

**MINUTES OF THE MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL
HELD AT COUNTY HALL, GLENFIELD ON WEDNESDAY, 30 SEPTEMBER
2020**

PRESENT

Mrs. P. Posnett MBE 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, 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. 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. 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. L. Phillimore 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

10. CHAIRMAN'S ANNOUNCEMENTS.

Col James Matheson Knight Weir OBE; TD; DL and Mr Ray Mason.

It was with sadness that the Chairman reported the deaths of former County Councillors, Col 'Jim' Weir on 11th September 2020 and Mr Ray Mason on 21 September 2020.

Col Weir served on the County Council between 1985 and 1993 and represented the Oakham Electoral Division. He served on the Policy and Resources Committee, the Police Committee and the Public Protection Committee.

He was also appointed a Deputy Lieutenant of Leicestershire in 1984, and transferred to the Rutland Lieutenancy in 1997, following the reorganisation of local government, where he served as their Vice Lord-Lieutenant until his retirement in 2006.

Mr R Mason was elected to the County Council in 1989 and served until 2005 representing the Sileby Electoral Division.

He served on the County Council Cabinet until 2002 and then served on various bodies including the Education Scrutiny Committee, the Development Control and Regulatory Board and the Combined Fire Authority.

The Chairman invited the Council to stand in silent tribute to the memory of Col Jim Weir and Mr Ray Mason.

County Service

The Chairman advised Members that it would not be possible to hold her planned County Service at Leicester Cathedral on Sunday 4th October. She was, however, pleased to report that, together with colleagues at the Cathedral, the service had been pre-recorded, which would be available to view on the Cathedral's website on the 4th, at 3.00 p.m. In due course details would be circulated on how to access the service.

11. 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 8th July 2020, copies of which have been circulated to members, be taken as read, confirmed and signed.”

12. 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 this meeting.

All members who were members of District and Borough Councils declared a personal interest on the item in the Leader's Position Statement on Devolution (Agenda Item 5).

Dr Eynon and Mr Miah declared a personal interest in the Position Statement by the Lead Member for Communities as they were associated with community groups that had been successful in obtaining grants for the Community Fund (Agenda Item 5).

Mr Phillimore declared a personal interest in those elements in the report of the Cabinet concerning the Medium Term Financial Strategy which relate to SEN as his partner worked at a SEN school in the County (Agenda Item 6 (a)).

Dr Hill declared a personal interest leading to bias regarding the appointment of Independent Persons as she was a close personal friend of two of the persons recommended for appointment (Agenda Item 7 (a)).

Mr Orson declared a personal interest in the Notice of Motion on Sky Lanterns and Helium Balloons as a member of National Farmers Union (Agenda Item 8)

Mr Rushton; Mr Coxon; Mr Liquorish; Mr Harrison; Mrs Maggie Wright; Mr Bentley; Mr Parton; Mrs Newton; Mr Kaufman; Mr Mullaney and Mr Boulter declared a personal interest in the Notice of Motion on Sky Lanterns and Helium Balloons as members of the Combined Fire Authority (Agenda Item 8).

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

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

- “1. Would the Leader agree with me that we need to be robust when minimising risk to the authority in financing Major Road Projects?
2. On 25th June 2019 the Cabinet received a report for the delivery of a comprehensive £25million Major Road scheme at M1 J23 and the A512, as identified in the Highways Capital Programme, involving negotiations to obtain the necessary legal agreements and secure third party contributions but stating that the third party funding, quoted as a net £8million, required further authorisation before letting the contract for the work, and furthermore that work would be suspended if agreement was not reached by 30th June 2019.

On the 4th July 2019 I was informed that “we have reached agreement in principle with the relevant parties”, and that we were “confident that the necessary agreements will be signed in the short term.”

Would the Leader confirm the third party developers who are contributing to the project (locally understood to be the developers of the West of Loughborough SUE, the former Wilson Bowden Science Enterprise Park and various Shepshed housing developers)?

3. Would the Leader confirm the contributions secured from each third party according to their S106 or Planning Conditions?
4. On June 30th, 2020 the LLEP received a grant of £20million from the Government’s new Getting Building Fund of which £1.8million was allocated to the M1/A512 Major Road Scheme. When was this proposal submitted to the LLEP?
5. Why was this further contribution from the public purse necessary when agreement on funding this major road project was apparently reached in July last year?”

Mr Pendleton replied as follows:

- “1. Yes, and robust risk assessment is part of all projects from inception through to construction with expert input from finance and legal officers being sought throughout a project’s life.
2. Through S278 Highways Act agreements Leicestershire County Council secured contributions from the landowners and developers of the West of Loughborough SUE and the science and enterprise park. The agreements plus related Deferred Payments Agreements (DPA) were entered into by the County Council to ensure that future landowners/developers of the SUE and science and enterprise park would be liable for the contribution in the event of onward transfer of the affected land.

At the time of the agreements being concluded the parties were:

S278 North:

- 1) Leicestershire County Council
- 2) Trustees of The De Lisle Family Fund (First Owner)
- 3) Grace Dieu Corporate Trustee One Limited and Grace Dieu Corporate Trustee Two Limited (Second Owner)
- 4) Persimmon Homes Limited (Developer)
- 5) William Davis Limited (Option Holder)

DPA North:

- 1) Leicestershire County Council
- 2) Persimmon Homes Limited
- 3) William Davis Limited
- 4) The Squire Amaury Arnaud March Phillipps De Lisle, Peter Andrew March Phillipps De Lisle, Simon Jonathan Henry Still and Roythornes Trustees Limited
- 5) Grace Dieu Corporate Trustee One Limited and Grace Dieu Corporate Trustee Two Limited

S278 South:

- 1) Leicestershire County Council
- 2) Wilson Bowden Developments Limited
- 3) Grace Dieu Corporate Trustee One Limited and Grace Dieu Corporate Trustee Two Limited

DPA South:

- 1) Leicestershire County Council
- 2) Wilson Bowden Developments Limited
- 3) Grace Dieu Corporate Trustee One Limited and Grace Dieu Corporate Trustee Two Limited

All other required contributions from relevant Shepshed developments have been secured through s.106 agreements and these are publicly available.

3. A list of s.106 contributions secured to date is available attached.

Planning conditions by Charnwood Borough Council as set out in Planning Permission references P/14/1833/2 Land at West of Loughborough, Loughborough Leicestershire and P/19/0524/2 Land West of Snells Nook Lane Loughborough Leicestershire do not specify a funding amount but rather seek to ensure safe and suitable access to development permitted and mitigate the impact of those developments through improvements to M1J23 and the A512. No development has yet triggered these planning conditions and so there is as yet no obligation on these developers to deliver any part of the M1J23 A512 Scheme according to the planning conditions. Nothing in the agreements referred to prevents the delivery of planning obligations or s.106 contributions identified in P/14/1833/2 Land at West of Loughborough, Loughborough Leicestershire and P/19/0524/2 Land West of Snells Nook Lane Loughborough Leicestershire.

4. The proposal was submitted in June 2019.
5. Agreement in principle was reached with the LLEP following submission of the proposal in June 2019, this formed part of the agreements required to fund the scheme from external sources. The announcement in June 2020 was confirmation of the funding source.”

Mr Hunt asked the following supplementary question:

- “2. Since this Major Road Project not only required funds from developers to trigger public contributions but the infrastructure was essential to the success of the two major projects (north and south of the A512), why did Leicestershire County Council not wait until the planning agreements or conditions were triggered by the development so that the County Council would gain maximum leverage, rather than pushing ahead without a secure agreement?
3. Why were the contributions from the West of Loughborough SUE and the former Wilson Bowden development not secured by S106 as opposed to planning conditions?
- 4.&5. If the expected funding was secured by the County Council in July 2019 with no gap in funding, as I was led to understand, why was the request for a further £1.8m funding from the LLEP, and eventually awarded under a scheme for new building?”

Mr Pendleton replied as follows:

- “2. As set out in the Cabinet report of June 2019 the objective of the scheme was to ‘bring together all interested parties to make best use of public and private sector resources’ in order to achieve the following benefits:
 - ‘ii. Enable coordinated delivery of several planning requirements in one scheme;
 - iii. Reduce disruption on a critical part of Leicestershire’s road network;
 - iv. Future proof (in foreseeable highway capacity terms) the area in preparation for planned growth;
 - v. Unlock strategic employment and housing sites identified in Charnwood Borough Council’s Core Strategy, helping to support the delivery of planned growth, maintaining 5 year land supply and ensuring a reduction in speculative development; and,
 - vi. Ensure developments contribute fully to their share of costs.’

The M1J23 A512 scheme comprises highway mitigation for a number of developments with a current planning permission and those in the pipeline. Given the varying land ownerships and separate option to purchase arrangements and potential protracted negotiations required to resolve liability for delivery of the schemes across those developments could have acted as a barrier to housing delivery.

Hence it was incumbent on the County Council using its highway authority role to facilitate arrangements that secured the necessary external funding required. Reliance solely on the s106 funding approach would involve triggers for the contributions and conditions, given the various stages of development and rates of house building spreading over up to 10 years.

If the improvements were delivered in line with the various triggers they would be delivered over a lengthy period with the associated potential for abortive works, digging up of recently completed works and years of congestion for users of the network. In addition, timing clashes would likely mean that the necessary mitigation would not be able to be delivered in time to manage the impacts.

Accordingly, the County Council took the opportunity (when grant funding streams were available) to combine the various mitigation schemes into one project, delivered by one contractor in the most efficient way and in advance of the main triggers to ensure that the schemes designed to mitigate the traffic impacts were in place when needed. This is in line with the ambitions set out in the Strategic Plan including those around a Strong Economy and Affordable and Quality Homes.

3. The decision to grant planning permission and the associated conditions was the decision of Charnwood Borough Council in its role as Local Planning Authority. Charnwood exercised their planning judgement as to what was appropriate for the applications mentioned. They took into account as part of the planning consultation process, the Highways England recommendation that a condition requiring these developments to improve J23 of the M1 in advance of the access being built on to the A512 (and associated improvements to the A512) was necessary for the proposed developments to be acceptable. As this condition was linked to the requirement for an access strategy it was appropriate for Charnwood Borough Council to also condition that access works.
- 4.&5. The £1.8m funding request was submitted to the LLEP in June 2019 and based on the submission was given approval in principle. The LLEP manage a number of different funding streams which are suitable for this type of highway scheme funding and the LLEP assigned funding from the Local Growth Funding at a suitable point in the scheme delivery when additional funding was made available.”

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

- “1. Would the Leader welcome the Government’s Cycle Infrastructure Design Note 1/20 <https://www.gov.uk/government/publications/cycle-infrastructure-design-ltn-120> which updates national guidance (2/08) for highway authorities and, to quote the Minister, Chris Heaton-Harris, designers representing the current best practice, standards and legal requirements?

2. The Design Note states that cyclists on urban streets must be physically separated from pedestrians and should not share space with pedestrians. Will we be putting this into effect in Leicestershire in our future planning consultations and S278 Agreements, and if so when will this change commence?
3. How can we put this physical separation into effect in present shared infrastructure or mitigate its effects where this is not possible?
4. What changes will be required of the Leicestershire Highway Design Guide and when will they be effected?
5. Will the Design Note be integral to the Local Transport Plan (LTP4) and when is a Draft for consultation currently programmed?"

Mr Pendleton replied as follows:

- "1. As an Authority with a strong track record of promoting cycling and walking, for example through our successful Choose How You Move brand, we welcome the Government's new Cycle Infrastructure Design Note 1/20, and also the Prime Minister's Cycling and Walking Plan, which was published at the same time. Getting more people to travel by bike, and on foot, is important in respect of the Authority's declaration of a Climate Change Emergency, promoting healthier lifestyles and of supporting economic recovery. However, to deliver on the Government's level of ambition will not come cheaply, both in capital and revenue terms – for example, even the relatively modest extent and scale of measures proposed in the Authority's Emergency Active Travel Fund Tranche 2 bid are forecast to cost in excess of £2.5m. It would be challenging for the Authority to deliver on the level of ambition at the best of financial times, but in its current budgetary circumstances we will need to actively seek funding from Government to in order to do so.
2. The new guidance sets out many principles for future infrastructure design, segregated cycleways in urban centres being one of them. We will expect developers to follow the Design Note in preparing their development proposals, including where there is a need for associated off-site cycling and walking improvements. We will provide advice to Local Planning Authorities (LPAs) accordingly, but as always reflecting prevailing planning law and regulations, which in some circumstances might mean that it would be unreasonable, as defined in planning terms, to require a developer to provide a segregated facility. However, ultimately district councils as LPAs are responsible for determining planning consent, including any conditions or obligations that should be attached thereto. The 'in principle' nature of any highway measures is normally established at the grant of consent; Section 278 agreements are subsequently used as necessary to deliver the measures rather than to stipulate what the 'in principle' nature should be. In other words, if a planning condition/obligation did not require the delivery of segregated facilities this could not subsequently be imposed through a Section 278 Agreement.

3. We will look for opportunities to upgrade facilities to segregate pedestrians and cyclists through future improvement schemes and maintenance programmes. However, non-segregated facilities have often been used in the past in places where there are physical constraints and/or it would have not been cost-effective to do so. Thus, and as highlighted in the response to question 1, there will be significant financial challenges in seeking to deliver on the Government's level of ambition for cycling, particularly in relation to retrofitting existing facilities, and the Authority will need to actively pursue additional funding from Government in order for it to be in a position to be able to do so.
4. The Leicestershire Highway Design Guide is currently under review. Publication of the Design Note will be one of many factors that will need to be taken into account as part of conducting this work.
5. It was originally envisaged that the approach to replacing LTP3 would be via a single, overall, wholesale review process. In practice, circumstances have dictated a different approach. The focus has instead been on developing area or topic specific policies and strategies and plans, including:
 - The Leicester and Leicestershire Rail Strategy
 - The Asset Management Policy and Strategy, and Highways Infrastructure Asset Management Plan
 - Passenger Transport Policy and Strategy

In regard to supporting people to travel more sustainably and actively, assisting in efforts in meeting our climate and public health challenges, as well as responding to covid-19 impacts, a Cycling and Walking Strategy (CaWS) for Leicestershire is currently in development. This will incorporate the latest government guidance and vision, forming the key part of the policy and strategy that underpins cycling and walking in the current and future LTP.

Officers have begun initial work to scope out what the Authority's LTP4 might look like. Once this has been established, a programme for its development will be prepared."

Mr Hunt asked the following supplementary question:

- "1. Emergency programmes of work are often more expensive than those planned in advance. Are you suggesting that your Tranche 2 bid of £2.5m is not good value for money or done on the cheap?
2. You say you expect developers to follow the Design Note in preparing their development proposals but also say such proposals would be unreasonable in certain circumstances. Under what circumstances are the new Design Note likely to be unreasonable and would it not be wise to obtain high level clarification of what measures would be reasonable or unreasonable first thus avoiding developers exploiting

this loophole claiming unreasonableness at every turn?

3. Given your pessimistic view of the chances of cost-effective schemes for segregating cycles and pedestrians from motor traffic on existing highways, how can we increase active travel when pedestrians fear cyclists and cyclists fear motor traffic (leaving aside the delights of electric scooters!)?
5. In your recent 'Strategic Transport Priorities 2020-2050' publishing the County LTP4 was a short-term priority, presumably because you take a joined up strategic approach to developing transport across the County. However, you begin your answer by saying:

“It was originally envisaged that the approach to replacing LTP3 would be via a single, overall, wholesale review process. In practice, circumstances have dictated a different approach. “

But finish it by saying:

“Officers have begun initial work to scope out what the Authority’s LTP4 might look like. Once this has been established, a programme for its development will be prepared.”

What circumstances have dictated a different approach?”

Mr Pendleton replied as follows:

- “1. The Authority considers that its Tranche 2 bid meets the Emergency Active Travel Fund criteria as set out by the Government and has been developed as robustly as it could have been within the timescales available to prepare bids and therefore represents value for money. We await a response from the Department for Transport as to whether this bid has been successful and whether we have secured the funding required to secure its delivery.

The Tranche 2 bid illustrates that a substantial level of investment is required even to deliver a package of measures that is targeted towards a limited number of locations and is relatively modest in what it will deliver (at least when compared with the overall level of ambition set out in the Government’s new guidance and plan for cycling and walking).

2. Under the current planning system, the requirement for new infrastructure to support developments is determined on a case-by-case basis, based on the evidence for that site, and has to be proportion to the scale of development, its location and its impacts. Thus, what is a ‘reasonable’ requirement for one development is not necessarily the case for other developments, and in any case can only be determined according to site-specific circumstances.

This principle applies to any new cycling and walking facilities prepared in accordance with the new design guidance (i.e. Cycle Infrastructure Design Note 1/20), just as it did to cycling and walking

facilities prepared in accordance with the previous design guidance. As stated previously, we can only provide advice on this matter: the final decision as to whether a requirement to provide new cycling or walking infrastructure is 'reasonable' and should be included in the conditions/obligations attached to planning consent is a matter for the relevant Local Planning Authority.

3. Our previous response was intended to highlight the difficulties of funding new cycling and walking infrastructure in line with the Government's new guidance, given the costs involved in doing so and the broader financial challenges currently facing the Authority. Notwithstanding this, the Authority remains strongly committed to promoting active travel as a key component of the Environment and Transport Department's work and has a dedicated 'Safe and Sustainable Transport' team responsible for coordinating active travel initiatives such as the Choose How You Move brand. The Authority's recent bid submissions for the Emergency Active Travel Fund (Tranches 1 and 2) are a further demonstration of this commitment.

As stated previously, the Government's ambition for greater segregation of pedestrians and cyclists is welcomed in principle, and we will look for opportunities to upgrade facilities accordingly through future improvement schemes and maintenance programmes. That said, the new guidance recognises that shared-use facilities should remain an appropriate option in certain circumstances and not be precluded altogether, including in situations where shared-use facilities are the only feasible option to achieve a continuous cycle route.

5. As highlighted in our previous response, we have moved towards a more segmented approach involving the development of topic or area specific policies, strategies and plans that have gradually superseded LTP3. This approach has been driven by the need to respond to emerging pressures, including changes in Government Policy or Guidance (as in the case of the Highway Infrastructure Asset Management Plan) and financial/budget pressures (as in the case of the Passenger Transport Policy and Strategy). Conversely, had we sought to develop these topic and area specific policies, strategies and plans as part of a comprehensive review of the LTP, it would not have been possible to respond to these pressures in a timely fashion due to the additional complexity and resources this would have involved. By extension, a segmented approach will provide greater flexibility to undertake focussed policy reviews and updates (as necessary) in future."

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

"Will the Leader update me on progress and give me a revised timescale for the works in Hinckley town centre, including the improvements to the Hawley Road Rugby road junction and the proposed residents parking scheme?"

Mr Pendleton replied as follows:

“The scheme was due to commence this summer but due to the COVID-19 pandemic, the delivery of the Rugby Road and Hinckley Town Centre Improvement schemes had to be postponed so that resources could be prioritised and focused on delivering critical services across the County.

As services across the Environment and Transport Department have started to resume, officers have reviewed the works programme and the improvement works at the Rugby Road/Hawley Road and Brookside junctions are now planned to start in the Spring of 2021, with the works intended to be completed before Christmas.

There has been ongoing work to finalise the necessary elements to ensure the scheme runs smoothly, including purchasing the land required and developing robust traffic management plans.

A formal consultation on the residents parking scheme will start from 30th September. Letter drops will go out to all residents directly affected, explaining the changes and providing them opportunity to comment or officially object to the scheme. Further information regarding the residents parking scheme was provided to Mr Bray in advance of this consultation as part of the statutory process.

Members will receive details of the traffic management plan and an outline of the works programme once this has been finalised.

An update will also be posted on the ‘Rugby Road and Town Centre Improvement scheme’ webpage, which contains the plans for this scheme. <https://www.leicestershire.gov.uk/roads-and-travel/road-safety/rugby-road-and-hinckley-town-centre-improvement-scheme>”

(D) Mr Welsh asked the following question of the Leader or his nominee:

“Residents have posting comments on social media sites suggesting that the County Council have been directing recyclables to landfill. Can the Leader please explain if this is the case?”

If the posts are correct can I further ask why the County Council is doing this and secondly when can we re-establish the normal waste streams for this waste?”

Mr Pendleton replied as follows:

“We have not been specifically directing any recyclable items to general landfill.

Prior to the Covid 19 pandemic, all the County Council’s Recycling and Household Waste Sites (RHWS) separately collected ‘glass’ and ‘plastic bottles, tubs and trays’, ‘paper’, ‘scrap metal’ and cardboard items and sent them to the appropriate recycling or treatment facilities.

All the RHWSs have now re-opened following the full closure of the service due to the Covid 19 pandemic. All sites operate on an appointment basis only and some sites have not been able to offer the full range of recycling services. This was done in order to:

- ensure that social distancing can be observed, and the necessary cleaning regimes undertaken through limiting the number of users on site at any one time;
- control the peaks and troughs associated with the use of the sites and thereby prevent queuing and any associated traffic management issues;
- prevent unplanned site closures for residents using the sites;
- prioritise the use of the sites for Leicestershire residents, by restricting access to those that live outside of the county boundaries; and,
- provide an ever-evolving sustainable service.

Whilst we initially could not offer recycling for all items, where a resident brought such items to site, we did not prevent residents from putting them in the general waste bin where this was possible. Residents had the option as to whether to place the item in the general waste at the RHWS, place it in their kerbside recycling or hold onto it until recycling options were available again at the RHWSs. It should also be noted that the waste received from the kerbside recycling collections, operated by the district councils, continued to be directed to the appropriate recycling or treatment facilities.

As from the 28th of September, it is expected that the availability of recycling facilities at the Council's sites will have reverted to the same position as prior to the sites closing. Unfortunately, the exception to this is the "re use" service, where items such as furniture could be put back into use; this service remains unavailable. The appointment system however will remain in place in order to manage the risks associated with the pandemic. The Council's website is kept up to date with items the RHWSs can accept for recycling and other relevant information."

(E) Dr Eynon asked the following question of the Leader or his nominee:

"There is a realistic prospect that, when the EU Exit transition period ends on the 31st December 2020, the United Kingdom will have no trade deal with the European Union. Leaving the transition period, with or without a deal, will affect the way goods are traded in and out of East Midlands Airport. For either scenario:

- What is the likely impact on the roads in Leicestershire?
- How can this be mitigated?
- Will extra provision be required for lorry parks?
- If so, how will these be planned for?
- What are the current estimated costs of mitigation, both one-off and recurrent?"

Mr Rushton replied as follows:

"1. The Local Resilience Forum for Leicester, Leicestershire and Rutland

(LRF) has updated the Strategic Risk Assessment for the EU Exit taking into consideration the end of the transition period. The risk of East Midlands Airport (EMA) freight disruption to the road transport network within 5 miles of the airport has been reduced from a Red Risk to an Amber Risk.

2. North West Leicestershire District Council, the County Council, Highways England, Leicestershire Police and EMA are continuing engagement with national groups and local operators to develop planning assumptions and contingency plans. The LRF transport cell is being reconvened to review the traffic management plan for the EMA site and the surrounding areas.
3. EMA, and the freight operators at EMA each have their own contingency plans for dealing with disruption. Some of those freight operators increased their resilience for parking and storing lorries off site from EMA during the EU Exit planning last year. Any further additional provision will be considered as part of the ongoing engagement with local operators.

The Government also recently announced a Special Development Order coming into force from 24th September giving it powers to construct a transport hub for the purposes of handling and processing goods vehicles associated with international gateways. Since that announcement, the Government has written advising that it is not looking to pursue the provision of such a transport hub in Leicestershire.

4. As detailed above, the plans are still in development, therefore the cost of any support traffic management is also still being developed. Previously, the estimated cost of delivering the support traffic management for that area in January 2020 was £1.64 million* (*estimate based on having Traffic Management resources on standby for a 6-month monitoring period with an allowance of 6 weeks actual traffic management in place. However, the actual duration of any potential disruption is unknown)."

Dr Eynon asked the following supplementary question:

"I thank the Leader for his answer and would like to ask:

How will these measures be funded and what guarantee does this authority have that costs accrued locally will be reimbursed by central Government?"

Mr Rushton replied as follows:

"As it stands, the financial position is unclear. But we will be lobbying hard to ensure that all costs incurred locally are reimbursed from central Government."

14. POSITION STATEMENTS UNDER STANDING ORDER 8.

The Leader gave a position statement on Devolution and the Independent Inquiry into Child Sexual Abuse (IICSA)

The Lead Member for Health gave a position statement on Covid-19.

The Lead Member for Equalities, Community Engagement and Rural Partnerships gave a position statement on the work which the Council has carried out to support Leicestershire Communities over the past financial year, the Leicestershire Rural Partnership (LRP) and the Green Plaque Awards.

Copies of the position statements are filed with these minutes.

15. REPORTS OF THE CABINET.

(A) Medium Term Financial Strategy – Latest Position

It was moved by Mr Rhodes and seconded by Mr Shepherd:

- “a) That the latest position of the 2020/21 revenue budget and capital programme as at the end of July 2020 and the effect of Covid-19 be noted;
- b) That the approach to updating the MTFs including actions being taken to mitigate the overspend, be noted.”

The motion was put and carried, 31 members voting for the motion, 11 against and there were 6 abstentions.

16. REPORT OF THE CONSTITUTION COMMITTEE.

(A) Appointment of Independent Persons

It was moved by Mr Rhodes, seconded by Mrs M Wright, and carried:

- “a) That Mr R Gough, Mr G Grimes, Ms T Herring, Mrs H Kotecha, Prof. S Sharma and Ms P Roberts, be appointed to serve as Independent Persons for a term of four years ending on 30 September 2024;
- b) That this Council’s appreciation be conveyed to the outgoing Independent Persons in supporting the Authority to uphold standards with elected members and senior chief officers.”

17. NOTICES OF MOTION.

(A) Sky Lanterns and Helium Balloons – Mr J Orson JP CC

Mr Orson, 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 Mr Orson, seconded by Mrs Richardson, and carried:

“Sky Lanterns, also referred to as Chinese lanterns, are essentially small hot air balloons made of paper with an opening at the bottom where a small fire is suspended. The lanterns can be released into the air once lit until they burn out. A Defra report concluded that the main concern regarding sky lanterns was in relation to causing fire, as there have been several significant fires nationally which have been attributed to their use. In respect of helium balloons the report also raised concerns in relation to the ingestion of such balloons by animals.

The Fire Service, Royal Society for the Prevention of Cruelty to Animals (RSPCA) and many other organisations including the Marine Conservation Society, Women’s Food and Farming Union (WFU), Soil Association and National Farmers Union (NFU) all support a ban on sky lanterns and helium balloons.

This motion therefore calls on the Council:

- a) Refuse permissions for the release of any sky lanterns and helium balloons from any Council owned land regardless of the purpose for the release;
- b) Refuse the sale of any sky lanterns and helium balloons at any Council event or property;
- c) Require officers to introduce a condition of contract relating to outdoor events and organised functions on land or property owned and/or controlled by the County Council to prohibit the release of any sky lantern or helium balloons regardless of purpose.
- d) To provide information on its website and write to the Association of Parish Councils drawing attention to the harmful effects of sky lanterns and helium balloons on the environment and animals;
- e) To write to the Secretary of State (DEFRA) requesting legislation to control the manufacture and sale of sky lanterns and helium balloons.”

2.00 pm – 4.05 pm
30 September 2020

CHAIRMAN

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