



Minutes of a meeting of the Cabinet held at County Hall, Glenfield on Wednesday 5 March 2014.

PRESENT

Mr. N. J. Rushton CC (in the Chair)

Mr. R. Blunt CC	Mr. B. L. Pain CC
Mr. Dave Houseman MBE, CC	Mrs. P. Posnett CC
Mr. J. T. Orson JP CC	Mr. J. B. Rhodes CC
Mr. P. C. Osborne CC	Mr. E. F. White CC

In attendance

Mrs. J. A. Dickinson CC and Mr. G. A. Hart CC

Apologies

Mr. I. D. Ould CC

102. Minutes of the previous meeting.

The minutes of the meeting held on 4 February 2014 were taken as read, confirmed, and signed.

103. Urgent Item - Legal Action Relating to Development at New Lubbethorpe.

The Chairman advised that there was one urgent item for consideration; a report of the County Solicitor regarding legal action relating to development at New Lubbethorpe. The report was urgent because the issue had arisen after the agenda for the Cabinet meeting had been published and the implications needed to be addressed at the earliest opportunity.

The Chairman sought and obtained the consent of the Cabinet to vary the order of business from that on the agenda to take the urgent item as the first report.

104. Declarations of interest.

The Chairman invited members who wished to do so to declare any interests in respect of items on the agenda for the meeting.

Mr. E. F. White CC declared a personal interest which might lead to bias in his capacity as Leader of Blaby District Council with regard to the urgent report of the County Solicitor entitled "Legal Action Relating to Development at New Lubbethorpe". He undertook to leave the meeting whilst that item was considered.

Mr. J. B. Rhodes CC subsequently declared a personal interest in the urgent item as a member of the [Leicester and Leicestershire] Planning and Infrastructure Members Advisory Group. (minute 105 below refers).

105. Legal Action Relating to Development at New Lubbesthorpe.

(Mr. E. F. White CC, having declared a personal interest which might lead to bias, left the meeting during consideration of this item).

The Cabinet considered an urgent report of the County Solicitor regarding a Judicial Review brought by the Police and Crime Commissioner in relation to the proposed major development at New Lubbesthorpe (Blaby District) and the potential implications relating to infrastructure funding for the development and economic growth for the wider area. A copy of the report is filed with these minutes.

Mr. J. B. Rhodes CC declared a personal interest in the matter as a member of the [Leicester and Leicestershire] Planning and Infrastructure Members Advisory Group.

Mr. Rushton CC said that the application for Judicial Review was without merit and risked losing huge amounts of public funding, and that local partners should be working together to achieve the best outcomes for the area. He noted that it would also affect the integrity of Blaby District Council's Local Development Framework.

Mr. Rhodes CC considered that the Police and Crime Commissioner's action was wholly disproportionate and did not in fact arise from financial necessity.

Mr. Orson CC, Chairman of the Police and Crime Panel, said that the situation was unprecedented and urged the parties to come together to resolve the matter.

RESOLVED:

- (a) That the report and the significant risks arising from the decision of the Police and Crime Commissioner to commence Judicial Review proceedings be noted with concern;
- (b) That the County Council regrets in particular that a resolution of these matters between Blaby District Council and Leicestershire Police has not been achieved, but presses both parties to seek a resolution urgently with a view to avoiding a Court hearing in the Judicial Review process;
- (c) That the Court be advised as appropriate of the County Council's concerns.

(Mr. White CC then returned to the meeting).

106. Consultation on Proposals for Changes in the Delivery of Community Library Services.

The Cabinet considered a report of the Director of Adults and Communities regarding consultation on changes to the way community library services would be delivered by the County Council in order to make the required savings in line with the Medium Term Financial Strategy (MTFS). A copy of the report, marked 'Item 4', is filed with these minutes.

The Cabinet noted comments which had been received from UKIP, the Liberal Democrats, and Mr. S. D. Sheahan CC, copies of which are filed with these minutes.

Mr. Blunt CC said that in the case of 13 of the 35 libraries across the County interested parties had already indicated an interest in discussing devolved governance. He said that care would be taken to mitigate the effect of any service changes on vulnerable groups but he hoped that libraries might even see further improvements under new arrangements.

RESOLVED:

- (a) That the report be noted;
- (b) That approval be given to a consultation exercise regarding the future of community library services on the basis set out in the report.

(KEY DECISION)

REASON FOR DECISION:

The County Council has a statutory obligation to ensure the provision of a comprehensive and efficient library service. An analysis of the current service indicates that whilst it is comprehensive, there are a large number of service points, potentially leading to inefficient use of resources. A re-provision of the service would continue to meet the statutory obligations of the Council and contribute £0.8m towards MTFS savings.

The rationale of the proposals is for the Council to enable and facilitate the on-going provision, wherever possible, of these services, by closer partnership with communities and other providers, whilst at the same time sustaining the countywide infrastructure to enable the obligations on the Council to be sustained, and meeting budget challenges.

107. Consultation on the Future of Snibston Discovery Museum.

The Cabinet considered a report of the Chief Executive regarding the timetable for consultation and decision making in relation to the future of Snibston Discovery Museum. A copy of the report, marked 'Item 5', is filed with these minutes.

The Cabinet noted comments which had been received from Dr. T. Eynon CC, a copy of which is filed with these minutes.

RESOLVED:

- (a) That the timetable and the outline arrangements for consultation regarding the future of Snibston Discovery Museum as set out in the report be noted;
- (b) That it be noted that a detailed report will be submitted to the next meeting of the Cabinet on the consultation and engagement plan and the proposals for the Museum.

(KEY DECISION)

REASON FOR DECISION:

The Medium Term Financial Strategy identifies an annual on-going saving of £240,000 arising from a 'redeveloped Snibston with a new offer focussing on mining and the scheduled ancient monument'.

108. Review of the Non-Residential Charging Policy for Adult Social Care.

The Cabinet considered a report of the Director of Adults and Communities concerning consultation on a review of the Council's non-residential charging policy for adult social care. A copy of the report, marked 'Item 6', is filed with these minutes.

Mr. Houseman MBE, CC commended the report. He stressed that it was proposed that community meals would continue to be available and that the existing subsidy would be phased out gradually.

RESOLVED:

- (a) That a consultation exercise be undertaken from 1 April 2014 to 30 June 2014 to seek the views of stakeholders on the charging policy for Extra Care services and removal of the subsidy for community meals and County Council commissioned meals services;
- (b) That a further report be submitted to the Cabinet in September 2014 detailing the outcome of the consultation exercise and making recommendations on policy changes.

(KEY DECISION)

REASON FOR DECISION:

The Adult Social Care Fairer Charging Policy requires amendment to ensure that individuals receiving similar services contribute similar amounts towards their care; currently those receiving Extra Care support under a Community Care Assessment are charged differently. The Council also needs to review charges for some non-residential care services (ie. commissioned meals and community meals) which it currently subsidises: other services (ie. personal budgets and home care) are not subsidised. The Council needs to ensure that its charging policy is transparent and continues to be applied fairly and equitably.

The Council is required to consult with stakeholders on any proposed policy change that will impact significantly on service users, and this will ensure that those affected will have the opportunity to fully engage with the proposals.

109. Progress on Taking Forward the Development of the Extra Care Housing Strategy in Leicestershire.

The Cabinet considered a report of the Director of Adults and Communities providing an update on progress in taking forward the development of the Extra Care Housing Strategy. A copy of the report, marked 'Item 7', is filed with these minutes.

RESOLVED:

That progress with the development of the Leicestershire Extra Care Housing Strategy 2010-2015 be noted.

REASON FOR DECISION:

The Leicestershire Extra Care Housing Strategy 2010-2015 was approved by the Cabinet in December 2009 and it was agreed that progress would be reported to the Cabinet annually.

110. Provision and Refocusing of Grants to Community Groups.

The Cabinet considered a report of the Chief Executive regarding the implementation of a new SHIRE Community Grants programme in order to make the required savings in line with the Medium Term Financial Strategy (MTFS). A copy of the report, marked 'Item 8', is filed with these minutes.

Mrs Posnett CC said that the new grants programme would be in line with the new vision and ways of working for the County Council set out in the MTFS and that, whilst reduced, the funding still represented a significant offer for local communities.

RESOLVED:

- (a) That the SHIRE Community Environmental Improvements Grant, the SHIRE Community Buildings Grant, the Big Society Grant Fund, and the Community Forum Budgets be discontinued at the end of the current financial year subject to (b) to (d) below;
- (b) That a new SHIRE Community Grants programme as detailed in the report be agreed as a replacement for the above grant funds;
- (c) That the SHIRE Community Solutions Grant scheme outlined in the report be implemented at the earliest opportunity;
- (d) That proposals for implementation of the proposed SHIRE Participatory Community Grant scheme be developed for consideration by the Cabinet at its meeting in July 2014.

(KEY DECISION)

REASON FOR DECISION:

On 19 February 2014 the Council approved the MTFS including the 2014/15 revenue budget and capital programme. It includes a £430,000 service reduction in 2014/15 with regards to grants to individuals and community groups.

The MTFS also sets out a new vision for the County Council and a new Target Operating Model. It is therefore necessary to put in place a fit-for purpose community grants programme that reflects and effectively supports the Council's priorities with the reduced resources available.

The Council wishes to provide clarity to community groups about the funding that will be available and enable communities to access grant funding at the earliest possible opportunity in the 2014/15 financial year.

111. Reduction in Funding and Support to Agencies.

The Cabinet considered a report of the Chief Executive regarding consultation on the allocation of £590,000 savings against the Chief Executive's Department's savings requirement in the Medium Term Financial Strategy (MTFS) for 2014/15 to 2017/18. A copy of the report, marked 'Item 9', is filed with these minutes.

The Cabinet noted comments from the Liberal Democrat Group, a copy of which is filed with these minutes.

Mrs Posnett CC recognised the good work which was carried out by Voluntary and Community Sector organisations and noted that the proposals included two new services; a Community Capacity Building Service and external support for the Leicestershire Equalities Challenge Group.

RESOLVED:

- (a) That the proposed allocation of £590,000 of savings from the Chief Executive's Department's 'Funding and Support to Agencies' budget as set out in the report be agreed;
- (b) That a 12-week consultation exercise on the recommended savings allocations will take place between 10 March 2014 and 2 June 2014;
- (c) That a report on the responses to the consultation exercise and proposed way forward be submitted to the Cabinet at its meeting in September 2014.

(KEY DECISION)

REASON FOR DECISION:

On 19 February 2014 the County Council approved the MTFS, including the 2014/15 revenue budget and capital programme. It includes a £590,000 reduction, to be delivered by 2015/16, to 'funding and support to agencies' from an overall budget of £1.2 million. This proposed reduction of almost 50% was informed by the public budget consultation conducted in the summer of 2013 where funding for agencies was in the top three budget lines identified to "reduce a great deal" or "reduce to some extent" i.e. it was perceived to be a lower priority area where savings could be made in order to protect services to vulnerable people - a clear priority for residents, stakeholders and Council staff.

The MTFS sets out a new vision for the County Council and a new Target Operating Model. It is therefore necessary to ensure that the remaining funding in the budget is closely aligned to the strategic imperatives agreed as underpinning the Council's work for the period of the MTFS. These priorities include 'Enabling and Supporting Communities, Individuals and Families'. A new Communities Strategy (to be considered by the Cabinet later in the spring) will set out how the Council will work with and support communities.

This budget line currently includes eleven contracts, SLAs or grant funding arrangements with seven different Voluntary and Community Sector (VCS) organisations. The organisations currently delivering these services are:

- Voluntary Action Leicestershire (3 contracts)
- Rural Community Council (3 contracts)
- The Race Equality Centre (on behalf of a consortium)

- Citizens Advice Leicestershire
- Citizens Advice Charnwood
- POWhER
- Leicestershire and Rutland Association of Local Councils

The budget also includes £40,000 of internal funding for Equalities and Diversity and partnership projects.

112. Strategic Economic Plan and City Deal.

The Cabinet considered a report of the Chief Executive concerning strategic plans being developed by the Leicester and Leicestershire Enterprise Partnership, in particular the Strategic Economic Plan (SEP) and the City Deal. A copy of the report, marked 'Item 10', is filed with these minutes.

The Cabinet noted comments of the Scrutiny Commission made on 26 February. A draft minute extract from that meeting is filed with these minutes.

Mr. Pain CC referred to the economic growth priorities set out in the report, noting that the Council's Economic Growth Plan would be superseded by the new SEP. There was perhaps a perception that the City Deal would only benefit Leicester but this was far from being the case, as shown in the report. He and Mr. Rushton CC commented on the County Council's role in promoting economic development across Leicestershire, noting too the importance of including rural areas in this.

RESOLVED:

- That the broad principles and content of the Leicester and Leicestershire Strategic Economic Plan (SEP), as set out in the draft Executive Summary and Programme Summary (Appendices A and B to the report respectively) be approved;
- That the Chief Executive, following consultation with the Leader of the County Council, be authorised to approve the final SEP for submission to the Government by 31 March 2014;
- That the key issues and proposed Growth Area approach set out in paragraphs 18 to 23 of the report which will be taken into account in finalising and approving the SEP be noted, and the proposed Growth Area approach be supported;
- That the progress made in agreeing a City Deal and submitting a European Structural and Investment Funds (ESIF) Strategy be noted and that the Chief Executive, following consultation with the Leader of the County Council, be authorised to approve the Leicester and Leicestershire City Deal on behalf of the County Council;
- That the preparation of an Enabling Growth Action Plan, setting out how the Council will use its resources, expertise and influence to support delivery of the SEP, City Deal, and ESIF Strategy, be agreed and that a further report on this be submitted to a future meeting of the Cabinet.

REASON FOR DECISION:

To ensure that the County Council has the opportunity to influence the shape and content of the SEP to be submitted to Government on 31 March 2014, signs off the City Deal, and puts in place an Action Plan to support their delivery.

113. Centre of Excellence for Information-Sharing.

The Cabinet considered a report of the Director of Corporate Resources regarding the establishment of a partnership agreement with Government Departments for the County Council to host the 'Centre of Excellence for information sharing'. A copy of the report, marked 'Item 11', is filed with these minutes.

Mr. Rhodes CC said that the Council could be very pleased to be chosen to host the Centre of Excellence which would place it in an excellent position to benefit and learn from best practice nationally. He thanked in particular Mr. Stephen Curtis from the Corporate Resources Department whose work had been key to the success of the initiative.

RESOLVED:

- (a) That the establishment of a partnership agreement with Government Departments for the County Council to host the 'Centre for Excellence for information sharing' be approved in principle;
- (b) That the Director of Corporate Resources in consultation with the County Solicitor be authorised to agree the terms of and to sign the Partnership agreement.

REASON FOR DECISION:

To enable the County Council to host the national Centre of Excellence for Information Sharing.

114. Leicestershire's Policy on Admissions to Mainstream Schools - Determination of Admission Arrangements.

The Cabinet considered a report of the Director of Children and Family Services concerning revisions to Leicestershire's School Admission Policy and amendments to the catchment areas affecting several primary schools (for entry from autumn 2015 onwards) and the three associated local schemes for the co-ordination of admissions to primary and secondary schools. A copy of the report, marked 'Item 12', is filed with these minutes.

RESOLVED:

- (a) That the outcome of the consultation exercise, as detailed in paragraphs 16 to 20 and Appendix C of the report be noted;
- (b) That the revised Policy on admission to mainstream schools as set out in paragraphs 21 and 22 of the report along with the relevant amendments to local catchment maps as detailed in Appendix A of the report be agreed;
- (c) That the three local co-ordinated admissions schemes be amended to reflect policy changes as set out in Appendix D to the report;

(d) That it be noted that Leicestershire's admissions criteria remain unchanged.

(KEY DECISION)

REASON FOR DECISION:

The County Council, as an admitting authority, is required to consult when seeking to change school admissions arrangements, with arrangements to be determined by 15 April annually.

It is considered necessary to adopt a number of amendments to the County Council's current policy on admission to mainstream schools in response to the national code on home to school transport distances, the oversubscription of some schools and underutilisation of others, and housing developments in the Ashby Woulds and Coalville areas.

115. Fair Access Protocol Review.

The Cabinet considered a report of the Director of Children and Family Services regarding a review of Leicestershire's Fair Access Protocol and the development of a revised Protocol. A copy of the report, marked 'Item 13', is filed with these minutes.

RESOLVED:

- (a) That responses to the consultation exercise as set out in Appendix A and development work on the Fair Access Protocol as set out in the report be noted;
- (b) That the revised version of the Fair Access Protocol as included at Appendix B to the report be agreed.

REASON FOR DECISION:

The Fair Access Protocol is a set of procedures for handling within year school admissions of vulnerable children and young people to mainstream schools and academies in Leicestershire. All local authorities are required by the National School Admissions Code (2012) to maintain a Fair Access Protocol. Leicestershire's Protocol was last reviewed in 2007 and now needs updating.

116. Midlands Highway Alliance Medium Schemes Framework 1 Replacement.

The Cabinet considered a report of the Director of Environment and Transport concerning the award of the Medium Schemes Framework 2 contract to the preferred bidders selected on behalf of the members of the Midlands Highway Alliance. A copy of the report, marked 'Item 13', is filed with these minutes.

Mr. Osborne CC said that the innovative approach taken by the MHA had been very successful and the Framework 1 contract had given significant efficiency savings. This 'alliance' approach was now being replicated across the country.

RESOLVED:

- (a) That the award of the Medium Schemes Framework 2 contract, as set out in paragraphs 24 to 27 of this report, be approved;

- (b) That the Director of Environment and Transport, following consultation with the Cabinet Lead Member for Highways and Transport, be authorised in consultation with the Director of Corporate Resources to award the framework contract to the preferred contractors once they have been identified by the tender evaluation process.

REASON FOR DECISION:

The existing Medium Schemes Framework 1 contract has delivered significant efficiency savings for Midlands Highway Alliance members, in particular for Leicestershire County Council, and has received numerous awards and commendations for its innovative approach. This contract is due to expire on 11 April 2014 and its replacement is required to be in place as soon after that date as possible to allow member authorities to continue to deliver their project programmes efficiently. The timing of the procurement process does not align with the timings of Cabinet meetings so delegated authority for the Director has therefore been sought to minimise the gap between successive contracts.

OTHER OPTIONS CONSIDERED:

If the delegation of authority to the Director of Environment and Transport to award the contract was not made the award process would be delayed. This may cause difficulties in the delivery of some schemes in the County Council's capital programme and those of other MHA members, and may result in funding requirements not being met. Given the tight timescales for projects, other options for alternative arrangements are not considered possible.

117. Items referred from Overview and Scrutiny.

There were no items referred from Overview and Scrutiny.