

Minutes of a meeting of the Cabinet via Microsoft Teams on Friday, 20 November 2020.

PRESENT

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

Mr. L. Breckon JP CC
Mr. B. L. Pain CC
Mr. T. J. Pendleton CC
Mr. J. B. Rhodes CC

Mrs H. L. Richardson CC
Mr. R. J. Shepherd CC
Mrs D. Taylor CC

Apologies

Mr. R. Blunt CC

In attendance

Mrs C. M. Radford CC, Mr. O. O'Shea CC, Mrs B. Seaton CC, Dr. T. Eynon CC, Mr. S. J. Galton CC

452. Minutes of the previous meeting.

The minutes of the meeting held on 20 October 2020 were taken as read, confirmed and signed.

453. Urgent items.

There were no urgent items for consideration.

454. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting. No declarations were made.

455. Financial Resilience.

The Cabinet considered a report of the Director of Corporate Resources concerning the Council's financial resilience in light of the additional pressures created by Covid-19. A copy of the report, marked 'Agenda Item 4', is filed with these minutes.

Mr. Rhodes said that the Council had not borrowed money for some years and its balance sheet was in good shape. He hope that the Government would eventually agree a fair funding system for local government which would allow the Authority to achieve more.

RESOLVED:

- (a) That the comments of the Scrutiny Commission be noted;
- (b) That the latest position regarding the County Council's financial resilience be noted.

REASONS FOR DECISION:

To note the overview of the Council's financial resilience which would support the Cabinet in the proper administration of the Council's financial affairs.

456. Free School Meal Provision During School Holidays.

The Cabinet considered a joint report of the Director of Corporate Resources and Director of Children and Family Services regarding arrangements for the provision of free school meals for eligible pupils over the school holidays for the rest of the financial year and seeking agreement to allocate the necessary funding. A copy of the report, marked 'Agenda Item 5', is filed with these minutes.

Mr. Rhodes and Mrs Taylor noted that the Council had decided to provide the free school meals prior the Government funding being announced. Mrs Taylor said that the vouchers would go some way to reduce the pressure on low-income families and she hoped that the Government funding would enable the Council to provide further help.

RESOLVED:

- (a) That the provision of Free School Meal vouchers for school holidays as outlined in the report be confirmed;
- (b) That it be noted that the Chief Executive, following consultation with the Director of Corporate Resources, the Leader and the Cabinet Lead Member for Resources, has agreed the spend of £360,000 in relation to the provision of free school meals over the Christmas/New Year holiday period;
- (c) That up to £1m in total be allocated for the provision of free school meal vouchers during the financial year 2020/21, noting that additional Government funding is expected to reimburse the Council for a part or the whole of this sum.

(KEY DECISION)

REASONS FOR DECISION:

There has been increasing concern raised about the provision of food over the school holidays for those pupils who are eligible for free school meals, in particular in view of the financial difficulties faced by many as a result of the COVID-19 pandemic.

Delivery of free school meals via a voucher system is straightforward and comprehensive and will enable arrangements to be put in place in time for the Christmas and New Year holidays. The action taken by the Chief Executive to agree funding for the next holiday period was taken in order to secure a provider in anticipation of a busy market.

The cost of provision is currently estimated to be around £900,000 but this may increase, for instance if demand rises. The Council's latest outturn forecast for 2020/21 included an allowance for COVID-19-related costs that are likely to arise but have not yet been specifically identified.

457. Annual Delivery Report and Performance Compendium 2020.

The Cabinet considered a report of the Chief Executive regarding the Council's draft Annual Delivery Report and Performance Compendium for 2020. A copy of the report, marked 'Agenda Item 6', is filed with these minutes.

Mr. Rhodes said that the Council's achievements were impressive given its low funding and the effect of the Covid-19 pandemic and he expressed his thanks to officers who had enabled services to be maintained over a difficult period.

RESOLVED:

- (a) That the comments of the Scrutiny Commission be noted;
- (b) That the overall progress, particularly during the first half of 2019/20, in delivering on the Council's Strategic Priorities as set out in the draft Annual Delivery Report, be noted;
- (c) That the significant and ongoing impact of the coronavirus pandemic on the outcome of delivery across a range of Council services from late February be noted, together with the strong local response from the council and partners to support vulnerable people, communities, business, the voluntary sector, staff and others throughout the pandemic;
- (d) That the Council's current low comparative funding, good performance position, and escalated service pressures and risks now facing the Authority as set out in the Performance Compendium be noted;
- (e) That in light of the pressure on the Council's financial sustainability arising from continued service demand and cost pressures, that have been compounded by the Covid-19 crisis, the Council will continue to press its case for a fairer funding settlement and other major savings initiatives, noting that the delay in implementation has created significant uncertainties as to how the Council can now address the many service challenges and priorities it faces;
- (f) That the Chief Executive, following consultation with the Leader, be authorised to make any amendments to the draft Annual Delivery Report and Performance Compendium prior to its submission to the County Council on 2 December 2020 for approval.

REASONS FOR DECISION:

It is best practice in performance management, implicit in the LGA Sector-Led approach to local authority performance and part of the Council's Internal Governance Framework, to undertake a review of overall progress at the end of the year and to benchmark performance against comparable authorities. It is also good practice to produce an annual performance report and ensure that it is scrutinised, transparent, and made publicly available.

The National Audit Office has recently issued best practice guidance for annual reports, highlighting that the annual report is a key mechanism for transparent disclosure of an organisation's in-year performance and governance matters.

Disclosures in the annual report will help to provide information about the impact of the coronavirus on the organisation. The report should discuss how the entity has performed in the year, including areas where performance has deteriorated or below expectations, where money has been spent and the other key risks.

The Council is poorly funded in comparison with other local authorities and this, until addressed, will continue to affect delivery, performance and council tax levels.

The draft Report and Compendium may be modified to reflect comments made by the Cabinet as well as to include any final national comparative data which becomes available prior to its consideration by full Council.

458. Adult Social Care Target Operating Model.

The Cabinet considered a report of the Director of Adults and Communities concerning the successful development and implementation of the Adult Social Care Target Operating Model (TOM). A copy of the report, marked 'Agenda Item 7', is filed with these minutes.

The Leader thanked the Director and Cabinet Lead Member, Mr. Blunt, and their colleagues for their work. Mr. Rhodes said that whilst the project had required investment it would produce significant savings and help ensure that the services were resilient.

RESOLVED:

- (a) That the comments of the Adults and Communities Overview and Scrutiny Committee be noted;
- (b) That the report be noted, in particular
 - (i) The successful implementation of the Adult Social Care TOM and achievement of improved ways of working and enhanced outcomes for service users;
 - (ii) That the Adult Social Care TOM will support the ongoing service delivery and financial efficiency, supporting the delivery of the Council's Medium Term Financial Strategy;
 - (iii) The effect of Covid-19 on provision of adult social care services and the actions taken by the Department to respond to this;
- (c) That the continued efforts needed to sustain and maintain the new Adult Social Care TOM and drive forward new opportunities for improvements be supported.

REASONS FOR DECISION:

To note that the Target Operating Model programme can be closed and the work will move into Business as Usual, as the Department's operating model for Care Pathway services.

459. Leicester and Leicestershire Strategic Transport Priorities 2020 to 2050.

The Cabinet considered a report of the Director of Environment and Transport regarding the outcome of the consultation on the draft Leicester and Leicestershire Strategic Transport Priorities (LLSTP) document, which had been prepared in partnership with

Leicester City Council and seeking approval for its adoption. The report also set out how the outcome of Midlands Connect's most recent A46 study work affected the LLSTP. A copy of the report, marked 'Agenda Item 8', is filed with these minutes.

Members noted comments from Mr. Max Hunt CC, on behalf of the Labour Group, and from the CPRE, copies of which are filed with these minutes.

The Director said that LLSTP was confined to strategic transport priorities and that whilst there had been some suggestions that the Leicester and Leicestershire Strategic Growth Plan (covering the period up to 2050) should now be reviewed that was a matter for all the authorities concerned. The Director added that whilst the Midlands Connect Study had concluded that a new expressway to the south and east of Leicester was not justified economically it had been clear that improvements to the existing route were needed to facilitate the planned growth.

Mr. Pendleton said the LLSTP would support the Council's ambitions to create a greener and more resilient transport network. Mr. Pain noted that the document would assist the local authorities concerned in bidding for investment funding and would inform the County Council's Local Transport Plan.

RESOLVED:

- (a) The results of the consultation on the draft LLSTP be noted;
- (b) The responses to the consultation, as set out in paragraphs 41 to 58 and Appendix A to the report be agreed;
- (c) The outcomes of the Midlands Connect A46 Stage 2 study work and the implications for the content of the LLSTP be noted;
- (d) The revised draft LLSTP, attached as Appendix B to the report, be approved.

REASONS FOR DECISION:

The LLSTP establishes the narrative for the key long-term transport priorities for the future development and prosperity of Leicester and Leicestershire. It highlights where the two transport authorities will work together to deliver common transport aims and objectives, including those in support of the Leicester and Leicestershire Strategic Growth Plan. This will support the delivery of growth in ways that seek to improve connectivity, reduce congestion and minimise environmental impacts.

The LLSTP will provide a transparent framework for determining decisions on key long-term transport priorities, ensure cross-boundary coordination and build on the effective partnership and joint work that is undertaken with Leicester City Council.

460. EU Exit Transition.

The Cabinet considered a report of the Chief Executive concerning preparation by the Council and the Local Resilience Forum, LLR Prepared, for the end of the EU Exit Transition Period and highlighting risks and challenges to be managed. A copy of the report, marked 'Agenda Item 9', is filed with these minutes.

RESOLVED:

That the report be noted.

REASONS FOR DECISION:

To note the latest position with regard to preparations for the end of the EU Exit Transition Period.

461. Melton North Sustainable Neighbourhood Draft Masterplan.

The Cabinet considered a joint report of the Chief Executive, Director of Corporate Resources and Director of Law and Governance concerning a response submitted by the Chief Executive to Melton Borough Council (Melton BC) on 27 October 2020 in response to its consultation on the Melton North Sustainable Neighbourhood (Melton North SN) Draft Masterplan and consideration of the matter by Melton BC's Cabinet. A copy of the report, marked 'Agenda Item 10', and a letter from the County Council to Melton BC dated 17 November 2020 are filed with these minutes.

The Chief Executive explained that there had been further developments since the report had been written; the letter of 17 November setting out the County Council's concerns and a decision by Melton BC's Cabinet on 18 November to defer consideration of the Melton North SN Masterplan.

Mr. Pendleton and Mr. Pain welcomed Melton BC's decision and the opportunity for further dialogue and emphasised the County Council's commitment to work with the Borough Council to help develop a viable Masterplan for the benefit of residents. Mr. Rhodes noted the County Council's significant financial commitment to enable the north and east section of the Melton Mowbray Distributor Road.

RESOLVED:

- (a) That the responses to the Melton North SN Draft Masterplan which were submitted by the County Council to Melton Borough Council on 27 October and 17 November 2020 be noted and the subsequent decision of the Borough Council to defer its approval of the Melton North SN Draft Masterplan be welcomed;
- (b) That the County Council will engage with Melton Borough Council to contribute to the development of the Melton North SN Draft Masterplan and members will be kept informed, including a further report to the Cabinet as necessary.

REASONS FOR DECISION:

To note the position with regard to the Melton North SN Draft Masterplan, following concerns about its viability and deliverability.

462. Draft City of Leicester Local Plan 2020 to 2036.

The Cabinet considered a report of the Chief Executive regarding the proposed response to Leicester City Council's consultation on the draft City of Leicester Local Plan 2020 to 2036. A copy of the report, marked 'Agenda Item 11', is filed with these minutes.

The Chief Executive said some changes had been made to the proposed detailed response in response to the Scrutiny Commission's comments.

RESOLVED:

- (a) That the comments of the Scrutiny Commission be noted;
- (b) That the content of the draft City of Leicester Local Plan 2020 to 2036 be noted;
- (c) That the County Council's response to the draft City of Leicester Local Plan consultation, set out in paragraphs 39 to 45 inclusive and the appendix to the report, be approved.

REASONS FOR DECISION:

The draft City of Leicester Local Plan includes policies and proposals for the future development of Leicester to 2036. Given the location of Leicester within the centre of Leicestershire and the functional connectivity with communities living and working in the County, the content of the emerging Local Plan is particularly important.

The response sets out key comments and identifies areas where it is considered that amendments are required.

463. Residual Waste Procurement.

The Cabinet considered a report of the Director for Environment and Transport regarding progress with the procurement of a residual waste treatment, including the future key milestones. A copy of the report, marked 'Agenda Item 12', is filed with these minutes.

Members noted comments from Mr. Max Hunt CC, on behalf of the Labour Group, a copy of which is filed with these minutes.

The Director said that it had been possible to include some of the high-level objectives for the procurement in the (public) report and that, as Mr. Hunt had suggested in his comments, the detail would only be provided to the qualifying bidders.

Mr. Pendleton commended the report and hoped that in addition to securing provision for waste treatment and disposal it would be possible to achieve some savings, as indicated in the report.

RESOLVED:

That progress with securing capacity for residual waste treatment for Leicestershire and the intended procurement timetable as set out in the report be noted.

REASONS FOR DECISION:

The Director for Environment and Transport was authorised to procure and secure capacity for residual waste treatment/disposal from April 2020 and undertook to keep the Cabinet informed of progress with this work.

464. Items referred from Overview and Scrutiny.

There were no items referred from Overview and Scrutiny.

465. Exclusion of the Press and Public.

RESOLVED:

That under Section 100A of the Local Government Act 1972, the public be excluded for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 3 and 10 of Part 1 of Schedule 12A of the Act and that, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information -

- Defining Children and Family Services for the Future.
- Proposals to Develop a New Primary School to Serve Ashby de la Zouch - Expressions of Interest from Academy Proposers.

466. Defining Children and Family Services for the Future.

The Cabinet considered a joint exempt report of the Director of Children and Family Services and the Director of Corporate Resources regarding the output of an independent diagnostic assessment of Children and Family Services (including a review of services for children provided by the Adults and Communities and Environment and Transport Departments) and the ongoing development of services to further improve outcomes for children and families. A copy of the report, marked 'Agenda Item 16', and comments of the Children and Families Overview and Scrutiny Committee are filed with these minutes. The report was not for publication by virtue of paragraphs 3 and 10 of Schedule 12A of the Local Government Act 1972.

RESOLVED:

- (a) That the comments of the Children and Families Overview and Scrutiny Committee be noted;
- (b) That the opportunities identified for improvements to services for children and families through the diagnostic assessment and the recommended areas for implementation be supported;
- (c) That the Director of Children and Family Services and the Director of Corporate Resources be authorised, following consultation with the Cabinet Lead Members for Children and Family Services and Resources, to -
 - (i) implement the delivery of service development and associated enabling work outlined in paragraphs 37 and 39 to 43 of the report, regarding
 - i. Pathways (early intervention and preventing unnecessary escalation),
 - ii. Drift (ensuring timely intervention),
 - iii. Settings (ensuring the most appropriate setting for levels of need),
 - iv. Children and young people with disabilities (supporting them in achieving greater independence),
 - (ii) proceed to the next phase of the programme with appropriate contract arrangements with the strategic partner, Newton Europe, and the use of internal resources;
- (d) That the Director of Adults and Communities and Director of Environment and Transport, in consultation with the Director of Corporate Resources and following consultation with the relevant Cabinet Lead Members, be authorised to implement delivery of the elements of service development for which they are responsible (outlined in paragraphs 42 and 43 of the report) noting that this will be subject to further member approval as necessary;

- (e) That funding be allocated from the Future Development Fund and Transformation reserves as detailed in paragraph 18 of the report to support the development and implementation of the next phase of the programme.

(KEY DECISION)

REASONS FOR DECISION:

The approach will enable Children and Family Services to respond to the significant challenges arising from growth and increased demand, now exacerbated by the Covid-19 pandemic. The development and implementation of new ways of working will help further develop and futureproof services to achieve the best possible outcomes for children, young people and families.

The opportunities and enabling work (as outlined in paragraphs 37 and 39 to 43 of the report) are the next step in developing and future-proofing Children and Family Services so that the right interventions, are delivered in the right way, at the right time, to ensure that children, young people and families achieve the best possible outcomes while also ensuring that the service is financially sustainable going forwards.

Services within the Adults and Communities and Environment and Transport Departments also support children and families in Leicestershire.

The implementation of these opportunities will support the Department to operate as effectively and efficiently as possible as well as delivering savings.

467. Proposals to Develop a New Primary School to Serve Ashby de la Zouch - Expressions of Interest from Academy Proposers.

The Cabinet considered a report of the Director of Children and Family Services concerning expressions of interest from academy proposers to operate the new 210-place primary school (academy) to serve the Ashby de la Zouch area and making recommendations to the Secretary of State for Education to enable a decision to be taken on a preferred sponsor for the new school. A copy of the report, marked 'Agenda Item 17', is filed with these minutes. The report was not for publication by virtue of paragraphs 3 and 10 of Schedule 12A of the Local Government Act 1972.

RESOLVED:

- (a) That the five expressions of interest received from the Discovery Schools Academy Trust, Oval Learning Trust, Scholars Academy Trust, Spencer Academy Trust, and Symphony Learning Trust, to operate the new 210-place primary school to serve the Ashby de la Zouch area be noted;
- (b) That the five academy proposers that have all progressed to Stage 2 of the process, and the scoring attached to each as set out in Appendix B to the report, and which defines the County Council's order of preference, be noted;
- (c) That all five proposers be recommended to the Secretary of State for Education (with whom the decision rests) as potential suitable sponsors to operate the new school and that the Secretary of State be advised that given the strength of the five applications that there is no reason to suggest that it would be necessary to look elsewhere to secure an academy sponsor;

- (d) That it be noted that further information will be provided to the Cabinet and local members once the decision on a preferred sponsor has been taken and confirmed by the Regional Schools Commissioner, acting on behalf of the Secretary of State for Education.

REASONS FOR DECISION:

The Education Act 1996 places a statutory duty on the County Council to ensure a sufficient supply of school places.

The provision of a new 210-place primary school to predominantly serve the Ashby Holywell Spring Farm development approved by North West Leicestershire District Council is planned to open in September 2021, recognises the increase in demand for school places locally, arising as a consequence of new housing and increased births which is beginning to exceed the available capacity of the other primary schools in the town. On completion, the Holywell Spring Farm development will comprise 350 homes, the school will also provide places for pupils living on other developments nearby including a further large development off Burton Road.

Seeking expressions of interest from suitable academy proposers (sponsors) is in keeping with the requirements placed upon the County Council by section 6A (the Free School Presumption) of the Education and Inspections Act 2006, as introduced by the Education Act 2011.

By completing the expressions of interest process, the County Council has been able to assess and confirm the expertise, capacity, experience and other credentials necessary to run the new school, of the organisations that have applied.

Ensuring that all organisations recommended to the Secretary of State for consideration are already 'approved' sponsors on the Department for Education (DfE) register, will help demonstrate their capabilities and should enable an early decision to be taken.

11.00 am - 12.23 pm
20 November 2020

CHAIRMAN