

**MINUTES OF THE MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL HELD
AT COUNTY HALL, GLENFIELD ON Wednesday, 5 December 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, Mrs. J. A. Dickinson CC, Dr. R. K. A. Feltham CC, Mr. R. Fraser CC, Mr. S. J. Galton CC, Mr. B. Garner CC, Mr. T. Gillard CC, Mr. S. J. Hampson CC, Mr. P. S. Harley CC, Mr. G. A. Hart CC, Dr. S. Hill CC, Mr. Dave 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. K. W. P. Lynch CC, Mr. J. Miah CC, Ms. Betty Newton CC, Mr. J. T. Orson JP 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. G. Partner 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. P. A. Roffey CC, Mr. N. J. Rushton CC, Mr. R. J. Shepherd CC, Mr. D. Slater CC, Mr. E. D. Snartt CC, Mr. E. F. White CC, Mr. R. M. Wilson CC, Mr. D. O. Wright CC and Mr. M. B. Wyatt CC

175 - Chairman's Announcements.

Death of Former members of the Council

The Chairman reported the sad death of two former Members of the Council.

Former County Councillor Mrs Cordelia Brock had died on 27th September 2012.

She had been elected to the County Council in 1977 and served until 2005, representing the former Barrow on Soar No 8 Elected Division and the Bradgate Electoral Division. Prior to the move to a Cabinet and Scrutiny system in 1999 she had served mainly on the Environment Committee and Social Services Committee, of which she had been Conservative Group Spokesman for three years. Thereafter she had served on the Scrutiny Commission and Development Control and Regulatory Board. She had been for many years a representative of the County Council on the Police Authority.

Mrs Brock had served as Chairman of the County Council in 1998/99, being only the second woman to have been elected to that position.

Former County Councillor Mr Tom Lowther had died on 30th October 2012 aged 84 years.

He had been elected to the County Council in 1989 and served until 1997, representing the Melton Mowbray South Electoral Division. He had served mainly on the Education Committee and Public Protection and General Purposes Committee and Police Committee of which he had been Liberal Democrat Spokesman for a time.

Those present joined the Chairman in standing in silent tribute to the memory of Mrs Cordelia Brock and Mr Tom Lowther.

Royal Town Planning Institute – Diamond Jubilee Cup

The Chairman reported with huge pleasure that the County Council had recently been awarded the Diamond Jubilee Cup by the Royal Town Planning Institute, its most prestigious award, for spearheading work to transform the Ashby Wolds.

The project, which had involved local Councils, community groups, landowners and mining companies working together, had transformed 12 acres of derelict land into a new woodland landscape with leisure facilities, housing development and land for new employment.

Members joined the Chairman in congratulating everyone concerned on this well deserved award.

Leicester and Leicestershire Excellence in Tourism Awards

The Chairman announced that Charnwood Museum had recently been awarded the Small Visitor Attraction of the year award at the Leicester and Leicestershire Excellence in Tourism awards ceremony. This meant that the attraction would go on to compete in the National Visit England Award Finals in May.

Charnwood Museum was run as a partnership between the County Council and Charnwood Borough Council and the award recognised the hard work of staff of both authorities all of whom deserved the Council's very warm congratulations.

Committee Officers

The Chairman reported that he had been pleased to have been joined for lunch by a number of the Authority's Committee Officers. He had invited them to join him as a means of saying thank you, on behalf of the Council as a whole, for the valuable contribution they made to the operation of the Council and its committees.

Visitors

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

176 - Minutes.

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

"That the minutes of the meeting of the Council held on 26 September, 2012, copies of which have been circulated to members, be taken as read, confirmed and signed."

177 - Declarations of Interest.

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

Mr Page declared a Personal Pecuniary interest in the Notice of Motion moved by Mr J B Rhodes (Minute 182 refers).

178 - To answer questions asked under Standing Order 7(1)(2) and (5).**(A) Mr Wright asked the following question of the Leader or his nominee:-**

- "1. Following the transfer of Leicestershire's care homes into private ownership, does the Leader support the idea of improving the regulation of care homes by introducing corporate accountability?
2. In what ways does this Council scrutinise the performance of those companies who manage the care homes in which we fund placements for Leicestershire residents?
3. In view of grave concern in the media regarding the levels of debt incurred by a number of prominent companies running care homes, would the Leader support further regulation of such companies in order to achieve greater transparency with regard to both their financial stability and to their ownership?"

Mr Houseman replied as follows:-

- "1. The statutory regulator of care homes in England is the Care Quality Commission (CQC). The Council has responsibilities for commissioning places in care homes where individuals are eligible for publicly funded care and also has general responsibilities to ensure all vulnerable adults are safeguarded via the multi-agency safeguarding arrangements. The Council works closely with the CQC to share information and to co-ordinate its monitoring activity.

The primary responsibility for service quality lies with the provider of the service. I would of course expect that the directors and senior managers of all care providers would accept that they are accountable for the welfare and safety of service users and staff.

2. The Council uses a range of mechanisms to monitor the performance of care home providers. It asks service users and their families to provide it with feedback on the quality of care. The Council aims to review all placements annually to ensure that residents' needs are met and ensure complaints are investigated. In addition, compliance staff undertake both announced and unannounced monitoring visits to ensure the services meet the contractual requirements outlined in the service specification. Care home providers who agree to accept placements are required to make an annual return detailing the outcomes of their own quality assurance processes.

Where there are serious concerns the Council will take immediate actions to safeguard the health, safety and wellbeing of service users, which may include suspending new placements, and require providers to agree to take remedial actions. As a last resort the Council can terminate its contract and find alternative placements for residents.

3. The Council's primary focus is the quality of care provided within care homes, as this is the key factor that it can influence. It is also important that residents should receive continuity of care from providers that are well managed and financially stable but this is something over which the Council has much less control. The ownership of private companies is a matter for directors and shareholders. Any consideration of further financial regulation of companies

owning care homes would be complex and is a matter for national Government. Monitor (a non-departmental public body) has been given a range of duties and responsibilities for financial regulation of the publicly funded healthcare market. The Health and Social Care Act 2012 allows for the option of these powers being extended at a later stage to the social care market. Should the Government consider doing this, the Council would want to offer support if it would improve transparency and offer reassurance about continuity of care to residents and their families.”

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

- “1. Can the Leader explain what is being done about the problems with drainage and the subsequent flooding of properties in Loughborough East, including houses on Bottleacre Lane and the industrial estate around Jubilee Drive/Pavilion Way?
2. Could the Leader comment on how well the Preliminary Flood Assessment matched the experience of the latest inundation in the north of the County?”

Mrs Pendleton replied as follows:-

- “1. 2012 has been the second wettest year in the last hundred years. Rainfall between Wednesday 21st November and Sunday 25th November 2012 merely added to already high water levels in Loughborough’s watercourses, including Wood Brook. The surface water drainage system in Loughborough East relies upon road gullies discharging water into local surface water sewers that, in turn, ordinarily discharge into those watercourses. Flooding at Bottleacre Lane was caused by an inability of rain water to discharge to Wood Brook which was already at full capacity. The County Council is currently awaiting the completion of a surface water management plan (SWMP) for Loughborough and is undertaking modelling of Grammar School Brook and Willow Brook. The Environment Agency is undertaking modelling of Wood Brook and Burleigh Brook.
2. One of the maps in the Preliminary Flood Risk Assessment (PFRA) identified the locations where a 1 in 200 year storm event would affect more than 200 people, more than 1 critical service or more than 20 residential properties. That map identified that Loughborough would be affected due to the presence of the River Soar, a watercourse that elevates the city of Leicester to the 16th most likely location in the country to suffer flooding. There is reasonable correlation between where flooding was experienced over the aforementioned five day period and where the PFRA predicted that it would occur. Loughborough has a history of flooding and is ranked 69th most likely location in the country to be subjected to flooding. Its ranking has meant funds being made available for SWMP work as it contains around 4,200 properties at risk of flooding from surface water.”

(C) Mrs Loydall asked the following question of the Leader or his nominee:-

“Could the Leader please explain what action is taken when either a member or officer is found with inappropriate material on County Council computer equipment, in breach of Council Policy?”

Mr Rushton replied as follows:-

“It is important that, whenever inappropriate material is found on County Council computer equipment in breach of Council policy, this is treated seriously.

In the case of an officer, consideration would have to be given to disciplinary proceedings. The precise nature of the response would depend upon the circumstances but there have been instances of staff being dismissed for accessing inappropriate material on County Council computers.

In relation to members, it is likely that there will be a Code of Conduct issue. Under the new arrangements within the County Council that would be considered by the Monitoring Officer and, dependent on the circumstances, by the Member Conduct Panel.

However, the Government has, in my view rightly, shifted the primary responsibility for enforcing high standards in public life away from the previous Standards regime to the political parties themselves. The political parties must “step up to the plate” and I am determined to do so. The Conservative Group will treat any such cases seriously and, where a serious penalty is appropriate, will impose it. I hope other parties will do the same.”

Mrs Loydall asked the following supplementary question:-

“In the light of the recent reports and photographs in the national press, could the Leader reassure this Council that all due processes are followed in order to uphold the integrity of the County Council and that the County Council’s reputation is not tarnished by these events?”

Mr Rushton replied as follows:-

“I can assure Mrs Loydall that so far no official complaint has been received about the member in question. I can also reassure Mrs Loydall that, under the fourth paragraph, the Conservative Group take this matter most seriously and are dealing with it in a proper manner through a procedure which has been submitted to and agreed with the Chief Executive and the County Solicitor and I urge the Liberal Democrat Group and the Labour Group to adopt similar procedures as soon as possible.”

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

“Would the Leader be prepared to consider delaying the proposed sale of Aberglaslyn Hall to enable the “Friends of Aberglaslyn Hall” or another social enterprise to develop a business case which is satisfactory to the County Council?”

Mr Rhodes replied as follows:-

“The Cabinet made a decision to cease operating Aberglaslyn Hall from 31st March 2013 and offered suitable social enterprise groups the opportunity to make a business case for continued operation of the service. That opportunity was explored by the Friends of Aberglaslyn who submitted their final business case in early October 2012. After careful consideration the Director of Corporate Resources

regrettably was unable to agree that a sufficiently robust business case had been made. Therefore, in the overall interests of the County Council, he had no option but to agree to proceed with the sale of the property on the basis agreed by the Cabinet.

If the closure was delayed any further it would create uncertainty for the staff. It will of course be possible for the Friends of Aberglaslyn to bid to buy the premises if they can raise the funds.”

Mr Charlesworth asked the following supplementary question:-

“We managed to defer the payment on the care homes, why can’t we apply the same principle to Aberglaslyn?”

Mr Rhodes replied as follows:-

“I am not quite sure what Mr Charlesworth means, we have not sold it yet.”

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

- “1. Does the Leader agree with the National Institute for Health and Clinical Excellence (NICE) (which will take over the NHS responsibility for public health) that, taking into account personal mobility, cycling and walking should be the norm for all short journeys?
2. What is his reaction to the call of NICE for councils to introduce bicycle-hire schemes, car-free events and better cycle-route signalling and maps?”

Mr White replied as follows:-

- “1. NHS responsibility for public health is being transferred to local authorities in April 2013, as required by the Health and Social Care Act, and the County Council is widely recognised as being a national leader in managing the transition. One of the roles of NICE is to provide guidance to health and social care bodies about public health and other matters and this has included the advice referred to by Mr Hunt.
I would agree that cycling and walking should be encouraged by the County Council, particularly for short journeys, taking into account personal mobility and recognising the need for people to be safe on the road or pavement.
2. The NICE guidance is broadly welcome and largely reflects the approach already being taken in Leicestershire, where the importance of physical activity in keeping the population healthy has long been recognised. The transition of the public health function to the County Council has given even greater opportunity for the various departments to work together to ensure that a balanced range of interventions are provided to increase physical activity. The draft health and wellbeing strategy, which will drive the work of the Health and Wellbeing Board, proposes physical activity as a priority for action.

The County Council’s Local Transport Plan and the work that is being carried out supported by the Local Sustainable Transport Fund (LSTF) both promote cycling and walking for short journeys. An important part of the approach to tackling obesity is recognising that changes to the physical environment, such as more cycle paths, are important in helping people to follow a more active,

healthy lifestyle. Personal Travel Planning advice given through the LSTF encourages people to walk and cycle and provides information about the options and benefits, although there is little evidence that cycle hire schemes and car-free events have a lasting impact in more rural areas such as Leicestershire.

For people to be more active and maintain a healthy weight there needs to be a wide range of opportunities, not just those based on the promotion of cycling and walking. In Leicestershire these include the Active Together programme jointly funded by the County Council and NHS Leicestershire County and Rutland, support for school physical activity networks and weight management programmes.”

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

“Two big changes are planned to come into force together in April next year: one is substantial changes to welfare benefits, such as Housing Benefit Cuts and the closure of the Independent Living Fund; the other is the abolition of legal aid for social and welfare cases, along with the Legal Services Commission. Legal Aid safeguards society’s most vulnerable and disadvantaged people, ensuring access to justice by providing advice, information and representation to some 2 million people each year. A recent Scope report tells us that more than half of those receiving help for welfare benefit cases are disabled people.

In the light of this, can the Leader indicate:-

1. How many people in Leicestershire will be affected?
2. How many disabled people in receipt of Social Care packages will be affected?
3. Where will those people seek and find the advice, information and representation that previously would have been provided through Legal Aid?”

Mr Rushton replied as follows:-

“The County Council is working with its partners in Leicestershire Together to review the Debts and Benefits Advice services available within Leicestershire and, more widely, the effect of the welfare reforms on vulnerable people and families.

The findings will inform future commissioning of services in this area and they will be available early in 2013.

Joint work is already happening between the County and District Councils to agree arrangements for the Social Fund replacement and the Council Tax Hardship Fund which provide the best package of support for people in need.

There is no comprehensive information available on the number of people in Leicestershire who will be affected by the changes to the Independent Living Fund and the Legal Aid arrangements. Information currently available on the changes and their effect is as follows:

1. Independent Living Fund (ILF): There is a proposal that the ILF close in 2015 and there is a consultation underway as to how this should happen and how the effects of the closure may be mitigated. The County Council has

responded to this consultation. There are approximately 95 people in Leicestershire who receive funds from the ILF, all of whom also receive social care from the County Council.

2. Changes to Welfare Benefits: These changes will begin to take effect from April 2013 and implementation will continue for the next 4-5 years. People under pension age are the primary group to be affected. Most of the people under pension age in receipt of social care packages will be affected by the changes.
3. The Legal Services Commission holds contracts for Community Legal Advice services across the country. Various contractors provide a particular type of legal aid service. As from April 2013, the Legal Services Commission will no longer contract for legal aid services covering welfare benefits, housing or debt. Legal aid for some family services will also cease. The availability of Legal Aid on welfare advice is already limited in Leicestershire.

Officers will be able to provide more detail on the impact of the various welfare changes as further work is completed.”

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

- “1. Would the Leader outline the progress made to create a Local Transport Body for this area which would have powers of decision over major local transport schemes from 2015?
2. Will the County Council be acting as the Accountable Body?
3. Given that no single authority or public body will be responsible for decisions, how will complaints be dealt with and how will public scrutiny be conducted?”

Mrs Pendleton replied as follows:-

- “1. The Department for Transport issued guidance on the setting up of Local Transport Bodies on 16th November. The guidance requires the submission of a proposed governance regime by the end of February 2013 and a list of potential major schemes by July.

The Local Transport Body for Leicestershire will be joint with Leicester City Council.

- 2&3. No decisions have been made as to which Authority should act as the accountable body and the arrangements for public scrutiny will be set out in the governance regime, once it is drafted.”

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

- “1. Would the Leader confirm that the option to continue or discontinue traffic through Swan Street, Loughborough remains open?
2. When will a final decision to operate no, one, or two way traffic through Swan Street be made?

3. What improvements for long suffering bus passengers will be afforded by the scheme?"

Mrs Pendleton replied as follows:-

- “1. An objective of the scheme is to remove vehicles from Swan Street and other town centre streets. Completion of the inner relief road will allow Swan Street at the Market Place to be closed to all traffic except buses and service vehicles accessing this area. The option to continue or discontinue these vehicle movements through Swan Street remains open. The Cabinet, at a meeting in 2006, resolved that the following elements should be included in the scheme upon completion:

a one year trial of one-way bus operation through the A6 Market Place (Option B), as shown in Appendix B of the report, with a review at the end of that period to decide whether to revert to full pedestrianisation (Option A).

2. Upon completion of the trial, the results will be considered and a review of bus routing arrangements will be undertaken. A decision will be made at this time.
3. The existing waiting facilities, that in some locations are cramped, overcrowded and without shelter, will be improved by the provision of widened footways with modern high quality clear aspect shelters. There will be seating, lighting and timetable information provided at each shelter. Individual stops will be clearly and uniquely identified and town centre key plans will be used to ensure passengers can easily find the departure point they require. The scheme will also raise the profile and reliability of the bus services in the town centre.”

Mr Hunt asked a supplementary question on the reply to question 3:-

“Increasingly my colleagues who are County Councillors in the area served by the buses to and from Loughborough Town Centre including, no doubt, those in Kegworth, are concerned that the bus facilities won't be up to the standard hoped for, given that the Town and its surrounds are still widely disappointed by the absence of a bus station. Would the Lead Member agree to meet with the County Councillors in the area served by those buses to discuss in more detail what will be offered and any particular alterations she might make in view of their views?”

Mrs Pendleton replied as follows:-

“Yes, I would be pleased to.”

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

- “1. Given that the number of previous injury accidents are a major determinant when prioritising our road safety schemes, does the Leader agree that accident counts, like many natural phenomena, follow a regression to the mean and therefore to obtain an accurate estimate of frequency of accidents taken into consideration should normally be rather longer than three years in order to obtain an accurate estimate?
2. Given that information on collisions of any severity can also predict further and more dangerous collisions, is there a practical way of including non-serious

injury collisions or no injury collisions into the assessment?”

Mrs Pendleton replied as follows:-

- “1. Regression to the mean is not sensibly applied to the occurrence of injury accidents at particular sites, as it implies that there is no contribution from the environment to the frequency of accidents and that they are completely random, which is not the case. There is much historic evidence that in-depth studies of accident patterns can lead to the identification of particular environmental conditions that increase the likelihood of accidents occurring. These can then be identified and addressed with the impact being monitored through on-going studies of accident frequencies at the treated site. Well-established practice nationally has settled on three years as providing a fair representation of current conditions, which are those to be treated. I would be happy to arrange for Mr Hunt to discuss these issues with officers in the Department if he so wished.
2. All injury road traffic collisions, of whatever severity, that are reported to the police, are recorded according to a national standard, known as STATS19. This includes full information of the circumstances surrounding the event and all this information is made available to investigators. Non-injury information is not collected by the police and is therefore not available.”

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

“Quality and Outcomes payments reward Leicestershire GPs for screening people on the severe mental illness register for alcohol problems, raised blood pressure, obesity, diabetes, and high cholesterol and GPs are allowed to ‘exception report’ patients who do not attend screening or who they consider unsuitable. Can the Leader indicate:

1. What proportion of patients with severe mental illness Leicestershire GPs excluded from screening by ‘exception reporting’?
2. What is the highest rate of exception reporting by practice?
3. Does the Leader consider that it is suitably motivating for GPs to be rewarded full payments if only a proportion of their mentally ill patients have actually attended screening?”

Mr White replied as follows:-

- “1. For patients with severe mental illness, there are a number of potential ‘screening’ outcomes that are measured. In 2011/12, 11.6% of patients with severe mental illness were excluded from general screening/care planning by ‘exception reporting’. For other screening outcomes exception rates in people with serious mental illness ranged from 14% to 29.8%.
2. In 2011/12, the highest rate of exception reporting by practice in Leicestershire for general screening/care planning was 47%.
3. I am aware that there are a variety of reasons why some patients in primary care with serious mental illness are excluded from screening by exception reporting. Comparative analysis of practice-level exception reporting must also

take into account underlying social and demographic characteristics of the populations concerned.

I am also aware that both Leicestershire Clinical Commissioning Groups have an on-going dedicated programme of work to improve quality in primary care. This includes regular practice visits and other forms of active engagement with each practice in Leicestershire to reduce general rates of 'exception reporting' and to reduce variability in reporting between practices."

Ms Newton asked a supplementary question on the reply to question 3:-

"What role does the Health and Wellbeing Board have in ensuring that GP-led Clinical Commissioning Groups tackle perverse incentives around the quality and outcome framework that benefit GP practices rather than the patients?"

Mr White replied as follows:-

"I would like to say pass but I can't. I will make some enquiries and write to Ms Newton in due course."

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

"Let's Break the Cycle' is a third sector therapeutic service which meets the unmet emotional needs of children in North West Leicestershire who have been seriously affected by the domestic abuse they have witnessed. Its funding is under threat and without a change of heart from Leicestershire County Council or another body it will fold at the end of this financial year. In the spirit of the 'Supporting Families' project will the Leader please take steps to ensure that established grassroots interventions such as 'Let's Break the Cycle' are not washed away, leaving the Council's top-down innovation nothing of substance to build on?"

Mr Ould replied as follows:-

"The Supporting Leicestershire Families service is far from 'top down', as it is based on the findings from extensive work with families and with front line workers. It is also being delivered in localities to ensure that there are effective working relationships between the Family Support Workers and the services that families will need to help change their lives.

The need for specific services to be available for families is recognised in the form of the allocation of a family commissioning budget from the pooled budget and in the responsibilities of the Supporting Leicestershire Families Board, which include the need to monitor the relationship between the supply of and demand for the wider services that the families will need.

'Let's Break the Cycle' is funded from a variety of sources, including the North West Leicestershire Domestic Abuse Forum, the Police Partnership (BCU), the North West Leicestershire Children and Young People's Locality Partnership Group and local fundraising.

The North West Leicestershire Children and Young People's Locality Partnership Group commissioned the organisation in 2011 to deliver support services for young people aged 4-11 years who had been affected by domestic abuse. The work was

originally linked to the refuge in North West Leicestershire but is no longer.

During 2012 the budget available to the NWL Children's Locality Partnership Group was reduced by 20% as a result of the national reduction to the Early Intervention Grant. All services were re-commissioned with a more robust process focused more closely on the target age-range for the funding (0-5 year olds). Through this process, Women's Aid Leicestershire Limited (WALL) were commissioned to run outreach-based work with children aged 0-5 and their families from April 2012.

The Children and Young People's Service, together with the Local Safeguarding Children's Board and the Domestic Abuse Strategy Board, is currently auditing interventions available across the County that support children and young people affected by domestic abuse. It is intended that this work will provide the strategic approach needed to ensure that adequate and appropriate support is in place."

Ms Newton asked the following supplementary question:-

"Will the Council's Governance Committee assess to what extent services for children and young people set to fight domestic abuse follow the example of Let's Break the Cycle in the use of innovative use of child-friendly outcome measures that assess whether the Council's investment is making a difference that matters in children's lives?"

Mr Ould replied as follows:-

"I can't speak on behalf of the Governance Committee. I can speak on behalf of the Children and Young Peoples Service and the Supporting Families Board, and it is very clear from the answer that we have already refocused in line with the early intervention grant and the reductions therein."

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

"Why do children in Leicestershire only have a 'fair chance' of attending a good or outstanding school?"

Mr Ould replied as follows:-

"I believe that her Majesty's Chief Inspector was mistaken when he stated that children and young people only stand a 'fair chance' of attending a good or outstanding primary school in that he restricted his analysis to the academic year 2011-12.

In fact 76% of all primary schools are judged to be good or outstanding by Ofsted. This means that Leicestershire children stand a good chance of attending good or outstanding schools.

To be absolutely clear the position in Leicestershire is that 68% of primary schools inspected in the academic year 2011-2012 were judged to be good or outstanding. This was an expected outcome for these schools. The figure of 68% refers only to the academic year 2011-2012. If all primary schools are taken into account, 76% are judged to be good or outstanding."

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

"Can the Leader please comment on the ability of County Council transportation officers to work closely with Harborough District Council on the delivery of its proposed Strategic Development Area to the north-west of Market Harborough and its proposed new Local Plan and in particular to ensure that future transport conditions in the town are clearly understood by the District Council, local people and businesses, and that appropriate mitigation measures are secured to ensure that traffic can still move in the town."

Mrs Pendleton replied as follows:-

"The Strategic Development Area (SDA) is proposed in the Harborough District Core Strategy, for which the District Council is responsible, including preparing for and ensuring its delivery. Transportation officers of the County Council worked closely with District Council officers on the development of an evidence base to underpin the Core Strategy. Transportation evidence and statements presented to an independent inspector at an Examination in Public in Summer 2011 set out, amongst other things, what transport conditions could be like in Market Harborough in the future both without and within the proposed SDA. In very brief summary, the evidence showed that traffic in the town is likely to increase in any event, due to growth elsewhere in the County and beyond (natural traffic growth). In comparison, the impacts of the SDA are predicted to be relatively limited, albeit it is still important to ensure that measures are put in place to mitigate those impacts. The evidence work identified a package of measures that should do this and, in certain circumstances, they could also offset some of the impacts of natural traffic growth. Following changes to reflect the outcomes of the evidence work, the Core Strategy was adopted by the District Council in November 2011. Since then, the District Council has sought to take forward the SDA proposals and transportation offices have provided input to this. It is understood that the District Council is now considering a review of its Core Strategy. The nature and timing of the review is not clear at this time but officers of the County Council will provide input as necessary."

179 - Position Statements.

The Leader presented a position statement on the following matters:-

Group Leader Meetings
Meetings with Local Authority Leaders
Meetings with Leicestershire MPs
City Deal
Lend a Hand in Leicestershire
Supporting Leicestershire Families
Stand Easy
Movember
Christmas

The Lead Member for Environment and Transport presented a position statement on the following matter:-

Flooding in Leicestershire

The Lead Member for Health presented a position statement on the following matter:-

Independent Reconfiguration Panel review of the decision to move Children's Congenital Heart Surgery from Glenfield to Birmingham

A copy of each position statement is attached.

180 - Report of the Cabinet.

(A) - Leicestershire County Council and Leicestershire Together Annual Performance Report 2012.

It was moved by Mr Rhodes, seconded by Mr Pain and carried:-

"That the Leicestershire County Council and Leicestershire Together Annual Performance Report 2012, as referred to in Section A of the report of the Cabinet, be approved."

(B) - Director of Public Health Annual Report 2012.

It was moved by Mr White, seconded by Mr Houseman and carried:-

"That the Director of Public Health Annual Report 2012, as referred to in Section B of the report of the Cabinet, be noted."

181 - Report of the Corporate Governance Committee.

(A) - Proposed changes to the Contract Procedure Rules.

It was moved by Mr Snartt, seconded by Mr Hart and carried:-

"That the proposed amendments to the Contract Procedure Rules, set out in Appendix A to the report of the Corporate Governance Committee, be approved."

182 - To consider the following notice of motion:

(A) - Wind Turbines - Mr J B Rhodes.

Mr Page having declared a personal pecuniary interest in this matter left the meeting during consideration of this matter.

It was moved by Mr Rhodes and seconded by Mr Ould:-

"That this Council:

- a) supports the Government's targets for the increase in the amount of energy generated from renewable sources;
- b) requests the Government to provide any evidence to challenge the popular

belief that wind turbines are an inefficient and inadequate replacement for other methods of energy generation because they do not produce energy in conditions of high or very low wind speeds;

- c) notes with concern the potential damage to the rural landscape of Leicestershire which could arise from a proliferation of wind turbines;
- d) is particularly concerned at the number of planning applications received by planning authorities in recent months and the unrest in rural communities who perceive themselves threatened by turbines especially the very large and medium sized machines;
- e) believes that smaller turbines – under 15 metres from ground to blade tip are more likely to be accepted provided they are related directly to domestic, commercial or agricultural premises;
- f) believes that turbines should not normally be closer than 2km to the nearest home except for those related directly to generation for that home;
- g) requests the Chief Executive to make Government Ministers and planning authorities in Leicestershire aware of the Council's views."

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 Blunt, Mrs Camamile, Mr Coxon, Mrs Dickinson, Dr Feltham, Mr Fraser, Mr Garner, Mr Gillard, Mr Hampson, Mr Harley, Mr Hart, Mr Houseman, Mr Jennings, Mr Jones, Mr Kershaw, Mr Lewis, Mr Orson, Mr Osborne, Mr Ould, Mrs Page, Mr Pain, Mr Partner, Mrs Pendleton, Mrs Posnett, Mr Rhodes, Mrs Richards, Mr Roffey, Mr Rushton, Mr Shepherd, Mr Slater, Mr Snartt and Mr White.

Against the motion:

None.

Abstentions:

Mr Bailey, Mr Bill, Mr Boulter, Mr Bray, Mr Charlesworth, Mr Galton, Dr Hill, Mrs Loydall, Mr Lynch, Mr Wilson, Mr Wright and Mr Wyatt.

The motion was carried, 32 members voting for the motion and none against, with 12 abstentions.

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