

**MINUTES OF THE MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL
HELD AT COUNTY HALL, GLENFIELD ON WEDNESDAY, 2 JULY 2014**

PRESENT

Mr. G. A. Boulter CC (in the Chair)

Mr. I. E. G. Bentley CC, Mr. D. C. Bill MBE CC, Mr. R. Blunt CC, Mr. S. L. Bray CC, Mr. M. H. Charlesworth CC, Mr. K. Coles CC, Mr. J. G. Coxon CC, Mrs. J. A. Dickinson CC, Dr. T. Eynon CC, Dr. R. K. A. Feltham CC, Mrs. J. Fox CC, Mr. S. J. Galton CC, Mr. D. A. Gamble CC, Mr. S. J. Hampson CC, Mr. G. A. Hart CC, Dr. S. Hill CC, Mr. Dave Houseman MBE, CC, Mr. Max Hunt CC, Mr. D. Jennings CC, Mr. J. Kaufman CC, Mr. P. G. Lewis CC, Mr. W. Liquorish JP CC, Mrs. H. E. Loydall CC, Mr. K. W. P. Lynch CC, Mr. J. Miah CC, Mr. M. T. Mullaney CC, Ms. Betty Newton CC, Mr. J. T. Orson JP CC, Mr. P. C. Osborne CC, Mr. I. D. Ould CC, Mrs. R. Page CC, Mr. B. L. Pain CC, Mr. A. E. Pearson CC, Mr. T. J. 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. Sharp CC, Mr. S. D. Sheahan CC, Mr. R. J. Shepherd CC, Mr. E. D. Snartt CC, Mr. L. Spence CC, Mr. D. A. Sprason CC, Mr. G. Welsh CC, Mr. E. F. White CC, Miss. H. Worman CC, Mr. M. B. Wyatt CC and Mr. L. E. Yates CC

10. CHAIRMAN'S ANNOUNCEMENTS.

Ashmount Special School

The Chairman was delighted to report that Ashmount Special School in Loughborough had won the Special Educational Needs School of the Year in the Times Educational Supplement National Pupil Premium Awards.

The judges had praised the school for innovation in English, maths and music therapy. The school had been presented with a trophy and a cheque for £10,000 by the Deputy Prime Minister, the Rt Hon Nick Clegg MP at an awards ceremony.

Leicester Mercury School Awards 2014

The Chairman was pleased to see that the following Leicestershire schools and school staff had been recognised at the recent Leicester Mercury Awards:-

School of the Year	Ashmount Special School
Headteacher of the Year	Dave Thomas – Ashmount Special School
Healthy School of the Year	The Market Bosworth School
Newly Qualified Teacher of the Year	Guy Lawson – Griffydham Primary School, Coalville
Active Community Award	Millfield L.E.A.D. Academy
Dedication to Education	Alison Chapman – Nursery Nurse – Parklands Primary School, South Wigston

Visitors

The Chairman welcomed to the meeting all visitors and guests of members and anyone who was viewing the meeting via the webcast.

11. MINUTES.

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

“That the minutes of the meeting of the Council held on 21st May 2014, copies of which have been circulated to members, be taken as read, confirmed and signed.”

12. 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.

All members who were also members of District and Borough Councils declared personal interests in the Youth Justice Plan 2014/15 (minute 15 refers).

All members who were School Governors declared personal interests in the Notice of Motion put forward by Mr Welsh (Post-16 School Transport) (minute 18 refers).

Dr Eynon declared a personal interest in the Leader’s Position Statement which included reference to the Better Care Together Strategy as she was a sessional GP (minute 14 refers).

Mr Pain declared a disclosable pecuniary interest in the Notice of Motion to be moved by Mr Welsh on Post 16 Transport as a partner in a taxi company which contracts to provide home to school transport (minute 18 refers).

13. QUESTIONS ASKED UNDER STANDING ORDER 7(1)(2) AND (5).**(A) Dr Eynon asked the following question of the Leader or his nominee:-**

- “1. Can the Leader please explain the rationale for commissioning a report by Winckworth Sherwood to look at alternative models for Museums, as promised at the meeting of the County Council on 19th February, and then failing to finalise and publish this document?
2. Will the Leader agree to release the Winckworth Sherwood report so that it may be scrutinised?”

Mr Blunt replied as follows:-

“At the meeting of the Council in February this year I said in answer to a question that Winckworth Sherwood had been engaged to look at options for the delivery of museums. As has been explained subsequently to the Group Leaders and Spokespersons, the commission was withdrawn with Winckworth Sherwood’s agreement.”

Dr Eynon asked the following supplementary question:-

“Thank you for your reply. I recognise that there is a similar question (e) which has the reply that no payment was made for a report from Winckworth Sherwood as there was no report, but can I ask what sums of money were spent in preparing for this report that none of us have now been allowed to see?”

Mr Blunt replied as follows:-

“I think the answer is zero but what I will do is I will research it for you and drop you a line.”

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

“Can the Leader please tell me the current cost for each grass cut carried out in the Borough of Oadby and Wigston?”

Mr Osborne replied as follows:-

“The current cost for cutting approximately 220,000 square metres of grass in the Borough of Oadby and Wigston is £5,580.”

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

“Is the Leader aware of the appalling state of the Wakes Road island following the works carried out by the Council to install traffic signal controls to the roundabout? Is he also aware that this is the main gateway to Wigston and its current state undermines the regeneration work that is to commence soon? What remedial action does he therefore propose?”

Mr Osborne replied as follows:-

“Directly linked to the levels of rainfall during last winter being at their highest for 248 years, the soil at the Wakes Road roundabout was waterlogged during the final stages of the scheme work. At the point of general scheme completion in December 2013, it was concluded that it was prudent to leave the grassed areas in the centre of the roundabout and on the adjacent verges for restoration to good order until the spring of 2014 when conditions would be improved.

The postponement of remedial work was for a longer period than expected, due to the continued high levels of groundwater. Consequently, the re-

levelling and re-seeding did not occur until the third week in April 2014. Normal grass cutting has not been carried out in these areas to allow them an opportunity to re-establish to a suitable condition to resume normal grass cutting. However, when the site was re-inspected on Monday 23rd June, the poor appearance was noted and arrangements made for further remedial work.

On Friday 27th June, the remedial work commenced, planned to span a three day period. 20 tonnes of topsoil material has been deposited to overlay stony ground, the primary cause of the problem. It is anticipated that these remedial works will markedly improve the appearance of the site.”

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

“I have been advised that due to recent changes in the UK recycled plastics market, plastics are currently not being recycled. Will the Leader :

- a) Advise whether plastics collected as part of the borough/district refuse collections and at RHWS sites are sent for recycling and, if not, indicate what happens to these plastics?
- b) If the plastics are not recycled will the Leader agree with me that this current state of affairs is regrettable and that in the interest of transparency residents should be advised that at present plastics are not being recycled?
- c) Given that local residents take the time and effort to sort and separate materials for recycling, including plastics, will the Leader give a commitment to recycling plastics as soon as it is economically viable to do so?”

Mr Pain replied as follows:-

- “a) Plastics collected as part of the borough/district refuse collections continue to be recycled and each local authority makes its own arrangements for this to happen. Plastic bottles from the Recycling and Household Waste Sites (RHWS) are also recycled. Since the end of July 2013 it has not been possible to recycle rigid plastics from the RHWS such as damaged toys, broken garden furniture, guttering or old water butts. Over the last 12 months these materials have been sent to landfill.
- b) The facility that previously accepted the mixed rigid plastics closed temporarily last summer and as a result the County Council tried to find alternative outlets to recycle this material. This coincided with a drop in the world market for plastics recycling and resulted in an increase in the quality standards for acceptance of mixed rigid plastics and a reduction in available outlets. The authority therefore had no choice but to send this material to landfill for disposal.

Rigid plastics only represent approx 0.4% of the materials that are recycled from the RHWS. By continuing to separate rigid plastics at

the sites we will be in a better position to start recycling when an outlet is found as the public will not have got out of the habit of separating this material.

- c) The County Council appreciates the efforts that are made by Leicestershire residents to separate their waste for recycling which has resulted in consistently high recycling performance over recent years. We will continue to try to find alternative outlets that could accept mixed rigid plastics and will continue to encourage higher levels of reuse and recycling in future.”

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

“Can the Leader advise me:-

- a) Whether the £3000 cost of the Winckworth Sherwood report on Museums was met by the County Council or from an external source?
- b) Whether he considers that the Museums Service was the correct body to commission the report?”

Mr Blunt replied as follows:-

- “a) No payment was made for a report as there was no report.
- b) Matters relating to the commissioning of the report cannot be commented upon at this stage for the reasons explained to the Group Leaders.”

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

- “1. Is the Leader aware that the Council has approximately £6m worth of items in its inventory, with around 5-10% in public exhibitions or displays at a time, and the rest in storage, costing approximately £150,000 a year?
2. Would the Leader be willing to review the use of this inventory, similar to a number of local authorities across the UK, so the Council can ensure that these assets are being used to their full potential?”

Mr Blunt replied as follows:-

- “1. Yes.
2. No. 5-8% of the total collections are on public exhibition or display at any one time, a figure comparable with most other Museums Services. Some collections were never intended to have a use in displays or exhibitions but to contribute to the fields of scientific or archaeological research. Other collections are permanently accessible to schools and colleges.”

14. POSITION STATEMENTS UNDER STANDING ORDER 8.

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

- Leicester Cathedral Gardens;
- Better Care Together 'Vision for the Future Shape of Health and Social Care';
- Meeting with MPs; and
- Ernie White's book.

The Lead Member for Broadband and Rural Affairs presented a position statement on the following matters:-

- Broadband; and
- Leicestershire Rural Partnership (Rural Conference/LEADER).

Copies of the position statements are filed with these minutes.

15. REPORT OF THE CABINET:-

(a) Youth Justice Strategic Plan 2014/15.

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

"That the Youth Justice Strategic Plan 2014/15, attached as Appendix 1 to the report, be approved."

16. REPORT OF THE SCRUTINY COMMISSION:-

(a) Overview and Scrutiny Annual Report 2013/14.

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

"That the information contained in the Overview and Scrutiny Annual Report 2013/14, attached as Appendix 1 to the report, on its activities, be noted."

17. JOINT REPORT OF THE EMPLOYMENT COMMITTEE AND CORPORATE GOVERNANCE COMMITTEE:-

(a) Employee Code of Conduct.

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

"That the Employee Code of Conduct, as set out in Appendix 1 to the report, be approved."

18. TO CONSIDER THE FOLLOWING NOTICES OF MOTION:

(a) Street Lighting - Mr. P. C. Osborne

It was moved by Mr Osborne, and seconded by Mr Orson:-

“a) That this Council notes that:-

- i) the programme of part-night lighting, dimming and the emerging transformation programme utilising new technology could result in savings in excess of £1million and reduce the Council’s carbon footprint;
- ii) the process of part-night lighting and dimming involves a rigorous evaluation of the potential impact such changes would have on affected areas;
- iii) responses to date from the emergency services and the County Council’s Accident Investigation and Prevention Unit indicate that part-night lighting and dimming has not led to an increase in crime or road traffic accidents;
- iv) analysis conducted by the County Council’s Research and Insight Team comparing reported crimes at parish level in the year leading up to the introduction of part-night lighting with the first year of operation concludes that:
 - overall, across all areas affected there were 195 less crimes (10%) between 12.01am and 5.30am in the year following the introduction of part-night lighting;
 - for individual parishes, changes varied from an increase of 14 crimes to a decrease of 58 crimes;
 - of the 97 areas analysed, 36 saw an increase in crime and 46 saw a reduction in crime and overall, almost half (45) of the areas analysed saw no change, or an increase or decrease by only one crime;
- v) the County Council has a good track record of working with the Police and has acted upon concerns raised which resulted in almost 200 lights temporarily returned to all night operation and which will now return to part-night lighting following recent arrests.

b) That accordingly this Council calls upon members of the Opposition to refrain from making unsubstantiated comments and scaremongering on this issue.”

An amendment was moved by Mr Bill and seconded by Mr Kaufman:-

‘That paragraph (a)i) of the motion be amended to read as follows:-

- “i) the programme of part-night lighting, dimming and the emerging transformation programme utilising new technology could result in savings in excess of £1 million and reduce the Council carbon footprint, while keeping lights on during evening hours.”

That paragraph (b) of the motion be amended to read as follows:-

- “b) That accordingly this Council calls upon member from all parties to continue working together in publicly scrutinising and debating the Council plans for street lighting to ensure that the best possible outcome for Leicestershire’s residents is reached and to that end set up a scrutiny panel to fully explore the different possible ways of making these savings, including the consideration of further LED upgrade projects financed by capital and/or reserves and under-spends rather than borrowing.”

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

For the Amendment: Mr Bill, Mr Boulter, Mr Bray, Mr Charlesworth, Mr Galton, Mr Gamble, Dr Hill, Mr Kaufman, Mrs Loydall, Mr Mullaney, Mr Welsh, Mr Wyatt.

Against the Amendment: Mr Bentley, Mr Blunt, Mr Coles, Mr Coxon, Mrs Dickinson, Dr Feltham, Mr Hampson, Mr Hart, Mr Houseman, Mr Jennings, Mr Lewis, Mr Liquorish, Mr Orson, Mr Osborne, Mr Ould, Mrs Page, Mr Pain, Mr Pearson, Mr Pendleton, Mrs Posnett, Mrs Radford, Mr Rhodes, Mrs Richards, Mr Rushton, Mr Shepherd, Mr Snartt, Mr White.

Abstentions: Dr Eynon, Mrs Fox, Mr Hunt, Mr Miah, Ms Newton, Mr Sharp, Mr Sheahan, Mr Spence, Mr Sprason, Miss Worman, Mr Yates.

The amendment was not carried, 12 members voting for the amendment and 27 against, with 11 abstentions.

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 Bentley, Mr Blunt, Mr Coles, Mr Coxon, Mrs Dickinson, Dr Feltham, Mr Hampson, Mr Hart, Mr Houseman, Mr Jennings, Mr Lewis, Mr Liquorish, Mr Orson, Mr Osborne, Mr Ould, Mrs Page, Mr Pain, Mr Pearson, Mr Pendleton, Mrs Posnett, Mrs Radford, Mr Rhodes, Mrs Richards, Mr Rushton, Mr Shepherd, Mr Snartt, Mr White.

Against the Motion: Mr Bill, Mr Boulter, Mr Bray, Mr Charlesworth, Dr Eynon, Mrs Fox, Mr Galton, Mr Gamble, Dr Hill, Mr Hunt, Mr Kaufman, Mrs Loydall, Mr Miah, Mr Mullaney, Ms Newton, Mr Sharp, Mr Sheahan, Mr Spence, Mr Sprason, Mr Welsh, Miss Worman, Mr Wyatt, Mr Yates.

The motion was put and carried, 27 members voting for the motion and 23 against.

(b) Rural Broadband - Mr. S. J. Galton

Mr Galton CC, the mover of the motion, with the consent of the Council, withdrew his notice of motion on Rural Broadband.

(c) Post 16 School Transport - Mr. G. Welsh

Mr Pain, having declared a disclosable pecuniary interest in this matter, left the chamber during consideration of this item.

Mr Welsh, with the consent of the seconder of the motion, sought the consent of the Council to move the following altered motion.

It was moved by Mr Welsh, seconded by Mr Osborne, and carried:-

“a) That this Council notes:-

- (i) that as a result of the Education and Skills Act 2008, from 2015, anyone up to the age of 18 will be required to participate in full time education or training;
- (ii) that the provision of post 16 transport is discretionary and that local authorities can and do make a charge to cover costs;
- (iii) that this will place a significant financial burden upon the families of students that require transport to attend further education;

b) This Council therefore calls upon the Government to provide either:

- (i) full funding to local authorities to enable them to extend the provision of free school transport to students aged 16 – 18 that live further than 3 miles from their nearest 6th form school or FE college;

or

- (ii) Provide financial support to FE colleges and 6th form schools to enable them to provide comprehensive travel bursaries which would recognise the increasingly specialist nature of the post-16 education and skills offer.”

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