



## **CABINET – TUESDAY 22 OCTOBER 2024**

### **ORDER PAPER**

#### **ITEM    DETAILS**

##### **APOLOGIES FOR ABSENCE**

Mrs. D. Taylor CC.

Mrs. L. Richardson CC will attend via MS Teams.

#### **1.    MINUTES (Pages 3 - 14)**

##### **Proposed motion**

That the minutes of the meeting held on 13 September 2024 be taken as read, confirmed, and signed.

#### **2.    URGENT ITEMS**

The Chairman has agreed to take one urgent item – a report of the Director of Environment and Transport regarding the Leicestershire County Council Lead Local Flood Authority Protocol.

#### **3.    DECLARATIONS OF INTEREST**

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

#### **4.    LEICESTERSHIRE HIGHWAY DESIGN GUIDE REVIEW UPDATE AND CONSULTATION OUTCOMES (Pages 15 - 372)**

##### **Proposed motion**

- a) That the updated Leicestershire Highway Design Guide (LHDG) be approved for implementation and publication;
- b) That the outcome of the public consultation be noted;
- c) That the Director of Environment and Transport be authorised to make future amendments to standards and guidance as considered necessary to the LHDG, following consultation with the Cabinet Lead Member;
- d) That the trial of the Value of Trees toolkit within the updated LHDG be approved.

**5. STRATEGIC TRANSPORT PLANNING ISSUES ASSOCIATED WITH THE EMERGING CHARNWOOD LOCAL PLAN** (Pages 373 – 388 and Supplementary Report Pages 1-12)

- *A response from Richard Bennett, Head of Planning and Growth, Charnwood Borough Council to Julie Thomas, Head of Planning, Historic and Natural Environment is attached to the Order Paper, marked '5a'*
- *A letter from Councillor Jewel Miah, Leader of Charnwood Borough Council, to the Acting Leader of the County Council is attached to the Order Paper, marked '5b'*

Proposed motion

- a) That the latest position regarding the Charnwood Borough Council Local Plan Examination and Charnwood Transport Contributions Strategy (CTCS) consultation be noted, including:
- i) Charnwood Borough Council's statement in relation to implementation of the CTCS, as summarised in paragraph 30 of the main report;
  - ii) The Borough Council's recent late submission to the Local Plan Inspectors explaining that the Borough Council 'is now minded to prepare' a Community Infrastructure Levy (CIL) to secure contributions to mitigate the impact of growth in Charnwood, including transport contributions to mitigate cumulative transport growth. The letter is attached as Appendix A to the main report;
  - iii) The implications for the County Council as Local Highways Authority (LHA), in its role of statutory consultee, arising from the likely timetable for developing a CIL, as set out in paragraphs 39-42 of the main report, including the significant financial impact;
  - iv) Recent communications between the County Council and the Borough Council included in Appendix C to the supplementary report and the regrettable apparent misrepresentation of the Local Highway Authority's position at the recent Borough Council Plans Committee;
  - v) The recent resolutions to approve planning applications relating to sites allocated in the emerging Local Plan by Charnwood Borough Council Plans Committee;
  - vi) That these approvals were given despite the recommendations of the LHA, as a statutory consultee, to defer making the determinations at this time;
- b) That it be noted that the Borough Council is the authority responsible for making the Local Plan and ensuring its effective delivery. As such, it is required to demonstrate that the identified highways and transport mitigation can be delivered and that the Local Plan objective to increase the use of sustainable travel modes can still be fulfilled;

- c) That arising from its recent actions and advice given by the Borough Council to the Plans Committee on 17 October 2024, the County Council is doubtful that the Local Plan is capable of being successfully delivered or can be considered sound, or that a CIL schedule can be successfully implemented at the necessary pace to make an impact;
- d) That in respect of the letter dated 21 October 2024 to the Acting Leader from the Leader of the Borough Council a) it is noted that the letter appears to have been prepared on the same basis as the officer advice given to the Borough Council's Plans Committee, which was an apparent misrepresentation of the County Council's position as LHA; b) its focus on the CTCS overlooks the fact that all the issues arising from the proposed Local Plan's distribution strategy have been known by the Borough Council for a considerable time, that the LHA has been requesting a suitable mechanism for over two years, during which the Borough Council has not addressed the issues until October 2024, and that the recent Plans Committee approvals may have resulted in lost contributions of up to £3.3million to support infrastructure in Charnwood; and c) the County Council therefore does not accept that as LHA its observations on applications considered by the Plans Committee were "irresponsible and unnecessary";
- e) That whilst the County Council will continue to work with the Borough Council to seek to have a sound Local Plan in place, the Chief Executive, the Director of Environment and Transport, and the Director of Law and Governance, following consultation with the appropriate Cabinet Lead Members, be authorised to withdraw the proposed CTCS and take appropriate actions necessary to:
  - i) Mitigate the impacts arising from the interim period between likely Local Plan adoption and the adoption of CIL, estimated to be at least 12-18 months;
  - ii) Participate appropriately in the development and implementation of a CIL charging schedule in line with national guidance and seek to influence the adoption of a CIL as quickly as possible;
  - iii) Address the concerns set out in paragraphs 18-26 of the supplementary report, including continuing to bring these concerns to the attention of the Borough Council;
- f) That approval be given to the principles for future engagement of the LHA in other local plan processes, set out in paragraph 46 of the main report, in light of the County Council's experience of the development of the Local Plan for Charnwood by the Borough Council.

**6. DRAFT LEICESTER, LEICESTERSHIRE AND RUTLAND SUICIDE PREVENTION STRATEGY 2024-2029 (Pages 389 - 460)**

Proposed motion

- a) That the progress of the work under the current LLR Suicide Prevention Strategy 2020-2023 be noted;

- b) That a formal 8 week consultation exercise on the draft LLR Suicide Prevention Strategy 2024-2029 be approved;
- c) That a further report be presented to the Cabinet in Spring 2025 outlining the outcome of the consultation and seeking approval of the final LLR Suicide Prevention Strategy.

**7. EAST MIDLANDS DEVELOPMENT COMPANY LIMITED (Pages 461 - 466)**

Proposed motion

- a) That the County Council supports the steps being taken by the Board of the East Midlands Development Company Limited to bring about the voluntary dissolution of the Company;
- b) That authority is delegated to the Chief Executive and the Director of Law and Governance, in consultation with the Acting Leader of the Council, to take all necessary steps in terms of the legal procedure to enable dissolution;
- c) That the Company be advised that its proposals for use of its 'materials and activities' to be transferred to the East Midlands County Combined Authority as well as being available to the member authorities will include making these available to the East Midlands Freeport and its members, subject to the conditions in the proposed statement of principles.

**8. ITEMS REFERRED FROM OVERVIEW AND SCRUTINY**

None.

**9. ANY OTHER ITEMS WHICH THE CHAIRMAN HAS DECIDED TO TAKE AS URGENT –**

*An urgent report has been circulated separately*

**LEICESTERSHIRE COUNTY COUNCIL LEAD LOCAL FLOOD AUTHORITY PROTOCOL (Supplementary Pack Pages 1-10)**

Proposed motion

That the Director of Environment and Transport, following consultation with the Cabinet Lead Member, be authorised to develop a protocol for how the Lead Local Flood Authority (LLFA) will engage with the district councils on the management of local flood risk going forward.

**10. EXCLUSION OF THE PRESS AND PUBLIC**

Proposed 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 3 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:

*Exception to Contract Procedure Rules to Provide Agency Cover for the Provision of Qualified Social Workers*

**Officer to contact**

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