scheme, including, but not limited to, the acquisition of land, entering into a construction contract and introducing appropriate changes to traffic regulation orders (noting that any Compulsory Purchase Orders would need to be the subject of appropriate authorisation);
- d) That the Director of Environment and Transport following consultation with the Cabinet Lead Member for Highways and Transportation be authorised to make minor changes to the scheme as appropriate through the delivery process.

8. MELTON MOWBRAY DISTRIBUTOR ROAD (Pages 83 - 86)

Proposed motion

- a) That the financial risk to the County Council of having to forward fund £100m on current estimates to allow the northern/eastern and southern sections of the Melton Mowbray Distributor Road to be constructed, be noted;

- b) That it be noted that:
- (i) this position has regrettably been exacerbated by Melton Borough Council having no comprehensive masterplan, including a phasing and delivery plan, for either the Northern or Southern Sustainable Neighbourhoods as required by the Melton Local Plan, including key transport links within and outside the developments, linking to the town of Melton Mowbray and other housing and employment areas;
 - (ii) without these masterplans and a process to produce them not having been undertaken in line with the Local Plan, there is too much uncertainty about development in Melton for the County Council to commit to forward fund the cost of the southern section of the Melton Mowbray Distributor Road at a time of increasing financial uncertainty;
- c) That Melton Borough Council and Homes England accordingly be advised that in the absence of masterplans which meet the requirements of the adopted Melton Local Plan and no assurance that Melton Borough Council is close to completing such plans after a required process of consultation with all stakeholders, the County Council is unable at this time to accept the grant aid offer from Government towards the cost of the southern section of the Melton Mowbray Distributor Road;
- d) That the Department for Transport be advised that the County Council remains committed to progressing further the northern and eastern legs of the Distributor Road;
- e) That an offer be made to Melton Borough Council for the County Council to undertake at its expense a fresh masterplanning exercise on the understanding that the Borough Council will cooperate fully and the outcomes of the exercise, to be concluded as quickly as possible, will be subject to the approval of both councils;
- f) It is important to note in this context that the County Council has to date invested c.£5m in support of the Melton Mowbray Distributor Road and the Melton Mowbray Transport Strategy; has allocated £16m towards the construction of the northern and eastern legs of the Distributor Road; and is prepared to allocate £13m towards the construction of the southern leg if recommendation (e) is accepted by Melton Borough Council;
- g) That the offer in (e) above be made to Melton Borough Council so that the County Council can accept the Housing Infrastructure Fund bid for the southern section of the Distributor Road; and that Melton Borough Council be informed of the County Council's intentions to give an answer to the Ministry of Housing, Communities and Local Government and Homes England on the grant aid offer for the southern section of the Distributor Road by 31 May 2020 at the latest.

9. NORTH AND EAST MELTON MOWBRAY DISTRIBUTOR ROAD - MAKING OF THE COMPULSORY PURCHASE ORDER AND SIDE ROADS ORDER FOR LAND REQUIRED (Pages 87 - 96) (Appendices pages 37 – 72)

Proposed motion

- (a) A Compulsory Purchase Order to be known as “The Leicestershire County Council (North and East Melton Mowbray Distributor Road) Compulsory Purchase Order 2020” (CPO) be made under Sections 239, 240, 246, 250 and 260 of the Highways Act 1980 and the Acquisition of Land Act 1981 to secure the compulsory acquisition of the land shown coloured pink and the new rights over the land shown coloured blue on the CPO Maps (Appendix A);
- (b) A Side Roads Order to be known as “The Leicestershire County Council (North and East Melton Mowbray Distributor Road) (Side Roads) Order 2020” (SRO) be made under Sections 14 and 125 of the Highways Act 1980 to construct new highways and public rights of ways, stop up, divert, improve or otherwise deal with a highway including public rights of ways and the closure and creation of private means of access as shown in the SRO maps at Appendix B;
- (c) The Director of Environment and Transport and Director of Corporate Resources be authorised, in consultation with the Director of Law and Governance and following consultation with the relevant Cabinet Lead Members, to:
 - i. finalise and make, if necessary, any minor or technical amendments, modifications and deletions to the Order Map and SRO Plan should this be considered appropriate;
 - ii. finalise the CPO and the SRO (collectively referred to as “the Orders”) and the Statement of Reasons;
 - iii. in accordance with the Cabinet authority dated 6 July 2018, continue to take all necessary steps to make, publish, obtain confirmation of the Orders including (but not limited to) the publication and service of all statutory notices and presentation of the Council’s case at any Public Inquiry or through written representations, to secure the confirmation of the Orders (with or without modifications) by the Secretary of State for Transport and implement the Orders associated with the North and East Melton Mowbray Distributor Road scheme;
- (d) That the latest position with regard to costs and timescales for the scheme, set out in Part B of the report, be noted.

10. MIDLANDS ENGINE DEVELOPMENT CORPORATION PROPOSALS (Pages 97 - 104)

Proposed motion

- (a) That the Council's support for and continued role in the establishment of Project Alchemy (the Midlands Engine Development Corporation) and the required interim arrangements be supported;
- (b) That the submission of a bid for an inland Freeport be supported;
- (c) That the continued development of a summary business case for Project Alchemy and the submission of a further report to the Cabinet in Spring 2020 be noted.

11. TREE MANAGEMENT STRATEGY (Pages 105 - 172)

Comments have been received from Mr. M. Hunt CC, which are attached to this Order Paper marked '11'.

Proposed motion

- (a) That the comments of the Environment and Transport Overview and Scrutiny Committee be noted;
- (b) That the Tree Management Strategy, and the associated Tree Management and Planting Plan, be approved, noting that these will be updated annually by the Director of Corporate Resources;
- (c) That the partnership with the National Forest Company to produce an overview document outlining a broader County-wide approach to tackling climate change and creating a sustainable place through more tree planting, be welcomed.

12. DRAFT LEICESTERSHIRE SEXUAL HEALTH STRATEGY 2020 – 2023 (Pages 173 - 196)

Proposed motion

- (a) The draft Leicestershire Sexual Health Strategy for 2020 – 23 (attached as the appendix to the report) be approved for consultation;
- (b) That the consultation will continue using only digital methods and may be delayed due to operational pressures, be noted;
- (c) That a further report be considered by the Cabinet on 23 June 2020 detailing the findings of the consultation and presenting the Strategy for approval.

13. RE-ESTABLISHMENT OF A PARTNERSHIP AGREEMENT WITH EAST LEICESTERSHIRE AND RUTLAND AND WEST LEICESTERSHIRE CLINICAL COMMISSIONING GROUPS FOR LEAD COMMISSIONING ARRANGEMENTS AND A POOLED BUDGET FOR SERVICES FOR PEOPLE WITH A LEARNING DISABILITY (Pages 197 - 202)

Proposed motion

- a) That the Director of Adults and Communities and the Director of Law and Governance be authorised to negotiate and complete a Partnership Agreement under Section 75 of the NHS Act 2006 with the CCGs, which will include the County Council becoming lead commissioner and manager of a Learning Disability Pooled Budget;
- b) That the Director of Adults and Communities and the Director of Law and Governance be authorised to vary the Partnership Agreement after commencement to:
 - i) Include funding in relation to Section 117 Mental Health Act 1986;
 - ii) Develop a risk sharing agreement with the CCGs within the period of the Agreement;
 - iii) Include funding in relation to the County Council undertaking additional case management activity for those people included in the Learning Disability Pooled Budget.
- c) That the Partnership Agreement referred to above commence on 1 April 2020 and continue for a period of four years until 31 March 2024, including provision to extend further by up to two years until 31 March 2026 if necessary.

14. EXCEPTION TO CONTRACT PROCEDURE RULES IN RELATION TO THE TREES, HINCKLEY - URGENT ACTION TAKEN BY THE CHIEF EXECUTIVE (Pages 203 - 206)

Proposed motion

That the urgent action taken by the Chief Executive to approve an exception to the County Council's Contract Procedure rules to enable the award of a contract to Tanwood Construction Limited for the refurbishment of The Trees, Hinckley be noted.

15. REVIEW OF DELEGATIONS TO CHIEF OFFICERS (Pages 207 - 230)

Proposed motion

That the revised delegated powers which relate to executive functions as set out in Appendix A and the updated Proper Officer schedule set out in Appendix B, both attached to the report, be approved.

16. ITEMS REFERRED FROM OVERVIEW AND SCRUTINY

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

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

There are two urgent items.

a) South West Leicestershire Growth Area Housing Infrastructure FundProposed motion

- (a) That it be noted that the County Council's Housing Infrastructure Fund (HIF) bid for the South West Leicestershire Growth Area was unsuccessful;
- (b) That it be noted that the dialogue with Homes England and the Ministry of Housing, Communities and Local Government, at their request, regarding the potential for Government funding some elements of the bid is continuing;
- (c) That the Director of Environment and Transport, in consultation with the Director of Corporate Resources and the Director of Law and Governance, will give consideration to other funding options in the light of this outcome and report back to the Cabinet in due course;
- (d) That the timetable for the determination of the Lutterworth East SDA planning application by Harborough District Council, scheduled for 21 April 2020 remains unchanged.

b) Coronavirus (Covid-19) Impact and Response of the County CouncilProposed motion

- a) That the report and the work in hand to ensure vital services especially to vulnerable members of the public continues, be noted;
- b) That the position regarding the process for taking urgent decisions, be noted; and
- c) That the establishment of a £1million fund to establish a voluntary and community sector support scheme as set out in paragraph 66 of the report, be approved.

18. EXCLUSION OF THE PRESS AND PUBLICProposed 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 5 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.

19. M69 JUNCTION 2 - STRATEGIC DEVELOPMENT AREA (Pages 231 - 248)

Comments have been received from Mrs. M. A. Wright CC.

Officer to contact

Anna Poole, Democratic Services

Tel: (0116) 305 2583 Email: anna.poole@leics.gov.uk

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