



CABINET – TUESDAY 17 DECEMBER 2024

ORDER PAPER

ITEM DETAILS

APOLOGIES FOR ABSENCE

Mr. N Rushton CC.

1. MINUTES (Pages 3 -10)

Proposed motion

That the minutes of the meeting held on 22 November 2024 be taken as read, confirmed, and signed.

2. URGENT ITEMS

The Chairman has agreed to take one urgent item – a report of the Chief Executive regarding the English Devolution White Paper.

3. DECLARATIONS OF INTEREST

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

4. PROVISIONAL MEDIUM TERM FINANCIAL STRATEGY 2025/26 TO 2028/29 (Pages 11 – 12 and supplementary report pages 1 - 64)

Proposed motion

- a) That the proposed Medium Term Financial Strategy, including the 2025/26 draft revenue budget and capital programme, be approved for consultation and referred to the Overview and Scrutiny Committees and the Scrutiny Commission for consideration;
- b) That the Director of Corporate Resources, following consultation with the Cabinet Lead Member for Resources, be authorised to:
 - i) Agree a response to the provisional Local Government Finance Settlement;

- ii) Decide on the appropriate course of action with regard to the Leicester and Leicestershire Business Rates Pool in 2025/26 and, subject to agreement by all member authorities, to implement this;
- c) That each Chief Officer, in consultation with the Director of Corporate Resources and following consultation with the relevant Lead Member(s), undertake preparatory work as considered appropriate to develop the savings set out in the draft MTFS and to identify additional savings in light of the financial gap in all four years of the MTFS, to enable the Cabinet and Council to consider further those savings to be taken forward as part of the MTFS and implemented in a timely manner;
- d) That a further report be submitted to the Cabinet on 7 February 2025.

5. CUSTOMER EXPERIENCE STRATEGY – OUTCOME OF CONSULTATION
(Pages 13 - 82)

Proposed motion

- a) That the outcome of consultation on the draft Customer Experience Strategy be noted;
- b) That the Customer Experience Strategy 2024-2028 be approved;
- c) That it be noted that an Action Plan will be developed to support the implementation of the Strategy.

6. STRATEGIC TRANSPORT PLANNING ISSUES ASSOCIATED WITH THE EMERGING CHARNWOOD LOCAL PLAN (Pages 83-88 and supplementary report pages 1-20)

Proposed motion

- a) That the latest position in respect of the Local Plan be noted including:
 - i. The correspondence between the County Council and Charnwood Borough Council (the Borough Council) summarised in paragraph 18 of the supplementary report.
 - ii. The Borough Council's approach to the s.106 agreement in respect of planning application P/22/1224/2 and associated implications for the County Council as set out in paragraphs 32-35 of the supplementary report.
 - iii. The issue of a letter dated 29 November from the Borough Council to the Local Plan Inspectors published as EXAM 88 A on the Local Plan website, in response to their letter (EXAM 88) dated 5 November, and a further response from the Inspectors' dated 4 December 2024 published as EXAM 88 B, which are appended to the supplementary report.

- iv. The publication of a report for consideration by the Borough Council's Cabinet on 12 December 2024, entitled 'Charnwood Local Development Scheme December 2024' and that following the Borough Council's Cabinet meeting, which is not livestreamed, draft minutes have been provided to the County Council by the Borough Council which confirm agreement to all four recommendations. [Charnwood Borough Council Cabinet 12 December Agenda and Draft Minutes](#)
- v. The absence in the Borough Council's draft minutes of:
 - i) any reference to the Borough Council's recently changed view that EXAM 88 is a material consideration in progressing the Local Plan;
 - ii) any recognition of the County Council's serious concerns at the approach being taken by the Borough Council in respect of the Local Plan in the run up to its Plans Committee meeting of 17 October and subsequently, in particular the long-stated concern that both the draft Local Plan strategy and planning applications recently considered by the Plans Committee do not address the cumulative transport impacts and needs to which collectively they give rise;
 - iii) the estimated potential loss of up to £3.3m of highways and transport contributions, subject to viability assessments, as a result of the decisions of the Borough Council's Plans Committee of 17 October;
 - iv) any explanation of the Borough Council's attempt to exclude the County Council from s.106 agreements, contrary to national Planning Policy Guidance on how a local planning authority should work with infrastructure providers;
 - v) any evidence to back up the Borough Council's claim made in correspondence with the County Council that a) exclusion of the upper tier authority from s.106 agreements is commonly practised in other two-tier areas, and b) the County Council had "refused to sign" s.106 agreements, which is not correct;
 - vi) the County Council's request for its concerns to be put on the record at the Borough Council's Cabinet meeting, a request rejected by the Borough Council;
- vi. The potential implications for the LHA in its role as statutory consultee arising from the Local Plan process as set out in paragraphs 26 to 27 and paragraphs 29 to 39 of the supplementary report.
- vii. The publication of the new National Planning Policy Framework (NPPF) on 12 December. This will have implications for all local plans in Leicestershire, not least because it will significantly increase the level of housing which local authorities have to plan for and may mean that many

more local authorities without an up-to-date local plan will no longer be able to demonstrate a five-year housing land supply. The impacts for this Local Plan are currently being assessed.

- b) That in line with previous recommendations and delegations, 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:
- i. work alongside, support, and co-operate with the Borough Council as necessary, through a more appropriate governance structure than the current Infrastructure Board, to develop the further viability evidence requested by the Inspectors as speedily as possible, now the Borough Council has formally confirmed via a resolution of its Cabinet on 12 December that it is seeking to take up the option put forward by the Inspectors to progress the inclusion of a Community Infrastructure Levy (CIL) in the Local Plan.
 - ii. In the first instance it is appropriate for County Council officers to review the viability evidence to be provided by the Borough Council's consultants, a draft of which the Borough Council has said it will provide, to discuss the evidence before it is finalised, noting the need for expediency as the Borough Council has committed to providing this information to the Inspectors in the week beginning 13 January 2025. Following the submission of evidence and the response from the Inspectors, the County Council will make proposals to the Borough Council in respect of future governance arrangements.
 - iii. 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 soon as possible, recognising the potential for work to be undertaken at risk ahead of possible further Local Plan examination sessions.
 - iv. Seek to mitigate the impacts arising from the potential further delays to adoption of the Local Plan as far as reasonably possible.
- c) That, given the continued difficulty in securing clear and consistent responses from the Borough Council on key issues, the decision of the Borough Council's Cabinet not to formally recognise the serious concerns raised by the County Council in its resolutions of 12 December, that a number of questions asked of the Borough Council still require answers, and the already protracted Local Plan process and the potential delay in adopting a Local Plan, the County Council is yet to be assured that an adopted Local Plan will provide the necessary infrastructure to support growth sustainably. Should the Borough Council fail to ensure there is a suitable mechanism to secure sufficient and timely funding

through developer contributions, this will adversely impact the highways and transport provision in Charnwood which will be felt by the residents and businesses of Charnwood.

7. DRAFT LOCAL NATURE RECOVERY STRATEGY (Pages 89- 248)

Proposed motion

- a) That the draft Local Nature Recovery Strategy (LNRS) be approved for public consultation;
- b) That a further report will be considered by the Cabinet in June 2025, detailing the outcome of the consultation and seeking approval of the final LNRS for publication.

8. BIODIVERSITY DUTY PLAN (Pages 249 - 284)

Proposed motion

- a) That the Biodiversity Duty Plan be approved;
- b) That the Director of Environment and Transport be authorised to approve minor amendments to the Biodiversity Duty Plan as part of the annual refresh of the Plan.

9. FUTURE APPROACH TO RESIDUAL WASTE MANAGEMENT POST-2031 (Pages 285 - 300)

Proposed motion

- a) That the outcome of the consultancy work completed by Frith Resource Management be noted;
- b) That the adoption of a low investment merchanting approach for the future management of residual waste, either through the continuation of the current arrangements (option F) or through re-merchanting (option A) be approved;
- c) That the Director of Environment and Transport be authorised to procure and/or modify arrangements as appropriate to secure capacity for residual waste treatment/disposal for the period 2031 onwards.

10. AIR QUALITY AND HEALTH PARTNERSHIP ACTION PLAN 2024-2028 (Pages 301 - 322)

Proposed motion

- a) That the Council's continued work with partners to improve health inequality linked to air quality across the County be noted;
- b) That the Leicestershire Air Quality and Health Action Plan 2024-2028 be approved.

11. DRAFT ADULTS AND COMMUNITIES DEPARTMENT STRATEGY 2025-2029
(Pages 323 - 396)

Proposed motion

- a) That the draft Adults and Communities Strategy 2025-2029 be approved for consultation;
- b) That a further report be submitted to the Cabinet in the summer of 2025 presenting the outcome of the consultation and the final Strategy for approval.

12. ITEMS REFERRED FROM OVERVIEW AND SCRUTINY

None.

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

An urgent report has been circulated separately

ENGLISH DEVOLUTION WHITE PAPER (Supplementary Pack pages 1-4)

Proposed motion

- a) That the Chief Executive, in consultation with the Director of Corporate Resources and Director of Law and Governance, and following consultation with the Acting Leader of the Council be authorised to undertake such work as is considered necessary in response to the White Paper and subsequent approach from Government;
- b) That a further report be made to the Cabinet in February 2025 regarding the implications of the English Devolution White Paper.

Officer to contact

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