
CABINET – TUESDAY 29 MARCH 2022

ORDER PAPER

ITEM DETAILS

APOLOGIES FOR ABSENCE

None.

1. MINUTES (Pages 3 - 12)

Proposed motion

That the minutes of the meeting held on 11 February 2022 be taken as read, confirmed, and signed.

2. URGENT ITEMS

None.

3. DECLARATIONS OF INTEREST

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

4. ENVIRONMENT AND TRANSPORT DEPARTMENT'S 2022/23 HIGHWAYS AND TRANSPORTATION CAPITAL PROGRAMME AND WORKS PROGRAMME.
(Pages 13 - 54)

Proposed motion

- (a) That the Environment and Transport Department's 2022/23 Highways and Transportation Capital Programme and Works Programme be approved;
- (b) That the Director of Environment and Transport be authorised:
 - (i) 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 Programme and Works Programme;
 - (ii) 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 is necessary to progress schemes in the approved Highways and Transportation Capital

Programme and Works Programme to allow early contractor involvement to take place in advance of all external funding required to deliver the scheme being secured, subject to the key principles (a) to (g) set out in paragraph 41 of the report.

- (c) That it is important for members to note at a division level and from a wider, corporate perspective that high and growing cost inflation will deliver less, in terms of both major and minor schemes, and that external funders are unlikely to increase their contributions in the case of schemes currently programmed and yet to be programmed.

5. A511 GROWTH CORRIDOR PROPOSALS - BARDON LINK ROAD. (Pages 55 - 92)

Proposed motion

- (a) That the revised costs estimates for the A511 Major Road Network (MRN) project arising from the independent audit of the Highways and Transport Capital Programme be noted;
- (b) That the resultant financial approach developed to address the revised project costs be noted;
- (c) That the results of the informal consultation on the proposed Bardon Link Road be noted;
- (d) That the proposed route for the Bardon Link Road, as set out in Appendix A to the report, be approved and that the Director of Environment and Transport be authorised to make minor alterations to the route as necessary;
- (e) That the Director of Environment and Transport be authorised:
 - (i) Following consultation with the Director of Corporate Resources and the Cabinet Lead Member for Highways, Transportation and Flooding, to continue all necessary work to progress the A511 Growth Corridor scheme including submission of the Full Business Case to the Department for Transport (DfT) and submission of a planning application in respect of the route of the Bardon Link Road aligned to the programme for scheme delivery as required by the DfT;
 - (ii) Pursuant to (e) (i) above, in consultation with the Director of Law and Governance and following consultation with the relevant Cabinet Lead Members, to continue discussions with landowners and stakeholders, with a view to reaching voluntary agreement over the purchase and/or reservation of land for the Bardon Link Road elements of the A511 Growth Corridor MRN project;
 - (iii) To make preparations in parallel with (ii) above for the use of compulsory purchase powers pursuant to the Highways Act 1980 and the Acquisition of Land Act 1981, taking all steps necessary to include the preparation of the Draft Compulsory Purchase Order, associated Side Roads Order and Statement of Reasons.

6. NATIONAL BUS STRATEGY - ENHANCED PARTNERSHIP PLAN AND SCHEME AND BUS SERVICE IMPROVEMENT PLAN. (Pages 93 - 152)

Proposed motion

- (a) That the outcome of the consultation undertaken by the County Council in respect of the Enhanced Partnership Plan and Enhanced Partnership Scheme be noted;
- (b) That the establishment of an Enhanced Partnership with bus service operators, based on the Enhanced Partnership Plan and Enhanced Partnership Scheme (Appendices A and B respectively to the report) be approved;
- (c) That registrations for local bus service changes and requests for funding to support local bus services continue to be assessed in line with the Council's adopted Passenger Transport Policy and Strategy (PTPS), pending a review of the PTPS once the Enhanced Partnership is in place.

7. LOCAL BUS SERVICE CHALLENGES AND IMPACTS (Pages 153 - 164)

Proposed motion

- (a) That the challenging situation regarding local bus services in Leicestershire and its implications for the County Council and bus operators be noted;
- (b) That the actions already taken to mitigate the impact of the challenges facing local bus services, including the payment of a higher level of concessionary travel reimbursement than actual concessionary use, be noted;
- (c) That it be noted that the Director of Environment and Transport, following consultation with the Cabinet Lead Member for Highways, Transportation and Flooding and Director of Corporate Resources will, using her existing delegated authority
 - (i) set the level of concessionary travel reimbursement from 1 June 2022 to 31 March 2023;
 - (ii) in accordance with the Council's Passenger Transport Policy and Strategy (PTPS), agree with existing supported service providers to extend contracts and where necessary, the payment of short-term increases to them until the new contracted arrangements are in place.
- (d) That the Director of Environment and Transport be authorised, following consultation with the Cabinet Lead Member for Highways, Transportation and Flooding and Director of Corporate Resources, to take the necessary steps to award contracts for supported bus services from July 2022;

- (e) That, noting the current issues affecting the local commercial bus market, the Director of Environment and Transport following consultation with the Cabinet Lead Member for Highways, Transportation and Flooding and Director of Corporate Resources, be authorised to take such action as necessary to ensure the continued provision of services in line with the PTPS;
- (f) That the links and dependencies of the local bus market with the Council's Bus Service Improvement Plan and formulation of its Enhanced Partnership (considered as part of a separate report on the Cabinet agenda), be noted;
- (g) That if the outcome of (d) and (e) above result in significant changes to local bus services or costs to the Council the Cabinet will consider a further report on the matter.
- (h) That the Cabinet notes the urgent action taken by the Chief Executive to agree an exception to the Contract Procedure Rules to enable the appointment of the providers Arriva Hinckley, Centrebus Ltd, Paul S. Winson Coaches, & Roberts Coaches Ltd for a period of four months with a value not to exceed £903,466 whilst a procurement activity is conducted. The Council's Constitution (Contract Procedure Rule 6 (b) ii provides that exceptions to the Contract Procedure Rules may be made by the Cabinet where it is satisfied that an exception is justified on its merits and that in urgent cases the Chief Executive (after consultation with the Leader or Deputy Leader save where this is not practicable) may direct that an exception be made subject to it being reported to the Cabinet.

8. LEICESTER CITY COUNCIL WORKPLACE PARKING LEVY BUSINESS CASE PROPOSALS (Pages 165 - 180)

- *Comments from Mr. Max Hunt CC, Leader of the Labour Group, are attached to this Order Paper, marked '8'.*

Proposed motion

- (a) That the concerns expressed by Members to date regarding Leicester City Council's (LCiC) Workplace Parking Levy Business Case proposals (the proposals) as set out in this report be noted;
- (b) That in the event of the Workplace Parking Levy being put in place in Leicester, LCiC be requested:
 - (i) To ensure that it establishes appropriate data collection and monitoring arrangements in respect of the impacts identified and in assessing the benefits of the enhanced passenger transport and cycling and walking measures funded by the Levy;
 - (ii) To develop the Displaced Parking Strategy and to establish a Displaced Parking Task Force (as indicated in the proposals) to mitigate the impact of any displaced parking, including in areas of the County; and

- (iii) Where there is evidence of adverse impacts in County areas, to identify appropriate mitigation measures and to implement those measures at no cost to the County Council;
- (c) That it be noted that LCiC has been in close discussion with the NHS which is currently considering its position on the WPL proposal;
- (d) That the County Council does not raise a formal objection to the proposals subject to the action in (b) above being taken by LCiC;
- (e) That the comments set out in Appendix B to the report be submitted to LCiC as the views of the County Council.

9. EXCEPTION TO CONTRACT PROCEDURE RULES - URGENT ACTION TAKEN BY THE CHIEF EXECUTIVE IN RELATION TO THE CONFIRM HIGHWAY MANAGEMENT SYSTEM. (Pages 181 - 184)

Proposed motion

That the action taken by the Chief Executive to agree an exception to the Contract Procedure Rules to enable the appointment of Confirm Solutions Limited for three years ending on 30 September 2025 be noted.

10. CHARGING FOR SOCIAL CARE AND SUPPORT POLICY. (Pages 185 - 246)

Proposed motion

- (a) That the revised Charging for Social Care and Support Policy be approved for implementation from 11 April 2022;
- (b) That it be noted that future revisions to the Policy to reflect any further changes in legislation and good practice will be made by the Director of Adults and Communities using his delegated powers.

11. LEICESTERSHIRE COUNTY COUNCIL'S STRATEGIC PLAN 2022 – 2026. (Pages 247 - 308)

Proposed motion

- (a) That the outcome of the consultation on the draft Strategic Plan 2022-26 be noted;
- (b) That the draft Strategic Plan 2022-26, appended to the report, be submitted to the County Council for approval on 18 May 2022.

12. LEICESTERSHIRE COUNTY COUNCIL COMMUNITIES STRATEGY - OUR COMMUNITIES APPROACH 2022 - 2026. (Pages 309 - 334)

Proposed motion

- (a) That the outcome of engagement on the draft Communities Strategy: Leicestershire County Council - Our Communities Approach 2022-26 be noted;
- (b) That the draft Communities Strategy: Leicestershire County Council - Our Communities Approach 2022-26, appended to the report, be submitted to the County Council for approval on 18 May 2022.

13. RESPONSE TO THE HINCKLEY NATIONAL RAIL FREIGHT INTERCHANGE CONSULTATION. (Pages 335 - 348)

- *Comments from Mrs. M. Wright CC, the local member, are attached to this Order Paper, marked '13'. With the consent of the Chairman, Mrs. M. Wright CC, will also speak on the item.*

Proposed motion

- (a) That the comments set out in the Appendix to the report to be submitted to Tritax Symmetry as the views of the County Council, as the Local Highway Authority, on the proposed Hinckley National Rail Freight Interchange be noted;
- (b) That it be noted that minor amendments may be made to the comments by the Director of Environment and Transport in consultation with the Director of Law and Governance (using their delegated powers) to reflect, for example, comments of the Cabinet, prior to their submission to Tritax Symmetry on 8 April.

14. RESPONSE TO THE HINCKLEY AND BOSWORTH BOROUGH COUNCIL PRE SUBMISSION LOCAL PLAN (2020 - 2039) REGULATION 19 CONSULTATION. (Pages 349 - 380)

Proposed motion

- (a) That the County Council's response to the Hinckley and Bosworth Borough Council (H&BBC) Pre-submission Regulation 19 Local Plan consultation, set out in paragraphs 36 to 67 inclusive and the Appendix to the report be noted;
- (b) That the County Council at this stage considers insufficient evidence has been provided to demonstrate that the Local Plan meets the tests of soundness as set out in paragraph 35 of the National Planning Policy Framework and strongly discourages H&BBC from submitting its Local Plan while relevant significant issues are still to be resolved;

- (c) That it be noted that should H&BBC proceed with the submission of its Local Plan to the Planning Inspectorate at this stage without addressing the concerns raised by the County Council, the County Council will object at H&BBC's Local Plan Examination;
- (d) That it be noted that the County Council will continue to work with H&BBC to try to resolve issues to help develop a Local Plan that is sound (in planning terms) and deliverable.

15. RESPONSE TO NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL LOCAL PLAN REVIEW: DEVELOPMENT STRATEGY AND POLICY OPTIONS (REGULATION 18) CONSULTATION. (Pages 381 - 420)

Proposed motion

- (a) That the County Council's response to the North West Leicestershire District Council's (NWLDC) Development Strategy and Policy Options consultation, set out in paragraphs 39 to 92 inclusive and the appendices to the report be approved;
- (b) That the Chief Executive, following consultation with the Cabinet Lead Member, be authorised to submit further NWLDC Regulation 18 consultation responses as the views of the County Council unless there are substantive issues raised which need to be considered by the Cabinet;
- (c) That NWLDC be advised that the County Council considers that partnership working arrangements between the District Council, the County Council and other partners are vital in the preparation of its new Local Plan and the ongoing commitment to the Growth Collaboration Agreement between the County Council and NWLDC is encouraged.

16. ITEMS REFERRED FROM OVERVIEW AND SCRUTINY

None.

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

None.

Officer to contact

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