

Minutes of a meeting of the Cabinet held at County Hall, Glenfield on Friday 10 March 2017.

PRESENT

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

Mr. R. Blunt CC

Mrs. P. Posnett CC

Mr. Dave Houseman MBE, CC

Mr. J. B. Rhodes CC

Mr. J. T. Orson JP CC

Mr. E. F. White CC

Mr. I. D. Ould CC

Apologies

Mr. P. C. Osborne CC and Mr. B. L. Pain CC

In attendance

Mr. G. A. Hart CC, Mr. P. G. Lewis CC, Mrs R. Page CC, Dr. R. K. A. Feltham CC, Mr. R. Shepherd CC, Mr. S. J. Galton CC, Mr. R. Sharp CC

531. Minutes of the previous meeting.

The minutes of the meeting held on 10 February 2017 were taken as read, confirmed and signed.

532. Urgent items.

There were no urgent items for consideration.

533. 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.

With regard to item 8 (Melton Mowbray Transport Strategy and Distributor Road - Development of a Business Case and Identification of a Preferred Route), Mr. Orson CC stated that he had a disclosable pecuniary interest as a local landowner and undertook to leave the meeting during consideration of that item. Mrs Posnett CC and Mr. Rhodes CC each declared a personal interest that might lead to bias as members of Melton Borough Council and also undertook to leave the meeting whilst that item was considered.

With regard to item 9 (Community Speed Enforcement), Mr. Rhodes declared a personal interest as a member of Melton Borough Council.

With regard to item 11 (Leicester and Leicestershire Strategic Growth Plan: Joint Statement of Co-operation) Mr. Rhodes declared a personal interest as a member of Melton Borough Council. Mr. Orson subsequently declared a disclosable pecuniary interest as a local landowner and left the meeting whilst that item was considered (minute 543 below refers).

534. Change to the order of business.

The Chairman sought and obtained the consent of the Cabinet to vary the order of business from that set out in the agenda.

535. Working Together to Build Great Communities in Leicestershire: Draft Communities Strategy 2017-21.

The Cabinet considered a report of the Chief Executive seeking approval to carry out consultation on the draft refreshed Communities Strategy and to develop an Action Plan for its delivery. A copy of the report, marked '12', is filed with these minutes.

Members noted the comments of the Scrutiny Commission, a copy of which is filed with these minutes.

Mrs Posnett CC said that the refreshed Strategy was much more realistic and accessible and hoped that it would encourage people to work together to make a real difference. She instanced support given by the Council such as the Shire Grants scheme for funding communities and voluntary groups.

RESOLVED:

- (a) That the draft refreshed Communities Strategy 2017-21 be approved for consultation and engagement with stakeholders;
- (b) That the process for developing a Communities Strategy Action Plan as set out in the report be approved;
- (c) That a further report be submitted to the Cabinet in autumn 2017 setting out the outcome of the consultation and submitting the final Communities Strategy for approval.

REASONS FOR DECISION:

To provide the opportunity for stakeholders to comment on the draft Communities Strategy and to contribute to the development of an Action Plan to support its delivery.

536. Leicestershire and Rutland Local Safeguarding Children Board and Safeguarding Adult Board Business Plans 2017/18.

The Cabinet considered a report of the Independent Chair of the Leicestershire and Rutland Local Safeguarding Children Board and Safeguarding Adult Board which set out the proposed priorities for the Boards' Business Plans for 2017/18. A copy of the report, marked '4', is filed with these minutes.

Members noted the comments of the Children and Families and Adults and Communities Overview and Scrutiny Committees, copies of which are filed with these minutes.

The Chairman noted that Mr. Burnett would be retiring shortly and on behalf of the Cabinet thanked him for his commitment and work with the Council as Chair of the Safeguarding Boards. Mr. Ould CC and Mr. Houseman MBE, CC added their personal thanks for his guidance and support.

It was noted that joint development priorities included understanding of emotional health and well-being across the partnership, and Mr. White CC said that he would ensure that this was followed up.

RESOLVED:

That the Cabinet notes and supports the proposed Business Plan priorities 2017/18 for the Leicestershire and Rutland Local Safeguarding Children Board and Safeguarding Adult Board, particularly in relation to the business of the County Council in 2017/18.

REASONS FOR DECISION:

It has been considered good practice in Leicestershire to submit both the Annual Reports and Business Plans to the Cabinet and to the Overview and Scrutiny Committees for the LRSAB as well as the LRLSCB.

The report enables the Cabinet to comment on the draft Business Plan Priorities and to consider whether these identify matters that it wishes to address in relation to the effectiveness of safeguarding within the work of the Authority.

The Annual Report of the LRLSCB and LRSAB was considered by the Cabinet on 16th September 2016 and emerging priorities for the new Business Plan for 2017/18 were discussed at that meeting. The views expressed by the Cabinet at that stage were fed into the formative process for the Plan and are reflected in the priorities included in the paper. It is important to note that Ofsted has since undertaken its inspections of both Leicestershire and Rutland services for children in need of help and protection, children looked after and care leavers which included a review of the LRLSCB. Recommendations arising from these inspections have been incorporated into the Business Plans for 2017/18.

537. Ofsted Inspection of Services for Children in Need of Help and Protection, Children Looked After, and Care Leavers.

The Cabinet considered a report of the Director of Children and Family Services concerning the outcome of the recent Ofsted inspection of children's social care services in Leicestershire and presenting the Action Plan which had been developed to address the recommendations in the Ofsted Report, and the Department's Improvement Plan. A copy of the report, marked '5', is filed with these minutes.

Members noted the comments of the Children and Families Overview and Scrutiny Committee, a copy of which is filed with these minutes.

Mr. Ould CC said that he accepted the Ofsted Report and its conclusions had corresponded to initial assessments of the services undertaken by the new Director, who had acted quickly to make improvements.

RESOLVED:

- (a) That the content, grades and recommendations of the Ofsted inspection report on children's social care services in Leicestershire be noted;
- (b) That the Children and Family Services Improvement Plan which was developed in preparation for the inspection and charts progress made be noted;

- (c) That the Action Plan prepared in response to the recommendations in the Ofsted Report and which includes proposals for the future development and improvement of services to children and families, be approved as the County Council's formal response to the Ofsted Inspection Report.

REASONS FOR DECISION:

To ensure that members are aware of the measures being taken in response to the Ofsted Report and for the overall development of Children and Family Services.

538. 2018/19 School and High Needs Funding Proposals.

The Cabinet considered a report of the Director of Children and Family Services regarding the proposed responses purpose to the second stage of consultation issued by the Department for Education (DfE) on the implementation of the National Funding Formula for Schools and the introduction of a formulaic basis for the distribution of the High Needs Block of the Dedicated Schools Grant in 2018/19. A copy of the report, marked '6', is filed with these minutes.

Members noted the comments of the Children and Families Overview and Scrutiny Committee, a copy of which is filed with these minutes.

Mr. Ould CC and Mr. Rhodes CC highlighted the problems with High Needs funding and hoped that the feedback from Leicestershire and other local authorities would cause the Government to reconsider its approach.

RESOLVED:

- (a) That the responses to the consultation on the implementation of the National Funding Formula and the introduction of a formulaic basis for the distribution of the High Needs Block of the Dedicated Schools Grant, as appended to the report, be submitted to the DfE;
- (b) That in addition, the DfE be advised of the County Council's concerns, as set out in the report, that Leicestershire, a low-funded authority, will see no improvement to its own or its schools' financial position as a result of the proposals and in particular, that;
- (i) the reduced lump sum will adversely affect primary schools;
 - (ii) there is no evidence to support the proposed values and weightings within the schools National Funding Formula, nor are they informed by the cost of education;
 - (iii) there is disproportionate emphasis on funding targeted at deprivation and where English is spoken as an additional language and, as that attainment is relatively high in Leicestershire and deprivation relatively low, it will derive little benefit from these factors;
 - (iv) whilst there is an assumption by the DfE that schools and local authorities will deliver efficiency savings, this may not be possible as schools funding has not increased in line with costs, resulting in any efficiency gains being already realised;

- (v) the delivery of a more efficient school estate is likely to require remodelling and rationalisation of provision, which will require significant capital investment.

REASONS FOR DECISION:

To ensure that the views of the County Council are communicated to the DfE.

539. Environment and Transport Interim Commissioning Strategy 2017/18 Refresh.

The Cabinet considered a report of the Director of Environment and Transport regarding the refreshed Environment and Transport Interim Commissioning Strategy and Action Plan for 2017/18 which would provide a framework for service delivery over the next year. A copy of the report, marked '7', is filed with these minutes (it was noted that a corrected Annex C, the Delivery Programme 2017/18, had been circulated separately).

Members noted the comments of the Environment and Transport Overview and Scrutiny Committee, a copy of which is filed with these minutes.

RESOLVED:

- (a) That the Environment and Transport Interim Commissioning Strategy 2017/18 Refresh and Action Plan be approved;
- (b) That the Director of Environment and Transport be authorised to make such minor amendments to the Interim Commissioning Strategy 2017/18 Refresh and Action Plan as he considers to be necessary, following consultation with the appropriate Cabinet Lead Member.

(KEY DECISION)

REASONS FOR DECISION:

To ensure that the Environment and Transport Department is able to publish its Interim Commissioning Strategy 2017/18 Refresh in April 2017. The Interim Commissioning Strategy 2017/18 Refresh and associated Action Plan provides a basis for the development of detailed departmental Head of Service and Team Plans which outline how the Department will develop and deliver services to fulfil statutory duties and deliver savings and efficiency targets.

The draft Interim Commissioning Strategy 2017/18 Refresh may need to be revised to respond to changing circumstances and ensure optimal use of resources.

540. Melton Mowbray Transport Strategy and Distributor Road - Development of a Business Case and Identification of a Preferred Route.

(Mr. Orson CC, having declared a disclosable pecuniary interest in this item, and Mrs Posnett CC and Mr. Rhodes CC, having each declared a personal interest that might lead to bias, left the meeting during its consideration).

The Cabinet considered a report of the Director of Environment and Transport concerning a revised timetable for the development of a business case for the Melton Mowbray Distributor Road (MMDR) and setting out the proposed next steps in the process for

developing the business case for the MMDR. A copy of the report, marked '8', is filed with these minutes.

Mr. Rushton CC gave his full support to the proposals which he said were key to improving Melton's transport network.

RESOLVED:

- (a) That a revised indicative timetable for the development of a business case for the MMDR be approved in order to enable further evidence gathering and consultation to be undertaken and the business case to be submitted to the Department of Transport in accordance with the timeframes set out in the report;
- (b) That the Director of Environment and Transport, following consultation with the Cabinet Lead Member, be authorised to undertake
 - (i) further evidence gathering during Spring/Summer 2017 to enable the ongoing development of the MMDR business case and the identification of a preferred route for the scheme;
 - (ii) consultation in late Summer/early Autumn 2017 to inform a 'preferred route' decision;
- (c) That a further report be submitted to the Cabinet in late 2017 seeking approval for a preferred route, so that the business case can be submitted to the Department of Transport in December 2017.

(KEY DECISION)

REASONS FOR DECISION:

In order to enable the County Council to meet a recently revised Government timetable for the preparation of a business case for the MMDR.

(Mr. Orson and Mr. Rhodes then returned to the meeting. Mrs Posnett did not return to the meeting.)

541. Community Speed Enforcement.

The Cabinet considered a report of the Director of Environment and Transport regarding the Community Speed Enforcement initiative and proposing seven trial sites in advance of a potential wider roll-out of a Community Safety Camera Programme, subject to Government agreement to the Council's approach. A copy of the report, marked '9', is filed with these minutes.

Members noted the comments from Mr. D. C. Bill MBE, CC on behalf of the Liberal Democrat Group and from Mr. D. Snartt CC, copies of which are filed with these minutes. It was reported that Mr. O. O'Shea CC supported the proposals and was pleased that the trial sites included the A50 at Field Head.

Mr. Rushton CC said that the report had been very well received and several parish councils had indicated that they would be pleased to contribute funding if this would

expedite the installation of safety cameras in their areas. Other members added their support for the trial sites.

RESOLVED:

- (a) That funding of £500,000 for the programme of trial sites from the 2016/17 underspends be approved;
- (b) That the programme of trial sites detailed in paragraph 19 of the report be approved and that the Director of Environment and Transport be authorised to carry out the necessary consultation with partners and communities and to implement the programme;
- (c) That a further report be submitted to the Cabinet when a response is received from the Department for Transport regarding the retention of fine income and setting out proposed local criteria for the wider use of speed cameras based on that identified in paragraph 22 of the report.

(KEY DECISION)

REASONS FOR DECISION:

The programme of trial sites is being undertaken to seek to prove the concept of the proposed community safety camera approach. It will identify the effect of average speed cameras on speeding levels within an area/community, and the likely 'pay back' periods that may be required should the concept be adopted and fine revenue be made available by the Government to implement schemes.

These measures could potentially improve quality of life for communities, address concerns about speeding vehicles and improve the health and wellbeing of Leicestershire's residents. They will do this by reducing road deaths and injuries, reducing the fear of road danger, and encouraging more walking and cycling.

542. Better Care Fund Plan 2017/18-2018/19.

The Cabinet considered a report of the Director of Health and Care Integration concerning the refresh of the Leicestershire Better Care Fund (BCF) Plan for 2017/18 to 2018/19. A copy of the report, marked '10', is filed with these minutes.

Members noted the comments of the Health Overview and Scrutiny Committee, a copy of which is filed with these minutes.

Mr. White CC said that progress to date had been very good, notwithstanding the inexcusable delay in provision of national guidance, publication of which was still awaited. He hoped that work would not be compromised as a result of one district council failing to commit to the arrangements.

RESOLVED:

- (a) That the preparations and governance arrangements for the approval and submission of Leicestershire's Better Care Fund Plan for 2017/18 - 2018/19 be noted;

- (b) That national Better Care Fund guidance, still to be published, and any requirements associated with the additional allocation for social care announced in the Budget on 8th March will be considered as needed in finalising and submitting the Leicestershire Better Care Fund Plan;
- (c) That the continuation of the rolling Better Care Fund Section 75 Agreement, and associated governance arrangements be noted;
- (d) That it be noted that the Disabled Facilities Grant for Leicestershire paid to the County Council will be allocated through the Better Care Fund to the seven District Councils - in accordance with Government guidance to allow those Councils to provide major adaptations to eligible residents, but also to encourage them to think strategically about the use of home adaptations, the use of technologies to support people in their own homes, and to take a joined up approach to improving outcomes across health, social care and housing;
- (e) That the early agreement of Blaby District Council, Harborough District Council, Hinckley and Bosworth Borough Council, Melton Borough Council, North West Leicestershire District Council and Oadby and Wigston Borough Council, in approving the Lightbulb Service model and business case (to introduce a more streamlined approach to processing disabled facilities grants) be welcomed;
- (f) That in line with (d) and (e) above and with all possible information having been provided to its officers, the decision-making body of Charnwood Borough Council be asked to confirm if that Council will support the implementation of the Lightbulb Service, given that the service will now proceed to implementation across all other Districts during 2017/18.

REASONS FOR DECISION:

National BCF Guidance requires all local areas to refresh BCF plans in partnership, and in line with the BCF Policy Framework and Technical Guidance, seek approval from their Health and Wellbeing Board, prior to submission of the BCF plan to NHS England.

543. Leicester and Leicestershire Strategic Growth Plan: Joint Statement of Co-operation.

(Mr. Orson CC, having declared a disclosable pecuniary interest in this item, left the meeting during its consideration).

The Cabinet considered a report of the Chief Executive seeking approval of the Joint Statement of Co-operation Relating to Objectively Assessed Need for Housing which had been prepared to accompany the publication of the Housing and Economic Development Needs Assessment which would inform the preparation of the Leicester and Leicestershire Strategic Growth Plan and Local Plans in Leicester and Leicestershire. The Statement confirmed the commitment of partner organisations (the seven district councils of Leicestershire, Leicester City Council, Leicestershire County Council, and the Leicester and Leicestershire Enterprise Partnership) to collaborative working. A copy of the report, marked '11', is filed with these minutes.

Members noted the comments of the Scrutiny Commission, a copy of which is filed with these minutes.

RESOLVED:

That the Joint Statement of Co-operation Relating to Objectively Assessed Need for Housing be approved.

REASONS FOR DECISION:

To ensure that all partners demonstrate commitment to providing for their objectively assessed housing needs and, if they are unable to be accommodated within the local authority area within which they arise, that a collaborative approach is taken to resolving the provision of unmet need.

(Mr. Orson then returned to the meeting.)

544. Accommodation Strategy for Working Age Adults 2017-2022.

The Cabinet considered a report of the Director of Adults and Communities concerning the Leicestershire Accommodation Strategy for Working Age Adults (aged 18-64) 2017-2022 and the associated initial action plan. The report also referred to the potential for capital investment opportunities linked to the provision of more cost effective long-term accommodation options for people with complex needs. A copy of the report, marked '13', is filed with these minutes.

Members noted that the Adults and Communities Overview and Scrutiny Committee had considered the report and supported the proposals.

Mr. Houseman MBE, CC said that many more people could potentially benefit from supported housing arrangements.

RESOLVED:

- (a) That the Accommodation Strategy for Working Age Adults (aged 18-64) 2017-2022 and action plan (attached as Appendix A to the report) be approved;
- (b) That the proposed review of current policy around nomination agreements, highlighted in the Strategy, be noted;
- (c) That a further report be submitted to the Cabinet during 2017/18 outlining the progress made on the implementation of the Strategy and setting out more detailed potential capital investment proposals for the provision of more cost effective accommodation options for Working Age Adults.

REASONS FOR DECISION:

The Accommodation Strategy will help ensure that younger adults who are eligible for social care support as a result of a long-term disability are supported to be able to live in their own homes in a way that is affordable for individuals and the Council. This Strategy complements the Leicestershire Adult Social Care Accommodation Strategy for Older People 2016-2026.

The Council currently has no consistent approach to nomination agreements which can make it difficult to secure appropriate accommodation in a timely way. A new policy is required that makes it easier to do this whilst not adversely disadvantaging either the Council or providers. The development of this Strategy alongside District partners is seen as vital in order to ensure appropriate, suitable accommodation in the right geographical

area is available to support younger adults maintain independence, whilst adhering to the Council's strategic approach to ensure that people can access the right level of support at the right time in order to help maximise their independence.

Further detailed work needs to be carried out to consider more cost-effective accommodation options, linked to delivery of the Council's Medium Term Financial Strategy.

545. Integrated Commissioning of a Dementia Community and Hospital In-Reach Support Service.

The Cabinet considered a report of the Director of Adults and Communities regarding joint commissioning and procurement arrangements for a single community and hospital in-reach dementia support service for Leicester and Leicestershire to provide a more joined-up service for the area, replacing three separately commissioned services. A copy of the report, marked '14', is filed with these minutes.

RESOLVED:

- (a) That the joint commissioning arrangement for dementia support services under a single contract for Leicester and Leicestershire be approved, noting that contract management arrangements are still to be finalised;
- (b) That the Director of Adults and Communities be authorised to take action as necessary to implement the proposed joint procurement and commissioning of a single community and hospital in-reach dementia support service as set out in paragraphs 40 to 45 of the report, which will include appropriate contract management arrangements.

REASONS FOR DECISION:

Joint procurement of a single model of service across Leicester and Leicestershire will offer a more consistent approach to people affected by dementia (both those with a diagnosis and their carers) who need support in the community, and to other stakeholders.

The future joint commissioning and procurement of services, through combining health and social care funding, will make the best use of available resources and will support easier transition between hospital and community settings. It will also support the aim of co-ordinating care and integrating services around the person in order to improve outcomes and ensure high quality and sustainable service provision.

The new model will support outcome-based commissioning and delivery in line with the principles set out in the Adult Social Care Strategy.

The allocation of Better Care Fund funding is a matter for decision by the Health and Wellbeing Board.

546. Discharging Leicester City Council's Internal Audit Function.

The Cabinet considered a report of the Director of Corporate Resources regarding the proposed delegation of the City Council's internal audit function to the County Council, as a result of which its general internal audit staff would transfer to the County Council which

would be responsible for delivering an internal audit service to both Authorities. A copy of the report, marked '15', is filed with these minutes.

RESOLVED:

That the County Council be recommended to -

- (a) Accept the delegation of Leicester City Council's internal audit function in accordance with the provisions of Section 9EA of the Local Government Act 1972, the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012 and all other enabling powers;
- (b) Agree to enter into an Administrative Collaboration Agreement (the Agreement) with Leicester City Council under S9EA of the Local Government Act 1972, such Agreement to be reviewed and renewed as and when necessary for the duration of the delegation in (a) above;
- (c) Authorise the Director of Corporate Resources to agree:
 - (i) the detailed terms of the Agreement at (b) above for an initial period of three years and to thereafter negotiate and agree the terms of future Administrative Collaboration Agreements as are necessary for the duration of the delegation;
 - (ii) the detailed arrangements for the transfer of the City Council's internal audit staff to the County Council in accordance with the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE).

REASONS FOR DECISION:

The combining of the two internal audit functions into a single team employed and managed by one council will enable the service to be delivered to both authorities in a more sustainable, efficient and effective manner.

547. Dates of Council Meetings 2017/18 and 2019/20.

The Cabinet considered a report of the Chief Executive regarding the proposed dates of Council meetings for the next two years. A copy of the report, marked '16', is filed with these minutes.

RESOLVED:

That the County Council be recommended to hold meetings on the following dates during the next two municipal years:-

Wednesday 28 June 2017
Wednesday 27 September 2017
Wednesday 6 December 2017
Wednesday 21 February 2018 (Budget Meeting)
Wednesday 21 March 2018
Wednesday 16 May 2018 (Annual Meeting)
Wednesday 27 June 2018
Wednesday 26 September 2018
Wednesday 5 December 2018

Wednesday 20 February 2019 (Budget Meeting)
Wednesday 20 March 2019
Wednesday 15 May 2019 (Annual Meeting)

REASONS FOR DECISION:

To comply with the Local Government Act 1972 and the County Council's Standing Orders.

548. Items referred from Overview and Scrutiny.

There were no items referred from Overview and Scrutiny.

11.00 am - 12.09 pm
10 March 2017

CHAIRMAN