

**MINUTES OF THE MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL HELD  
AT COUNTY HALL, GLENFIELD ON Wednesday, 4 July 2012.**

**Present**

Mr. P. G. Lewis CC (in the Chair)

Mr. A. D. Bailey CC, Mr. D. C. Bill MBE CC, Mr. R. Blunt CC, Mr. G. A. Boulter CC, Mr. S. L. Bray CC, Mrs. R. Camamile CC, Mr. M. H. Charlesworth CC, Mr. J. G. Coxon CC, Dr. R. K. A Feltham CC, Mrs. J. Fox CC, Mr. S. J. Galton CC, Mr. B. Garner CC, Mr. T. Gillard CC, Mr. M. Griffiths CC, Mr. S. J. Hampson CC, Mr. P. S. Harley CC, Mr. G. A. Hart CC, Dr. S. Hill CC, Mr. D. W. Houseman MBE, CC, Mr. Max Hunt CC, Mr. D. Jennings CC, Mr. G. Jones CC, Mr. A. M. Kershaw CC, Mr. W. Liquorish JP CC, Mrs. H. E. Loydall CC, Mr. J. Miah CC, Ms. Betty Newton CC, Mr. P. C. Osborne CC, Mr. I. D. Ould CC, Mr. M. B. Page CC, Mrs. R. Page CC, Mr. B. L. Pain CC, Mr. D. R. Parsons CBE CC, Mrs. L. A. S. Pendleton CC, Mrs. P. Posnett CC, Mrs. C. M. Radford CC, Mr. J. B. Rhodes CC, Mrs. J. Richards CC, Mr. N. J. Rushton CC, Mr. R. J. Shepherd CC, Mr. D. Slater CC, Mr. E. D. Snartt CC, Mr. D. A. Sprason CC, Mr. R. M. Wilson CC, Mr. D. O. Wright CC and Mr. M. B. Wyatt CC

**157 - Chairman's Announcements.**

**Award for Museum Learning**

The Chairman reported that the County Council had been awarded the Clore Award for Museum Learning for its 'Held in the Hand Scheme', which centred on a series of sculptural artists commissions for children with Special Needs. The judges had described the scheme, which was on display in the Member's Lounge, as a "game changer" in young people's learning. The programme had been awarded £10,000 in recognition of its innovative and high-impact approaches to working with young audiences. The resources were also being used to support adults with dementia, alongside the 'Touch Tables' programme, which had been launched in 2011.

**Commissioning and Personalisation Programme**

The Chairman drew members' attention to a display in the Members' Lounge which had been prepared by the Commissioning and Personalised Programme Strand 14-16, which delivered education to KS4 students unable to maintain their placement in a mainstream setting. The display was the back drop to a celebration event for Year 11 leavers being held at County Hall on 29<sup>th</sup> June to mark students' progress, development and success both academically and personally and the end of their time in compulsory education.

**Matthew Lugg OBE**

The Chairman was delighted to announce that Matthew Lugg, Director of Environment and Transport, had been recognised in The Queen's Birthday 2012 Honours List, having received an OBE for services to Local Government.

Members joined the Chairman in offering congratulations to Matthew for this well-deserved national recognition of his work on behalf of Leicestershire County Council, for the benefit of the Leicestershire community.

### Visitors

The Chairman welcomed to the meeting all visitors and guests of members.

### Mr E F White

The Chairman indicated that Ernie White was absent from the meeting having recently suffered a minor heart attack. He felt sure that all members of the Council would wish to join him in sending their best wishes to Ernie for a speedy return to full health.

### Mrs J Fox

Members joined the Chairman in extending a warm welcome to Jo Fox following her absence from recent meetings of the Council.

### **158 - To confirm the minutes of the meeting of the Council held on 23 May 2012.**

It was moved by the Chairman, seconded by the Vice Chairman and carried:-

“That the minutes of the meeting of the Council held on 23 May 2012, copies of which have been circulated to members, be taken as read, confirmed and signed.”

### **159 - To receive declarations by members of interests in respect of items on this agenda.**

The Chairman invited members who wished to do so to make declarations of interest in respect of items on the agenda for this meeting.

Mr Parsons declared a personal prejudicial interest in the Report of the Constitution Committee on the Review of the Constitution (minute 163 refers).

### **160 - To answer questions asked under Standing Order 7(1)(2) and (5).**

#### **(A) Mr Bray asked the following question of the Leader or his nominee:-**

- “1. I have received a number of complaints about the state of the grass verges in the Hinckley and Burbage area. Would the Leader please review and increase the frequency that these are cut, as the current policy is making large areas of the County look untidy?”
2. Could the Leader tell me what the cost has been of removing the speed cushions in the Herald Way area of Burbage, which were only installed a couple of years ago, and replacing them with new rubber speed cushions?”

#### **Mrs Pendleton replied as follows:-**

- “1. The ongoing weather pattern is by no means consistent and the fluctuations between dry and wet weather is providing ideal grass-growing conditions but

far from ideal grass-cutting conditions. Additional resources have already been brought in by the Council's contractor to address the situation, in line with the flexible approach afforded by the current policy.

2. Concrete speed cushions were introduced on Herald Way, Burbage in April 2009 to fulfil a Section 106 planning obligation attached to the David Wilson Homes development off Crownhill Road and Broadsword Way. The work at that time was fully funded by the developer but the cushions have subsequently cracked and generated complaints from local residents. Given their deterioration, the noise they generated and their deviation from current standards in terms of spacing, these cushions needed to be replaced with ones that are more reliable and can be more easily maintained. The replacement cost is £14,000."

**(B) Mr Bray asked the following question of the Leader or his nominee:-**

"I have been contacted by Burbage Parish Councillors who are concerned about cars parking in bus stops in Azalea Drive, Twycross Road and Higham Way in Burbage. This is forcing passengers to alight in the middle of the road, causing a potential hazard. Could the Leader please look into this and see if proper bus stop bays could be painted on the road surface?"

**Mrs Pendleton replied as follows:-**

"Officers will investigate the situation and will contact Mr Bray direct."

**(C) Mr Bill asked the following question of the Spokesman of the Police Authority:-**

"For over 100 years the Police have been accountable to the County Council either directly by means of the former Police Committee or, more recently, through its representatives on the Police Authority.

County Councillors, City Councillors, Magistrates and independently appointed people have been able to ensure that all sections of the diverse communities of the City, County and Rutland are represented, although more recently the Magistrates have not been represented.

Members of the County Council have also been able to raise questions such as this one on Police matters at meetings of this Council.

With the election of a Police and Crime Commissioner in November this will come to an end. For the first time since the formation of County Government, the Chief Constable will not be directly accountable to any Member of this County Council.

1. Does the Spokesman of the Police Authority share my concern that there will no longer be the direct link between the County Council and the Chief Constable, other than by means of any procedure that the Commissioner might decide to put in place and the various Boards that might or might not exist after November and does he agree with me that the Council should make every effort to ensure that there is still a direct link with the Chief Constable and his or her team?

2. Will the Spokesman please use his best endeavors to ensure that the Chief Constable continues to keep the County Council and its Officers and Members informed about and engaged with Policing matters?"

The Acting Leader reported that the spokesman of the Police Authority, Mr Orson, was unfortunately absent from the meeting due to illness and that arrangements would be made for Mr Bill to receive a written reply.

**(D) Mr Liquorish asked the following question of the Leader or his nominee:-**

"What standards of care do older people have a right to expect?"

**Mr Sprason replied as follows:**

"Older people in Leicestershire have the right to expect that care services will treat them with respect, promote their dignity, and meet their support needs. The Council actively promotes the delivery of care services that meet all required regulatory and contractual standards and that are also reflective of the recommendations in the recent national report 'Delivering Dignity – Securing dignity in care for older people in hospitals and care homes' produced by the independent Commission on Dignity in Care, a collaboration established by the NHS Confederation, the Local Government Association and Age UK. I served on the Commission as a representative of the Local Government Association.

The Quality Assessment Framework (QAF) for Older People provides enhanced payments to providers of residential care who are able to meet agreed quality standards. These have been developed in partnership with providers and there are now 26 care homes with QAF awards. There is a requirement within this process for providers to demonstrate specific examples of how they meet the 10 Dignity Challenges.

The Council takes its responsibilities for safeguarding, monitoring quality and ensuring compliance with contractual standards very seriously. Our Compliance Team ensures that all providers are monitored against their contractual requirements, which have at their heart an expectation that all services delivered will promote independence, dignity and respect. When necessary the Council will always take appropriate action to safeguard vulnerable adults, enforce contractual sanctions where providers fail to meet proper standards, and give practical support to providers to improve quality."

**Mr Liquorish asked the following supplementary question:**

"Having looked at 'Delivering Dignity', particularly Team Care magazine, and I know the Lead Member was part of the commissioning team to produce this report, I wondered if he had main themes which need to be highlighted from the report?"

**Mr Sprason replied as follows:**

"The main themes running through the report are leadership; that is in wards, in care homes, and at board level; treating the individual as a person and not as a procedure; involving families, friends and carers and not excluding them in the care process; and the change in culture so that dignity, respect and kindness are at the forefront of everything we do in care."

**(E) Mr Hampson asked the following question of the Leader or his nominee:-**

"Can the Leader please provide a detailed breakdown of how much money this Council, along with the Leicester and Leicestershire Enterprise Partnership (LLEP), has secured to support jobs, growth, infrastructure and economic development projects within the County?"

**Mr Pain replied as follows:**

"I am happy to report that the County Council and the LLEP have had considerable success in securing funds to support economic growth, infrastructure provision and job creation in the County. I do believe that this County, with the support of the LLEP, is now getting a better share of available funding to support economic development than it did when the regional development agency, emda, acted as a gatekeeper to economic development resources.

The County Council has given high priority to supporting the economy and has secured substantial funding for a range of economic and infrastructure projects, including substantial funds for transport and broadband infrastructure. In the past 5 years, the Environment and Transport Department has secured a total of £44.7m for transport projects. £3.7m has recently been secured to support Broadband and other rural projects, with the Council itself committing an additional £4m to the broadband project.

I am one of the Council's representatives on the LLEP Board and I can report that in its first year of operation the LLEP has been successful in securing an Enterprise Zone and Growing Places funding for the County as well as supporting local businesses to secure Regional Growth Fund (RGF) investment. I know that the LLEP is highly regarded by Ministers and look forward to it building on its impressive start. The LLEP has directly secured £16m for the sub-region and has helped with the securing of a further £40m by local companies. The LLEP covers Leicester as well as Leicestershire and some of its funding remains to be allocated to specific schemes. I will ensure that Mr Hampson receives all the details of where LLEP secured funding has been allocated to schemes in the County.

The Council and the LLEP have also supported the securing of funds by other agencies. Just this week, for example, the Highways Agency has secured from the Government £1.33m to ease congestion at Junction 21 of the M1.

Other funding opportunities are currently being pursued by the LLEP and the Council, including:

the submission of a bid for RGF Round 3 funding of £12.75m to establish a Grants Fund for small and medium sized enterprises; and

the development of a bid to secure a share of a £100m Talent Match fund being made available by the Big Lottery to tackle long term youth unemployment. Leicester and Leicestershire is one of 21 areas identified as potential recipients of this funding.

Finally the LLEP's successful securing of an Enterprise Zone (EZ) at MIRA in Hinckley means that business rates uplift at the EZ for the next 25 years will be retained by the LLEP to invest in economic development activity across the wider

Leicester and Leicestershire area.”

**Mr Hampson asked the following supplementary question:**

“I would like to ask the Lead Member if he is therefore confident that Leicestershire will be able to take full advantage of the improved economic outlook, particularly notable in the private sector, to enable us to attract more skilled opportunities to ensure our future prosperity in the County?”

**Mr Pain replied as follows:**

“Absolutely. We are still in a difficult place in the economy but Leicestershire and its partners are doing a fair job of moving in the right direction and so I am very confident.”

**(F) Mrs Page asked the following question of the Leader or his nominee:-**

"Can the Leader please outline what a formal County Council policy on Wind Farms Development might look like?"

**Mr Pain replied as follows:**

“At the moment the County Council does not have a formal policy on wind farms. Leicestershire Together is currently consulting on a Renewable Energy Strategy and the County Council’s response to that is a good starting point to consider what approach should be taken. We will need to consider the issues further when the consultation closes. If the County Council was to have its own policy particularly on wind farms, then it would need to set out some properly considered criteria taking into account potential impacts and benefits. This would also need to be set within the requirement in the National Planning Policy Framework to “have a positive strategy to promote energy from renewable and low carbon sources”. Most large scale wind farm developments are likely to have some adverse impact and I would like to see developers only bring forward proposals that demonstrate how local communities will benefit from such developments in their areas.”

**(G) Mr Coxon asked the following question of the Leader or his nominee:-**

1. Will the Leader join me in congratulating the organisers of Ashby de la Zouch’s re-enactment of Queen Victoria’s Diamond Jubilee of 1897 held in Market Street?
2. Would he agree that this is a great example of community spirit at its best, in coming together to celebrate HM The Queen’s Diamond Jubilee?"

**Mr Rushton replied as follows:**

1. I am delighted to be able to congratulate Ashby de la Zouch on the success of their splendid Diamond Jubilee celebrations.
2. I think that the many jubilee celebrations which were held right across Leicestershire during the Diamond Jubilee Weekend illustrated just how much affection there is for Her Majesty. At a time when the country is facing such

austerity, the jubilee celebrations did much to lift the collective spirit of the country and local communities alike. It is good to see that community spirit alive and well in Leicestershire.”

**Mr Coxon asked the following supplementary question:**

“As the event was reported extensively both nationally and internationally in the press, is the Acting Leader aware of the organisers of this event?”

**Mr Rushton replied as follows:**

“I recognise that this event was reported nationally and internationally, in The Times and in newspapers in Chicago, South Africa and Australia, and I think it was in no small part down to Ashby Town Council and its Leader, John Coxon, who spent a great deal of his own private time organising this event and I congratulate him for it.”

**(H) Mr Wyatt asked the following question of the Leader or his nominee:-**

- “1. I have received complaints from local residents reporting that in some streets grass cutting has taken place only once this year, and that has meant in some areas the grass has grown over 3 feet high, whereas in other areas grass cutting has taken place three times already. Can the Leader therefore explain to me why the grass cutting service in my electoral division of Warren Hills has become such a complete and utter farce?”
2. Is it the case that the satellite navigation system the County Council invested in some years ago has not been switched on, or is not working correctly?
3. Can the Leader assure me that urgent action will be taken to rectify this worsening problem?”

**Mrs Pendleton replied as follows:**

- “1. The ability to deliver a grass-cutting service of the same quality achieved in the last couple of years continues to be significantly hampered by the ongoing inclement weather. The erratic switching between dry and wet days is resulting in accelerated grass growth – up to three foot in length between cuts. It has proven extremely difficult to cope with this inconsistent weather pattern, irrespective of whether rotary or flail mowers are used. The wet ground – exacerbated by last week’s torrential downpour - is even proving difficult for the rural cutting, resulting in damage to the tractors deployed. When wet, the grass tends to lay flat and this does not assist the mowing equipment in achieving a consistent cut. The cuttings are not removed so as to allow the nutrients to return to the soil and this detracts from the overall appearance as well. Due to the extent of rainfall and the need to keep as close as possible to the overall frequency of cutting, the mowers have to run fewer passes than normal at each location. This means there is greater likelihood of tufts of grass being left behind and the residual cuttings being longer than desired.
2. The grass-cutting mowers only use satellite navigation technology for the telemetry system that is deployed – this is entirely different from normal vehicle sat-nav systems. The telemetry system is used to check that grassed areas have been cut - electronic messages can only be sent from the mower to the

central control system when the cutting equipment on the mowers are deployed. No cuts have been missed.

3. Additional resources have already been deployed by the contractor to get grass length back to a more manageable length. In ideal circumstances, those additional resources might only be required for one month but an extension of time over which these additional resources are deployed may prove necessary if the inconsistent weather continues.”

**(I) Mr Wyatt asked the following question of the Leader or his nominee:-**

"Since 2003, how many employees of the County Council and individuals linked with the County Council, such as foster carers, have had their CRB checks expire and what lengths of time have occurred before their renewal?"

**Mr Rushton replied as follows:**

“The Council takes its safeguarding responsibilities very serious and as such has a robust process in place to ensure CRB checks are undertaken for all employees and non employees such as foster carers who work with vulnerable and frail service users. All employees and non employees such as foster carers who are required to have a CRB check do so every three years.

The Council does not hold historical data back to 2003, however a new electronic system was implemented in September, 2011 which notifies a manager when an employee is required to have a further CRB check. From this, the employee then completes a further CRB form. This is processed on-line and a clearance issued, on average, in two weeks. The renewal process begins three months before the CRB clearance expires. If any issues are identified the manager will raise these formally with the employee.”

**(J) Mr Wyatt asked the following question of the Leader or his nominee:-**

"What action is being taken to dispose of the former Forest Way School site, off Cropston Drive / Waterworks Road in my electoral division of Warren Hills given that the site is fast becoming an eye sore?"

**Mr Rushton replied as follows:**

“The County Council has been exploring alternative uses for this site with potential partners. To date, no firm joint proposals have been identified therefore the site will now be marketed as soon as residential planning permission is obtained.”

**(K) Mr Wyatt asked the following question of the Leader or his nominee:-**

"Can the Leader please indicate what progress has been made in implementing the “Aiming High for Disabled People” project within my electoral division of Warren Hills?"

**Mr Ould replied as follows:**

“The grants process for providers to apply for short breaks is a County-wide initiative and information is collected on a district basis (rather than by electoral division). For North West Leicestershire we have provided grants to 13 projects since 2010 at a total cost of approximately £124,000.00. Other short break developments have all focused upon providing short breaks for families in their localities.”

**Mr Wyatt asked the following supplementary question:**

“Can I ask for a breakdown of each of the projects in North West Leicestershire?”

**Mr Ould replied as follows:**

“I am quite happy to get that sent through to Mr Wyatt as soon as we can get it arranged.”

**(L) Mr Wyatt asked the following question of the Leader or his nominee:-**

“With regard to the proposed Bardon By-Pass, which has been promised for over 20 years but now seems to have been scrapped, can the Leader comment on the travel model used and indicate whether there are alternative options available which might result in the By-Pass scheme being able to proceed?”

**Mrs Pendleton replied as follows:**

“The provision of a relief road for Bardon Road has always been associated with development. It would be misleading to say it has been promised or scrapped, as the only reference to it in Leicestershire County Council plans is this observation in LTP1 (2001-06)

**5c.76** The North West Leicestershire Draft Deposit Local Plan includes a proposed major development allocation at Coalville which could accommodate over 1000 dwellings in the longer term. The development of this site will be subject to:

- the construction of a new 1.5 km section of road to bypass the A511 between the Birch Tree Roundabout and the Coalville Relief Road; {and a number of other points}

There is no reference to it at all in either LTP2 or LTP3 as there was no need to report the observation.

County Council staff have been working closely with planning officers at North-West Leicestershire District Council, who are considering a planning application for 800 houses at a site, “Bardon Grange”, on land to the south-west of Bardon Road, served from Grange Road. The aim of this work is to secure, at minimum, a connection from the proposed development to Bardon Road at the north-western end. Potentially land could be earmarked to provide a relief road at a later date. This would be dependent on further development in the area and the associated contributions.

Whilst County Council staff have been working with officers of North-West Leicestershire District Council, ultimately it is up to the District Council to decide whether or not to include these provisions in any planning consents that it may grant.”

**(M) Mr Hunt asked the following question of the Leader or his nominee:-**

- "1. Would the Leader give the monthly usage and income figures for each of the Birstall and Enderby Park and Ride sites from their opening to date?
2. How do these figures compare with the projected business case when the decision was made to go ahead?
3. What effect are they having on reducing congestion in and out of the City?"

**Mrs Pendleton replied as follows:**

"1.

Month	Passenger Numbers		Passenger Revenue	
	Enderby	Birstall	Enderby	Birstall
Nov-09	4453		£ 7,999.88	
Dec-09	12653		£17,057.03	
Jan-10	8949		£17,464.38	
Feb-10	9406		£15,226.33	
Mar-10	10435		£14,676.77	
Apr-10	9939		£15,629.65	
May-10	9382		£14,498.93	
Jun-10	9769		£15,427.60	
Jul-10	10777		£16,518.42	
Aug-10	11546		£17,406.13	
Sep-10	11273		£19,292.14	
Oct-10	13300		£21,322.59	
Nov-10	15313		£22,918.61	
Dec-10	17879		£25,538.92	
Jan-11	12796		£15,377.44	
Feb-11	10833		£14,736.55	
Mar-11	13705		£22,274.31	
Apr-11	13267		£22,575.85	
May-11	12849		£24,102.07	
Jun-11	13810		£23,989.42	
Jul-11	13121	1909	£21,893.42	£ 3,198.91
Aug-11	11922	4830	£20,701.07	£ 7,953.24
Sep-11	11156	4486	£21,183.43	£ 8,028.50

Oct-11	11224	5408	£22,561.14	£10,112.52
Nov-11	13554	6659	£25,635.82	£11,653.58
Dec-11	18492	11049	£30,568.52	£17,404.01
Jan-12	11323	5954	£22,039.49	£10,695.13
Feb-12	7715	4325	£18,933.74	£10,017.09
Mar-12	11518	6889	£20,655.77	£11,996.15
Apr-12	10545	6116	£19,795.95	£10,892.85
May-12	10231	5615	£18,799.24	£ 9,509.97

2. The passenger usage figures for Enderby broadly reflect the business case figures in the first 12 months of operation but revenue has not been as high as predicted. This is against the background of a business case prepared before the economic downturn. We continue to refine and reduce operational costs whilst maintaining the attractiveness of the service for existing and potential users.

A marketing plan covers a number of promotions during 2012/13 including Christmas shopping and New Year sales.

3. Park and Ride is one of a number of measures contributing to the reduction in traffic going into the city centre. The levels of traffic are reduced by Park and Ride but also the use of buses, cycling and the adoption of softer measures such as home working and car share to reduce business journeys.

An example of how variable traffic flows can be is shown by general traffic on Narborough Road increasing by 41% since 2006, but traffic on Abbey Lane reducing by 11% over the same period.”

**Mr Hunt asked the following supplementary question:**

“Could I ask the Lead Member if she is satisfied with the performance of the Birstall Park and Ride where she shares my skepticism and that of others of the project.”

**Mrs Pendleton replied as follows:**

“Yes, I am quite happy and I think these things take time for people to get used to. It is one of the things that we have to plod on with to get the message across. To get people out of their cars and to use the Park and Ride is always difficult but I am confident both Enderby and Birstall will be a great success.”

**(N) Mr Hunt asked the following question of the Leader or his nominee:-**

1. What is meant by the County Council’s use of term “Smart Choices” in travel?
2. How is the extent of cycling and walking measured in our towns and what are the latest figures in each of our market towns measured?
3. How are these expected to change in Coalville and Loughborough under the latest Sustainable Transport Grant programme?

4. What measures and assumptions are made for walking and cycling in the LLITM now and over projected years?"

**Mrs Pendleton replied as follows:**

- "1. The following definition is given by the Department for Transport - Smarter choices are techniques for influencing people's travel behaviour towards more sustainable options such as encouraging school, workplace and individualised travel planning.

They are sometimes also called 'soft' measures. There is no hard and fast definition of what measures constitute 'smarter choices' but they include:

- giving people better information about their existing travel options;
  - marketing sustainable travel options more effectively, so they are better used;
  - making improvements to the way services are organised, so they better meet the needs of a particular group of people;
  - providing new transport services, very closely focussed on a particular target market such as a workplace or a residential area; and
  - providing new options that reduce the need to travel at all.
2. At present, we collect data on the levels of cycling by means of a series of permanent counters across Leicestershire located, in the main, where cycling infrastructure has been built. During the LTP2 period, levels of cycling increased on average across these sites by 15.1%. Data on levels of walking is not collected as a matter of course but one-off surveys have taken place for Connect 2 schemes.

A requirement of the recently awarded Local Sustainable Transport Fund (LSTF) is to monitor the changes in walking and cycling in Loughborough and Coalville as a result of the measures to be introduced. To establish a baseline, surveys are currently being carried out in Loughborough and Coalville before any new infrastructure or promotional activity around Smarter Choices takes place. These surveys will also be used to ensure that the permanent system of pedestrian and cycle counters are placed in the most appropriate locations to provide meaningful data both for the LSTF and also the Local Transport Plan going forward.

3. The impact of the LSTF package has been modelled by the Leicester and Leicestershire Integrated Transport Model (LLITM) and is forecast to deliver by 2016 a 7.6% modal shift to active travel (walking and cycling) in Coalville and a 6.7% modal shift in Loughborough.

The existing walking and cycling network in Coalville is poor. The combined effect of improving this network and promoting it under the LSTF is the reason that walking and cycling is forecast to increase more in Coalville than Loughborough. The focus in Loughborough will be on getting more people to use the existing network.

4. Walking and cycling patterns in the LLITM were adapted from National Travel Survey data and based on average trip lengths for walking and cycling. The walking and cycling trips were developed separately, and then combined, each

using national models and journey to work census data.

Walking and cycling trips were only estimated for urban areas in the model. Walking speeds were assumed to be generally 3mph and travelling on the inter-peak network.

When looking at future years, the schemes that are proposed to promote walking and cycling are incorporated into the model by making changes to the relative costs of travel based on national research. LLITM then re-allocates travel demand between the different modes giving a figure for the increase in walking and cycling resulting from the schemes."

**Mr Hunt asked the following supplementary question on the reply to question 4:**

"On question 4 concerning the Leicester & Leicestershire Integrated Transport Model, of which I am a great fan, can the Lead Member express equal enthusiasm and confidence in the modeling system so that we can all share in that optimism?"

**Mrs Pendleton replied as follows:**

"I am really confident in the modeling. Obviously, it is new. It is something we are carrying out and it is something that will inform us of people walking and cycling and so forth in the future. Of course, as Lead Member I have to be confident in the things that we are using."

**(O) Ms Newton asked the following question of the Leader or his nominee:-**

"Research has shown that a third of people who take out pay day loans do so to service an existing pay day loan debt. They are then faced with greater financial problems when they cannot afford to pay off their loan. Would the Leader or his nominee indicate what is being done in Leicestershire to offer advice and information to people who find themselves drawn into this spiral of debt?"

**Mr Pain replied as follows:**

"The County Council is helping Leicestershire people with debt problems in a number of ways.

The Trading Standards Service enforces rules concerned with licensing of credit providers and the content of contracts and advertisements for credit. This includes working with a specialist national Trading Standards team to tackle loan sharks who operate outside the regulatory framework and who prey on the most vulnerable.

The County Council has, in the last 2 financial years, provided and currently continues to provide funding in excess of £300K to the Citizens Advice Bureaux in the County to support their specialist debt advice work.

This local advice supplements the national services provided by Money Advice and the National Debtline, both of which are supported by the Government.

A review of all debt and benefits advisory services available across the County is currently underway. The outcome of the review will be known in the autumn and this

will help the Council make the right decisions about how best to continue providing these valuable services in the future.”

**(P) Ms Newton asked the following question of the Leader or his nominee:-**

- "1. How many members of the County Council's staff are paid less than the living wage of £7.20 per hour?
2. The living wage can help provide certainty for households who are already dealing with pressures on their family budgets and increased fuel costs. Will the Leader agree to follow the examples of those Councils such as Birmingham and commit this Council to implementing a living wage of £7.20 per hour for the lowest paid employees?"

**Mr Rushton replied as follows:**

- "1. 1,306 employees currently receive an hourly rate less than £7.20. (This excludes school based staff.)
2. The majority of employees who receive less than £7.20 per hour, receive £6.38 per hour. The Government's national minimum wage is £6.08 per hour. Should the Council implement the living wage of £7.20, it would cost £850,000 (excluding schools). Including schools it would cost £12m. This money would have to be found from other services. At present the Council is not implementing this initiative, however it will be kept under review and the Council will continue its dialogue with the Local Government Employers Organisation about future pay awards for staff, particularly low paid staff."

**Ms Newton asked the following supplementary question:**

"Mr Rushton has mentioned £12M if we were to include all of those in schools if we were to pay a living wage. I know that is an awful lot of money but would he not agree that many of the low paid have had a pay freeze for three years and are struggling to make ends meet. Would he not agree it is worth considering a living wage given that David Cameron said in 2010 that a living wage is an idea whose time has come?"

**Mr Rushton replied as follows:**

"Ms Newton is absolutely correct that £12M is a large amount of money. It would cost £850,000 just to implement it within this County Council but I can say, it will be kept under review and the Council will continue its dialogue with the Local Government Employers Organisation about future pay awards for staff, particularly low paid staff. As we look at the reserves over the summer it is something we will be willing to consider."

**(Q) Mr Miah asked the following question of the Leader or his nominee:-**

- "1. Does the Leader welcome the new residents' preference parking arrangements around Loughborough Railway station and would he join me in congratulating the officers of the Highways division for delivering the scheme?"

2. Is the Leader aware of the additional parking that has been provided as part of the scheme to residents in nearby streets as a result of close Co-operation between councillors, officers and residents?"

**Mrs Pendleton replied as follows:**

"I do indeed welcome the new residents' preference parking arrangements around Loughborough Railway station and am happy to join Mr Miah in congratulating the officers of the Environment and Transport Department for delivering the scheme. The whole Loughborough Eastern Gateway project, including the residents' preference parking scheme, has been an excellent example of co-operative working between agencies, including the County Council, Charnwood Borough Council, Network Rail and the housing association. I am sure that it will deliver long-lasting improvements to the area."

**(R) Mr Miah asked the following question of the Leader or his nominee:-**

1. Can the Leader list the cuts in funding to voluntary / third sector organisations made in the last financial year, this financial year and for the next two financial years after that?
2. Can the Leader clarify what is the total value in cuts proposed to the voluntary sector over the period April 2011 until March 2014?
3. Can the Leader also inform me how much we have paid to Voluntary Action Leicestershire for the last financial year and what we will pay this financial year and next, and what length of term we have left on any contract with them?"

**Mr Rushton replied as follows:**

1. The VCS is funded for a range of purposes including to provide contracted services on behalf of the County Council through competitive processes which are open to private companies as well as VCS organisations. Changes to the totality of spend through the VCS therefore vary naturally over time in the course of normal business as some contracts end and others are tendered or retendered with different specifications. Given these complexities I will arrange for officers to contact Mr Miah to discuss exactly what details we can provide which might help him.
2. The County Council spent £20.9m on contracts with or grants to VCS organisations in 2011/12. In 2012/13 the value of these contracts and grants is expected to reduce to just over £18m but other contracts could be won or lost during the remainder of the year.
3. Leicestershire County Council's contribution to the VAL contract for 2011/12 was £745,880 and it is the same for the current financial year 2012/13. The existing contract with VAL will end on 31<sup>st</sup> March 2013, so there is a 9 month period left of the current contract. The contract will then be re-tendered and the LCC contribution for 2013/14 has been reduced by £150k to £595,880."

**Mr Miah asked the following supplementary question:**

"On no. 1 I would like clarification regarding the contract parties. I am just asking for

a list of all the cuts that have happened in the voluntary sector but I understand it may be a bit more complex than what is here.

On no. 3 regarding the contract with Voluntary Action Leicestershire, I would like to know if he shares my concern regarding the contracts with Voluntary Action Leicestershire and has he had any of his members on his own side share those concerns they have over that contract?"

**Mr Rushton replied as follows:**

"Although the question is quite valid, Mr Miah seeks to belittle what we do. This year we are spending £20.1M on voluntary services. In the following years we are spending £18M and he must remember that the voluntary sector is not immune to the economy as a whole. So, I don't want to talk about what the cuts may or may not be or reduction in service, we need to be proud of what we are doing. We are also very proud of our initiative with the Big Society. Mr Pain has led that initiative throughout the County Council. We are helping people to help themselves. It is not just about giving money out. It is about helping people to help themselves. Let's not talk about cuts, let's talk about what we are doing and what we are continuing to do but possibly in a different way."

**(S) Mr Hunt asked the following question of the Leader or his nominee:-**

1. What percentage of (a) Secondary and (b) Primary pupils are projected to be within Academies by February 2013?
2. Could the Leader list the schools in the County which have been given the Secretary of State's agreement to change age ranges and indicate what those changes are?
3. What applications to change age ranges are still in the pipeline and what are those changes?
4. On which applications, if any, has the Authority commented and has it objected to any?"

**Mr Ould replied as follows:**

1. Based upon the expected number of schools planning to convert to Academy status by February 2013, the position is as follows;

Secondary schools 39,057 pupils (87.1% of the overall secondary school population) will be within academies.

Primary schools 17,410 pupils (37.1% of the overall primary school population) will be within academies.

A further 532 pupils with SEN (60.9% of the total number attending Special Schools) will also be within academies.

2. The schools having received approval from the Secretary of State so far, and their new age ranges, are:

Woodbrook Vale High School, Loughborough, 11-16 years  
 Limehurst High School, Loughborough, 11-16 years  
 Humphrey Perkins High School, Barrow upon Soar, 11-16 years  
 Rawlins Community College, Quorn, 11-19 years

South Wigston High School, 11-16 years  
 Glen Hills Primary School, Leicester, 4+ to 11  
 Fairfield Community Primary School, Wigston, 4+ to 11  
 Parkland Primary School, South Wigston, 4+ to 11

The Martin High School, Anstey, 11-16 years

All of the above age range changes will take effect for September 2013 admissions.

3. Applications to change the age range for academies, in the first instance, have to be submitted to the Department for Education (via the Education Funding Agency). At the time of preparing this response, it is understood that no further applications have been submitted. Applications for a maintained school to change its age range will be submitted to the LA. None have been received.
4. The LA commented (and was supportive of) all of the applications that have so far received approval, and awaits contact from the EFA in respect of any future applications.”

**Mr Hunt asked the following supplementary question:**

“I am very grateful for the information provided in this answer and I think many Members of the Council may be too. I would also like to thank officers for the information that comes through on academies through the MIS system and wonder if the information here could be released with future information on MIS and updated.”

**Mr Ould replied as follows:**

“I personally have no objection to that happening but I actually don't think I have the authority to say yes to it.”

**161 - To receive position statements under Standing Order 8.**

The Acting Leader, Mr N J Rushton, presented a statement regarding the leadership of the Council.

A copy of the statement is attached to these minutes.

**162 - Report of the Scrutiny Commission**

**(A) Overview and Scrutiny Annual Report 2011/12.**

It was moved by Mr Galton, seconded by Mr Kershaw and carried:-

“That the information contained in the report of the Scrutiny Commission, on the activities of Overview and Scrutiny, be noted.”

## 163 - Report of the Constitution Committee

### **(B) Review and Revision of the Constitution.**

#### Note

*Having declared a personal prejudicial interest Mr D R Parsons left the meeting during consideration of this matter and took no part in the discussion or voting thereon.*

#### Motion 1

It was moved by Mr Rushton, seconded by Mr Bill and carried:-

- (a) That the proposed changes to the Constitution, as set out in Appendix A to this report, other than those which relate to Standing Orders (the Meeting Procedure Rules), be approved, including the adoption of the revised Code of Conduct set out in Appendix C to this report;
- (b) That it be noted that members will be required to register their interests under the new Code of Conduct within 28 days of its adoption and to advise the Monitoring Officer of changes as they occur;
- (c) That the Monitoring Officer be authorised to take the necessary steps for the appointment of three independent persons to form a Panel from which an independent person can be selected, whose views must be sought and taken into account in relation to allegations of a breach of the Members' Code of Conduct in accordance with the provision of the Localism Act 2011, those appointments to be agreed by the full Council on the basis that:-
  - (i) A panel of elected members will conduct interviews and put forward recommendations to the Council;
  - (ii) In the current circumstances, given the need for prompt action, the proposed appointments will be made by sending a letter to all members of the Council requesting their agreement to the appointments;
- (d) That the Monitoring Officer be authorised to undertake further discussions with the District Councils with the view to arriving at a single Code of Conduct for Leicestershire;
- (e) That the Monitoring Officer be authorised to make such temporary appointments from amongst people serving as independent persons of a different relevant authority as he/she considers necessary, whose views may be sought and taken into account in relation to allegations of a breach of the Members' Code of Conduct for a particular case or period of time, in accordance with any statutory provisions in force for the time being;
- (f) That the list of meetings determined for the purposes of Standing Order

34(2) be amended to read as follows:-

*“Adoption Panel;  
Approval of Premises Panel (Civil Marriages);  
Childrens’ Community Homes and Service Teams Monitoring Panel;  
Complaints Panel (School Curriculum and Religious Education);  
Secure Accommodation Review Panel;  
County Council Employment Panel;  
Appointment Committee (Chief Officer);  
Fostering Panel;  
Disputes Panel;  
Representations Panel (Independent providers of adult social care);  
Member Conduct Panel;  
Guardianship Panel;  
Member Reference Panel on Quality and Safeguarding in Registered Care.”*

**Motion 2 – Procedural Motion in accordance with Standing Order 37**

It was moved by Mr Rushton and seconded by Mr Bill:-

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

(The Council noted that under Standing Order 37 this procedural motion, having been moved and seconded, now stood adjourned until the next ordinary meeting of the Council.)

**164 - To consider the following notices of motion:**

**(A) Local Economic Stimulus Package for Leicestershire - Mr S J Galton.**

It was moved by Mr Galton and seconded by Dr Hill:-

“a) That this Council:

- i) notes the recent comments by Secretary of State for Local Government regarding ‘large levels’ of Council reserves;
- ii) notes the developing literature from the LGA, NLGN, Localis and other interest groups regarding the benefits of local economic development initiatives;
- iii) notes the efforts of Liberal Democrat Group to urge the Administration to take steps to introduce a local youth jobs plan and a VCS fund;
- iv) notes that the total level of earmarked reserves as at 31<sup>st</sup> March 2012, was £110.7 million and that the Cabinet at its meeting on 12 July agreed that there should be a review of the Council’s reserves, including the level of the County Fund, during 2012;
- v) believes that the County Council has a prominent role in supporting the local economy, encouraging new jobs and improving skills in Leicestershire;

b) That this Council therefore requests the Cabinet:-

- i) to create a 3 year Local Economic Stimulus Package which includes a Dedicated Skills Fund and a Local Venture Fund to support business start-ups and SME expansion, paid for through a one-off withdrawal of £6.5 million from earmarked reserves, as determined by the Cabinet;
- ii) requests the officers to prepare detailed proposals for the operation of the package referred to in (i) above, including such issues as co-ordination with delivery bodies such as the LLEP, local member involvement and other consultation arrangements, for submission to the Cabinet with appropriate input from the Scrutiny Commission;
- iii) agrees to use £3.5m of earmarked reserves as determined by the Cabinet to reinstate funding for PCSO's and provide an increase in resources this year for Highways & Environmental Maintenance (Grass Cutting, Pot Holes and gully cleaning) and Public Transport, pending a review of the recent cuts to these services."

On the motion being put and before the vote was taken, five members rose asking that the vote be recorded. The vote was recorded as follows:-

For the motion: Mr Bailey, Mr Bill, Mr Boulter, Mr Bray, Mr Charlesworth, Mrs Fox, Mr Galton, Mr Griffiths, Dr Hill, Mr Hunt, Mrs Loydall, Mr Miah, Ms Newton, Mr Wilson, Mr Wright and Mr Wyatt.

Against the motion: Mr Blunt, Mrs Camamile, Mr Coxon, Dr Feltham, Mr Garner, Mr Gillard, Mr Hampson, Mr Harley, Mr Hart, Mr Houseman, Mr Jennings, Mr Jones, Mr Kershaw, Mr Liquorish, Mr Ould, Mr Page, Mrs Page, Mr Pain, Mr Parsons, Mrs Pendleton, Mrs Posnett, Mrs Radford, Mr Rhodes, Mrs Richards, Mr Rushton, Mr Shepherd, Mr Slater, Mr Snartt and Mr Sprason.

Abstention: Mr Lewis

The motion was not carried, 16 members voting for the motion and 29 against, with one abstention.

**(B) Leader of the Council - Mr S J Galton.**

Mr Galton advised the Council that he no longer wished to proceed with the notice of motion.