

MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL

WEDNESDAY, 19 FEBRUARY 2025 AT 2.00 P.M.

ORDER PAPER

EVACUATION PROCEDURE

In the event of having to evacuate officers will be able to advise and be on hand to assist any disabled persons.

AGENDA ITEM NO. 1
CHAIRMAN'S ANNOUNCEMENTS

The CHAIRMAN will make his announcements.

AGENDA ITEM NO. 2
MINUTES
(Pages 5 – 16)

The CHAIRMAN will move and DR FELTHAM will second:

“That the minutes of the meeting of the Council held on 4th December 2024, copies of which have been circulated to members, be taken as read, confirmed and signed.”

AGENDA ITEM NO. 3
DECLARATIONS OF INTEREST

The CHAIRMAN will invite members who wish to do so to make declarations of interest in respect of items on the agenda for this meeting.

AGENDA ITEM NO. 4
QUESTIONS ASKED UNDER STANDING ORDER 7(1) (2) & (5)

(A) Question by MR HUNT

- “1. The new Government is making an initial £3.4 billion investment over the next three years to improve home energy efficiency and switch to low carbon technologies; this includes a step change the size and scope of the Warm Homes Local Grant which the County Council administers. What plans have been prepared to ensure plenty of applications are made in relevant postcode areas to reduce fuel poverty in the county?
2. The total grant for Warm Homes Local Grant will be £88,000 in 2025/6, and £206m subsequently; what proportion of that does the county expect to receive and how many homes in the county is that likely to cover?
3. I understand that with only 51.2% of existing domestic properties having an EPC rating of C or greater, Leicestershire has fallen into the second

quartile relative to other English authorities, can the Leader account for this comparative change?

4. What proportion of domestic properties have an Energy Performance Certificate (EPC) and how do we target those areas without an EPC which are in postcodes identified as at risk?"

Reply by MRS RICHARDSON

- "1. The County Council, with Green Living Leicestershire (Leicestershire Districts except for Oadby and Wigston, who are implementing this independently), has requested funding from the Government as part of the Warm Homes: Local Grant. The applications were submitted through the Midlands Net Zero Hub as part of a wider Midlands consortium. The County Council Warm Homes service will lead delivery on behalf of the Leicestershire consortium.

The Council has a history of delivering various energy efficiency government grants including Sustainable Warmth Competition and Home Upgrade Grant. In line with this, an online Tableau tool designed to map data across the county was developed, which includes areas identified by the Index of Multiple Deprivation (IMD), EPC and fuel poverty data. Continuing to employ this targeted methodology aims to ensure that residents in these areas have a fair opportunity to submit their applications.

The marketing strategy includes mailshots, social media advertisements, attending local events, and collaboration with internal and external partners. The Green Living Leicestershire group inputs local housing knowledge to help identify priority neighbourhoods based on housing archetype and relevant housing tenure.

2. The Warm Homes: Local Grant will allocate funding to Local Authorities in line with past delivery. For Leicestershire, this will be linked to the successful delivery of the Sustainable Warmth Competition (named locally as the Green Living Leicestershire Home Energy Grant). At this time, the funding allocations nationally have not yet been confirmed by the Department for Energy Security and Net Zero. As a result, the County Council is not yet able to determine the estimated number of homes that will benefit from this initiative.

- 3.& 4. From data gathered in October 24, 56.2% of properties within Leicestershire had a valid EPC. There are many properties within Leicestershire with EPCs over 10 years that will not show in this data. This data fluctuates as EPCs expire. Please note that areas of new house building can impact localised EPC scores as new properties are built to higher energy rating standards. Utilising the tools previously mentioned the Warm Homes team is able to target homes without valid EPCs based on neighbouring property data where similar housing archetypes indicate likelihood of lower energy efficiency.

The types of properties within an area significantly impact the EPC ratings. For example, older properties with solid brick walls tend to have low EPC ratings and would need proportionately more investment to increase the rating to modern standards. This is demonstrated within Leicestershire where the percentage of solid wall domestic properties links to the percentage of properties rated EPC band E-G in each district, with Melton having the highest and Blaby the lowest. Leicestershire as a whole is considered to have a significant number of solid wall properties. These properties typically require significant measures such as external wall insulation, which can be challenging to make viable within grant funding schemes available, for example meeting cost cap restrictions and balancing against lower cost measures that are increasingly hard to identify.

Work within the County Council led energy efficiency grant schemes aims to increase EPC ratings as a measurable outcome however the overall numbers are low within the scale of Leicestershire and unlikely to impact the overall Leicestershire EPC ratings significantly within one year. The main benefit of these schemes is the significant positive impact on the residents, including financial, comfort of the home and health, and the lowering of carbon emissions.

A number of factors will influence the countywide average EPC rating scale proportions including the 10 year period at which EPC data is valid, where newer housing built at the introduction of the EPC mechanism (2007/8) is now expiring. Other relevant factors include the rate of new house build and the characteristics of homes that are increasingly targeted by energy efficiency grant schemes generating a first time EPC, typically those likely to be a lower rating.

This figure fluctuating alongside other factors generating new first time EPCs targeted at older inefficient homes might lead to an overall reduction in average EPC rating and may give the effect of implying lowering energy efficiency standards but in reality, it is a result of a diminishing pool of properties that have never had an EPC being counted, masking improvements being achieved. This can be compounded by the significant time lag between properties starting and completing the retrofit process. Typically, the number of homes surveyed and identified to be lower ratings outstrips the quantity completing the retrofit journey and realising improvements through a follow-up EPC meaning there is potentially a surplus addition of lower rated homes impacting the statistics quoted in question 3.

Warm Homes, as a service within the County Council which delivers grant projects improving energy efficiency alongside wider national schemes, has been targeted at and requires confirmation of qualifying EPC ratings (targeted at lower bands D-G). Typically, it is a requirement to provide a valid pre and post works EPC demonstrating eligibility for grant funding provided to local authorities to deliver. It has not necessarily been a

requirement to complete a post EPC to reflect the improvement in rating under national schemes such as ECO which deliver on a larger scale. Additionally, some properties may drop out in the grant process meaning no post EPC is completed for a portion of properties with lower-than-average ratings. As such a significant number of these EPCs will have been generated and may be contributing to lowering the overall proportion of homes falling into the A – C band category.

It should be noted that nationally, schemes designed to improve energy efficiency of the lowest rated homes (such as ECO and Home Upgrade Grant phase 2), have experienced increasing challenges and barriers for various reasons including complexity, measure mix and cost caps and this can be seen in the delivery statistics at local and national level.

The County Council's continued efforts will focus on leveraging existing tools and partnerships to effectively reach and support residents in need. Existing data will be used to identify properties without EPCs in high-risk areas to be included within the marketing plan and ensure a comprehensive approach where residents are offered a fair opportunity. This will ultimately contribute to a reduction in fuel poverty and to greater energy efficiency across the county."

(B) Question by MR WALKER

"Could the County Council, as the Highway Authority, put in measures to restrict the use of e-scooters and illegal e-bikes on the public highway, to minimise potential danger to pedestrians?"

Reply by MR O'SHEA

"As the Local Highway Authority, the Council has no powers to deal with the issue of illegal vehicles using the highway.

The Police is the only authority who can enforce the use of illegal vehicles on the public highway. Whilst currently only operating in Leicester City Centre, Op Pedalfast is Leicestershire Police's city centre response to the use of illegal/modified e-scooters and e-bikes that do not conform to Electrically Assisted Pedal Cycle (EAPC) regulations.

EAPC regulations state e-bikes must:

- have a motor with an output of less than 250 watts;
- have a motor which is activated by the action of pedalling (not using a throttle);
- display information about the manufacturer of the vehicle, its battery, manufacturer maximum speed and maximum continuous rated power either via a securely fitted plate or be visibly and durably marked with the required details.

If an e-bike does not conform to these regulations, it is an electrically powered moped/motorcycle and therefore must be ridden in line with the same laws that are applicable to riding a petrol powered moped/motorcycle (i.e. have a numberplate, rider must wear a helmet and have the appropriate licence etc).

Rules for e-scooters state they are only allowed to be ridden on private land with the landowner's permission. The only exception to this is if hired through one of the Department for Transport trials such as the scheme in Nottingham.

To aid the police, district councils can introduce Public Space Protection Orders to tackle the issue, as ultimately this is an anti-social behaviour issue."

(C) Question by MR HUNT

- “1. The deficit for the High Needs (SEND) education stood at £41 million last April under a statutory override introduced by the previous government, one of many deficits they left behind. Given that there are no plans to extend the override beyond March 2026, why are there no measures to repay the deficit within the within the four year programme?”
2. Even if the deficit was paid from already deficient reserves, as suggested, where are the measures within the plan to meet the full cost of High Needs to 2028/9 which are currently projected to be a similar sum?
3. The plan indicates that the SEND Investment Fund, taken from the Schools Block, will continue to 2029. What plans are there to cease this very unpopular transfer from Schools Block to High Needs or, having gained it, will it become permanent?”

Reply by MRS TAYLOR

- “1. The statutory override is in place until March 2026 and discussions and lobbying are underway. Government is being pressed for an early announcement on its future, as the uncertainty being created across the sector is creating. An announcement on future SEND policy is expected. The Transforming Special Educational Needs and Inclusion in Leicestershire (TSIL) programme is transforming SEND services and is on track to deliver cost reductions of £36.5m up to 2028/29 and is currently considering what other actions may reduce the forecast deficit.
2. There are no government proposals to meet the deficit from current reserves and the statutory override means this is currently not required. Local authorities are required to balance a number of financial risks and as such hold some levels of contingency with which to do so. Judgments have to be taken on the balance of risk and contingency, the more provision made equals less spending on services and a need for higher levels of savings.
3. Within the school funding system SEND funding for local authorities is

provided within the High Needs Dedicated Schools Grant (DSG) and for schools within the National Funding Formula. The movement of funding from the Schools Block to the High Needs Block and establishment of the SEND Investment Fund serves to reset the SEND finance system and aligns to changes delivered through TSIL and the direction of national SEND policy. The SEND Investment Fund will be targeted at activities to support pupils with Social, Emotional and Mental Health Needs within mainstream schools. The transfer is an annual decision taken by the Schools Forum following consultation with schools with local authorities being able to request a decision from the Secretary of State should the Schools' Forum not approve the proposal, as was the case for the 2025/26 transfer."

(D) Question by MR HUNT

- “1. What has been the total cost (including, fees, consultancy etc.) of the Phase 1 of the Airfield Business Park?
2. Could you confirm the total area of Phase 1 and the area currently let?
3. What proportion of that is retail use?
4. Given the current occupancy, when is it expected to break even?
5. What are the current cost estimates to complete construction of further Phases?”

Reply by MR BRECKON

- “1. £6,668,770.
2. 81,218 sq. ft (7,545m²). The area is 100% leased as at 14 February 2025.
3. None of the tenants on site operate as retail.
4. The latest independent valuation for the scheme is £8,500,000, at October 2023. This shows that the scheme has already exceeded break-even on a valuation basis, plus net rental income earned in this time.
5. The current construction contract sum for Phase 2 is £12,954,609.46, plus contingencies.”

AGENDA ITEM NO. 5
REPORT OF THE CONSTITUTION COMMITTEE

(A) REVIEW OF STANDING ORDERS (MEETING PROCEDURE RULES)

MRS TAYLOR will move and MR BRECKON will second:

“That the changes to Standing Orders (Meeting Procedure Rules), as set out in the Appendix to the report of the Constitution Committee, be approved.”

AGENDA ITEM NO. 6
TO RECEIVE POSITION STATEMENTS FROM MEMBERS OF THE CABINET

(Note: Standing Order 8 provides as follows: -

- (a) A position statement may give rise to an informal discussion by the Council.
- (b) At the conclusion of the discussion a formal motion may be moved to the effect that a particular issue relevant to the statement be referred to the Cabinet, the Commission, a Board or a Committee for consideration. This shall be moved and seconded formally and put without discussion. No other motion or amendment may be moved.
- (c) The discussion of any position statement shall not exceed 20 minutes but the Chairman may permit an extension to this period.)

ACTING LEADER

The Acting Leader will make a statement.

AGENDA ITEM NO.7
REPORTS OF THE CABINET
(Pages 23 - 420)

Principal Speakers:
Mover of motion (as appropriate)
Leader of the Opposition (Mr M Mullaney)

(A) MEDIUM TERM FINANCIAL STRATEGY 2025/26 – 2028/29

MR BRECKON will move and MR POLAND will second:

- “(a) That subject to the items below, and following changes arising from the final Local Government Finance Settlement and receipt of final Business Rates information from Leicestershire district councils, approval be given to the Medium Term Financial Strategy (MTFS) which incorporates the recommended net revenue budget for 2025/26 totalling £615.2m as set out in the revised Appendices A, B and E of this report and includes the growth and savings for that year as set out in the revised Appendix C;
- (b) That the revised Appendices A, B, C and E be approved to reflect the changes in Business Rates, grant income and a reduction in the growth contingency, which taken together have no impact on the use of reserves;
- (c) That approval be given to the projected provisional revenue budgets for

2026/27, 2027/28 and 2028/29, set out in the revised Appendix B to the report, including the growth and savings for those years as set out in the revised Appendix C, allowing the undertaking of preliminary work, including business case development, engagement and equality and human rights impact assessments, as may be necessary to achieve the savings specified for those years including savings under development, set out in Appendix D;

- (d) That approval be given to the early achievement of savings that are included in the MTFs, as may be necessary, along with associated investment costs, subject to the Director of Corporate Resources agreeing to funding being available;
- (e) That the level of the general fund and earmarked reserves as set out in Appendix K be noted and the planned use of those earmarked reserves as indicated in that appendix be approved;
- (f) That the amounts of the County Council's Council Tax for each band of dwelling and the precept payable by each billing authority for 2025/26 be as set out in Appendix M;
- (g) That the Chief Executive be authorised to issue the necessary precepts to billing authorities in accordance with the budget requirement above and the tax base notified by the District Councils, and to take any other action which may be necessary to give effect to the precepts;
- (h) That approval be given to the 2025/26 to 2028/29 capital programme, totalling £439m, as set out in Appendix F;
- (i) That the Director of Corporate Resources following consultation with the Lead Member for Resources be authorised to approve new capital schemes, including revenue costs associated with their delivery, shown as future developments in the capital programme, to be funded from funding available;
- (j) That the financial indicators required under the Prudential Code included in Appendix N, Annex 2 be noted and that the following limits be approved:

	2025/26	2026/27	2027/28	2028/29
	£m	£m	£m	£m
Operational boundary for external debt				
i) Borrowing	201	197	232	271
ii) Other long term liabilities	6	6	6	5
TOTAL	207	203	238	276
Authorised limit for external debt				
i) Borrowing	211	207	242	281
ii) Other long term liabilities	6	6	6	5
TOTAL	217	213	248	286

- (k) That the Director of Corporate Resources be authorised to effect movement within the authorised limit for external debt between borrowing and other long-term liabilities;
- (l) That the following borrowing limits be approved for the period 2025/26 to 2028/29:
- (i) Maturity of borrowing:-
- | | Upper Limit | Lower Limit |
|--------------------------------|-------------|-------------|
| | % | % |
| Under 12 months | 30 | 0 |
| 12 months and within 24 months | 30 | 0 |
| 24 months and within 5 years | 50 | 0 |
| 5 years and within 10 years | 70 | 0 |
| 10 years and above | 100 | 25 |
- (ii) An upper limit for principal sums invested for periods longer than 364 days is 20% of the portfolio.
- (m) That the Director of Corporate Resources be authorised to enter into such loans or undertake such arrangements as necessary to finance the capital programme, subject to the prudential limits in Appendix N;

- (n) That the Treasury Management Strategy Statement and the Annual Investment Strategy for 2025/26, as set out in Appendix N, be approved including:
- (i) The Treasury Management Policy Statement, Appendix N; Annex 4;
 - (ii) The Annual Statement of the Annual Minimum Revenue Provision as set out in Appendix N, Annex 1;
- (o) That the Capital Strategy (Appendix G), Investing in Leicestershire Programme Strategy (Appendix H), Risk Management Policy and Strategy (Appendix I), Earmarked Reserves Policy (Appendix J) and Insurance Policy (Appendix L) be approved;
- (p) That it be noted that the Leicester and Leicestershire Business Rate Pool will continue for 2025/26;
- (q) That School funding is subject to a 0.5% transfer of funding to the High Needs Block of the Dedicated Schools Grant;
- (r) That the Leicestershire School Funding Formula is subject to capping at 0.28% per pupil and continues to reflect the National Funding Formula for 2025/26;
- (s) That delegated authority be given to the Director of Children and Family Services, following consultation with the Lead Member for Children and Family Services, to agree the funding rates for early years providers.”

(B) ANNUAL REPORT OF THE DIRECTOR OF PUBLIC HEALTH: LEICESTERSHIRE’S HEALTH – INEQUALITIES IN HEALTH

MRS RICHARDSON will move and MRS RADFORD will second:

“That the Annual Report of the Director of Public Health 2024 be noted with support”

(C) ENGLISH DEVOLUTION WHITE PAPER: LOCAL GOVERNMENT REORGANISATION

MRS TAYLOR will move and MR ASHMAN will second:

“That the report and supplementary report on the English Devolution White Paper: Local Government Reorganisation including urgent action taken, considered by the Cabinet at its meeting on 7 February, be noted.”

Principal Speakers:
 Chairman (Mr T Barkley)
 Liberal Democrat Spokesman (Mr G A Boulter)

(A) CHANGES TO THE CONTRACT PROCEDURE RULES FOLLOWING THE IMPLEMENTATION OF THE PROCUREMENT ACT

MR BARKLEY will move and MR RICHARDSON will second:

- “(a) That the new Contract Procedure Rules, set out in the Appendix to this report, be approved;
- (b) That the Director of Corporate Resources, in consultation with the Director of Law and Governance be authorised to approve minor amendments to the Rules up to 24 February 2025.”

AGENDA ITEM NO.9
TO CONSIDER THE FOLLOWING NOTICE OF MOTION

(A) NHS AND SOCIAL CARE SYSTEM – MR M T MULLANEY CC

With the consent of the Council, MR MULLANEY will move and MRS TAYLOR will second the following altered motion:

- “(a) This Council notes:
 - (i) That the NHS and social care system face multiple crises of access, staff retention, long waiting times, missed targets and poor outcomes;
 - (ii) That people across Leicestershire are struggling to access health and care services;
 - (iii) That despite this, primary care providers have not been given the funding to employ more GPs, leaving qualified doctors facing unemployment;
 - (iv) That there is a national dentistry crisis as increasing numbers of practitioners leave the NHS;
 - (v) That the Adult Social Care and Education and Children’s Care budgets face significant pressure to continue to deliver savings in 2025/26 in the context of increasing demand for services;
 - (vi) That difficulty accessing services increases pressure on acute care such as Accident & Emergency as well as undermining overall population health;

- (vii) That both The King's Fund and the new Secretary of State for Health and Social Care have acknowledged the positive vision the Liberal Democrats have for social care reform and that cross-party working is the only way to achieve this.
- (b) This Council advocates for cross-party collaboration both locally through the Health and Wellbeing Board and nationally through a long-term agreement on funding and provision of social care.
- (c) This Council resolves to:
 - (i) Request that the ICB ensures an equitable and consistent delivery of health and care services, including access to Continuing Care and Continuing Health Care funding, in line with national policy and frameworks to ensure that the residents of Leicestershire receive a fair deal;
 - (ii) Request the Secretary of State for Health and Social Care to reconsider his decision to delay critical and long-awaited investment in Leicester's Hospitals, as work is now not expected to start on site until between 2030 and 2035."