



Leicester
City Council

Minutes of the Meeting of the
CABINET

Held: MONDAY, 14 DECEMBER 2009 at 1:00 pm

P R E S E N T:

Councillor Willmott - Chair
Councillor Dempster - Vice-Chair

Councillor Connelly
Councillor Kitterick
Councillor Palmer
Councillor Russell

Councillor Dawood
Councillor Osman
Councillor Patel
Councillor Westley

ALSO IN ATTENDANCE

Councillor Coley
Councillor Grant

Liberal Democrat Group Leader
Conservative Group Leader

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126. APOLOGIES FOR ABSENCE

No apologies were received.

127. DECLARATIONS OF INTEREST

Members were asked to declare any interests they may have in the business on the agenda and/or declare if Section 106 of the Local Government Finance Act 1992 applied to them.

Councillor Connelly declared a personal interest in respect of Item 7, Future of Riverside Business and Enterprise College, in that his children would attend the college if it remained open.

Councillor Dawood declared a prejudicial interest in respect of Item 8, My Place Youth Hub, in that he worked for Connexions. He agreed to leave the meeting during consideration of this item.

Councillor Russell declared a personal interest in respect of Item 7, Future of Riverside Business and Enterprise College, in that her children would attend the college if it remained open.

128. LEADER'S ANNOUNCEMENTS

The Leader announced that he had received a letter from John Denham, Secretary of State for Communities and Local Government, stating that Leicester had been successful in the second round of the allocation of a share of £12m funding through Connecting in Communities. The New Parks and Eyres Monsell wards would receive funding for community cohesion initiatives.

129. MINUTES OF PREVIOUS MEETING

RESOLVED:

that the minutes of the meeting of Cabinet, held on 30 November 2009, be confirmed as a correct record.

130. MATTERS REFERRED FROM COMMITTEES

There were no matters referred from committees

131. OUTCOME OF THE UNANNOUNCED SAFEGUARDING INSPECTION

Councillor Dempster submitted a report that advised on the outcome of the OFSTED Unannounced Safeguarding Inspection of 'Duty and Assessment' Services in the Social Care and Safeguarding Division on 11 and 12 August 2009.

Councillor Dempster stated that she was pleased that the report recognised the hard work and commitment of frontline staff. She also drew Cabinet's attention to the cross-party panel that had an oversight, support and challenge role. She also noted that the Children and Young People Scrutiny Committee had noted the report and endorsed the recommendations.

RESOLVED:

- 1) that Cabinet notes the findings of the inspection and in particular the considerable strengths of the service as identified by the Inspectors and the hard work and dedication of staff who helped ensure the inspection was a success.
- 2) that Cabinet notes the identified areas for development, the immediate steps already taken in relation to some of the areas identified and the intention to develop an action plan to ensure that all areas so identified are actioned by December 2009.

132. FUTURE OF RIVERSIDE BUSINESS AND ENTERPRISE COLLEGE

Councillor Dempster submitted a report that advised Cabinet of the two Representations received following the publication of a Statutory Notice and Detailed Proposal to move to close Riverside Business and Enterprise College. The report provided officer responses to these Representations and made recommendations about the future of the School.

Councillor Dempster stated that it was not an easy decision to make to close a school; in this instance this decision was not based on exam results but on a collapse in pupil numbers and resulting financial implications. She stated that the results this year were a credit to the school, its staff and students. She highlighted the recommendations within the report, the reasoning behind these and the recommendation that call-in of a decision to close not to be allowed. Councillor Dempster reminded Cabinet that the issues in connection with the recent consultation had already been the subject of full debate at Council on 25 November 2009.

Councillor Coley stated that he agreed that the school was unsustainable in its current form, but that there were concerns about the consultation process; it was felt that the views of those who had responded to the consultation had not been taken into account. He also stated that other schools in West Leicester had been closed and there would be no provision for potential population changes. He stated that more work should have been done to promote and raise the reputation of the School, and to look at why the numbers on roll were low. He referred to a previous report that was prepared in 2007, and stated that the issue should have been addressed at that time.

In response, Cabinet Members stated that school places could not be provided on the base of hypothetical possibilities, and the report in 2007 offered alternatives which would have meant closure of other primary schools and that could have led to further destabilisation in West Leicester. With regard to the consultation it was stated that the DCSF guidance had been followed and a small number of responses were received. Parents had made their preferences known by repeatedly not choosing the School. Any delay to the decision would have an adverse impact on the children at Riverside in terms of securing alternative school places and choosing curriculum options. Efforts had been made by the School to promote itself, but these had not increased the uptake. It was noted that the teaching unions schools and settings panel had agreed that the school was unsustainable in its current form. Alternative uses of the sites could only be considered following a decision on the future of the School.

Councillor Dempster thanked the staff at the School and the youth service for the work they had done in engaging young people in the consultation process.

RESOLVED:

- 1) that Cabinet, having reviewed the information in the report and appendices, agrees to close Riverside Business and Enterprise College in accordance with the process set out in the Statutory Notice and Detailed Proposal published on 7 October 2009;
- 2) In reaching this decision, that Cabinet affirms that:
 - The collapse of parental preference, low pupil numbers and associated financial viability are the key issues (In 2008 and 2009 more than 90% of parents living within the Riverside priority area sent their children to other

- schools;)
- Riverside Business and Enterprise College simply cannot be sustained on current pupil numbers and continued progress secured within resources available;
 - Alternative models do not offer a way of addressing this collapse in parental preference and sustaining continued educational progress within available resources;
- 3) to assist in the planning of effective transition arrangements and help maintain curriculum continuity and opportunity for current pupils that Cabinet endorses the exercise of powers conferred by paragraph 1.2 of the Admissions Code 2009 to permit the City Council as Admissions Authority to cease any further admissions to any year group at the school until further notice;
- 4) in accordance with Paragraphs 1.18 to 1.21 of the Admissions Code 2009 that Cabinet endorses the exercise by the Director of Children's Services of powers conferred upon her to offer places for September 2010 and September 2011 for displaced pupils at Riverside Business and Enterprise College at any maintained school within the City. These revised displacement arrangements are authorised under Regulation 21 School Admissions (Admission Arrangements) (England) Regulations 2009 to comply with paragraphs 1.47b and 3.44 of the Admissions Code 2009.
- 5) that Cabinet agrees that Cabinet Procedure Rule 12(d) (grounds of urgency – a delay would be *seriously prejudicial to pupil interest*) applies to the above decisions such that they are not open to further "call-in" by Members.

133. MYPLACE YOUTH HUB

Councillor Dawood left the meeting during consideration of the following item.

Councillor Dempster submitted a report that updated Cabinet on the position of the MyPlace Youth Hub project, and sought approval to proceed with the project, subject to confirmation of funding from the BIG Lottery's MyPlace programme.

It was noted that the Children & Young People Scrutiny Committee welcomed and fully supported the much-needed facility. Councillor Willmott stated that it fulfilled a key manifesto pledge and had attracted Government support for this project that was unique to the East Midlands. He thanked everyone who had made it possible.

RESOLVED:

that Cabinet, having considered the risks and funding implications set out in the report, and subject to the confirmation of a successful funding application from the BIG Lottery Fund,

- 1) delegates authority to the Divisional Director – Access, Inclusion and Participation in consultation with the Cabinet Member for Children and Schools, the Chief Operating Officer, the Director – Strategic Asset Management and the Director – Legal Services to agree the final terms for the revised leasehold of the Haymarket Theatre and to finalise the terms of any sub leases required with Partner organisations;
- 2) delegates authority to the Divisional Director – TLE in consultation with the Cabinet Member for Children and Schools, the Chief Operating Officer, the Director – Strategic Asset Management and the Director – Legal Services to enter into the various contracts for site preparations and Construction;
- 3) authorises the Director – Legal Services in consultation with the Divisional Director – TLE, the Director – Strategic Asset Management and the Cabinet Member for Children and Schools to enter into all necessary contracts and agreements necessary to complete the project in accordance with the timescale set out in paragraph 4.4, with the Director – Legal Services and the Director – Strategic Asset Management being satisfied on the terms and form of the legal documentation; and
- 4) approves the addition of the £5 million of Lottery funding to the Capital Programme. Together with the £1.5m already identified in the Capital programme this will be the total capital spend - £6.5m;
- 5) establishes a Members’ Steering Group to oversee the project;
- 6) secures the support and commitment of the Leicester Partnership to the project, initially by means of a presentation.

134. NHS CAMPUS RE-PROVISION PROGRAMME (HEALTH HOMES) - PROCUREMENT REQUIREMENTS FOR ADULTS WITH SEVERE LEARNING DIFFICULTIES

Councillor Dawood returned to the meeting.

Councillor Palmer submitted a report that sought to inform Cabinet of emerging Health Homes procurement issues and to secure approval to include an

addition to the Procurement Plan for 2009/10.

RESOLVED:

that Cabinet:

- 1) approves the additions to the Corporate Procurement Plan as set out in the appendix of the report ;
- 2) notes the strategic dependency of this work on the Council achieving the re-provision deadline of December 2010.

135. PRIVATE SECTOR DECENT HOMES: LOANS PILOT

Councillor Westley submitted a report that proposed a scheme for providing loans to private homeowners to make homes decent.

RESOLVED:

that Cabinet agrees:

- 1) that the current policy of prioritising investment in Home Improvement Areas continues. The Home Improvement areas are: Swainson Road, Abbey Lane North, Windsor Avenue North, Halifax Drive and Belgrave Village;
- 2) that the Council introduce a new system of offering 'affordable' loans and/or grants to homeowners in order to achieve Decent Homes;
- 3) that the general policy for offering assistance through Decent Home Loans is as set out in Appendix A of the report, and the Divisional Director, Housing Strategy & Options, is given delegated authority, in consultation with the Cabinet Lead for Housing, to amend the details of the policy in response to outcomes and changing conditions;
- 4) that the loan products to be made available are as described in Appendix B of the report;
- 5) that the scheme is publicised as the "East Midlands Regional Loan Fund: Administered by Leicester City Council";
- 6) that loans to make homes decent are made available to owners of suitable empty homes that agree to lease their empty properties to "Home Come". The loans will be repayable over the five years of the lease;
- 7) that whilst the above recommendations described discretionary services to be provided by the Council in general, all valid applications will be considered on their individual circumstance and merit. In exceptional cases the

Divisional Director, Housing Strategy & Options, to have delegated authority to approve applications outside of the general policy;

- 8) that the Council withdraws 'Renewal Services' in the following renewal areas, where a high level of improvement has already been achieved; Evington Valley Renewal Area ph2; New Humberstone non-statutory Renewal Area; and St Saviours non-statutory Renewal Area.

136. EXTERNAL CASH COLLECTION FACILITIES

Councillor Patel submitted a report that provided Members with an update of the use being made of the external cash collection facility by customers since it became operational in April 2009 and proposed to extend this facility beyond Council Tax, Business Rates and Housing Rents to other sources of income.

It was noted that the Overview and Scrutiny Management Board supported the report and the proposal to extend the service. Councillor Westley stated that he welcomed the report and noted its popularity. He stated that the use of Neighbourhood Cash Offices would be reviewed.

RESOLVED:

that Cabinet:

- 1) confirms the continuation of the external cash collection facility;
- 2) approves the extension of this means of payment to other types of income, and
- 3) commissions a further report to consider the future of the Neighbourhood Cash Offices in the light of the experience of Paypoint.

137. CONTRACT MANAGEMENT AND PROCUREMENT

Councillor Willmott submitted a report that reports progress made in improving the Authority's Contract Management and Procurement standards and to recommend further action.

RESOLVED:

that Cabinet notes the report, progress which has been made and agrees that further action be addressed via the Commissioning and Procurement Project.

138. PERFORMANCE REPORT FOR QUARTER 2 2009/10

Councillor Osman submitted a report that presented a summary of performance against the priorities set out in One Leicester for the second

quarter of 2009/10.

Councillor Grant raised an issue regarding the Ipsos MORI poll, which assessed economic optimism across the country, stating that this result may not be indicative of Leicester, due to the small number of people surveyed. He also stated that there was a lack of information regarding how the One Leicester priority, "Talking Up Leicester" was to be evaluated.

Councillor Russell pointed out a correction to LAA NA193 in the report, which should indicate that it should reach the target. She and Councillor Osman stated that this report did not refer to One Leicester priorities, as these were broader themes.

RESOLVED;

that Cabinet:

- 1) notes our performance for the second quarter;
- 2) for those targets deemed to be at risk, ensures that relevant Strategic Directors work with their Priority Boards to deliver agreed responses and ensure Cabinet Leads are briefed accordingly.

139. 2009/10 CAPITAL PROGRAMME MONITORING - PERIOD 6

Councillor Patel submitted a report that updated Members on the progress of spending on the capital programme for 2009/10 to the end of September (period 6), and the forecast spend to the end of the year.

Councillor Grant asked for details regarding how much funding would be required from the Centrally Located Administrative Buildings (CLABS) Review for the proposed Customer Service Centre, stating that the current economic climate was not conducive to borrowing. Councillor Patel agreed to discuss this with Councillor Grant. Councillor Willmott stated that the Centre would offer excellent value for money and would be more suitable than the current centre due to its location and size. It would also enable the preservation of the building and the City's civic heritage. He also drew Members' attention to the significant investment in schools, the largest investment since the Victorian period, and the investment in highways work, detailed in the report, all of which were continuing despite the current economic climate.

RESOLVED;

that Cabinet:

- 1) approves a revised level of programmed expenditure of £104.3 m;
- 2) notes the level of expenditure to the end of September 2009 of £41.9 m;

- 3) notes the current level of spend (40%) of the programme;
- 4) notes the significant level of slippage (£10.8m) that has occurred since period 3;
- 5) notes the downturn in capital receipts;
- 6) notes the prudential indicators for 2009-10.

140. REVENUE BUDGET MONITORING 2009/10 - PERIOD 6

Councillor Patel submitted a report that showed a summary position comparing spending with the budget. The report was the second in the regular cycle of reports for the 2009/10 financial year showing the budget issues that had arisen so far.

Councillor Grant asked what action was being taken regarding the efficiency savings targets, noting that this would increase pressure on savings in the future. Councillor Patel responded that the challenging targets were recognised and procedures were in place to achieve these. The Chief Finance Officer stated that the efficiency savings were targets set by Government, and would not result in a gap in the budget, as this was a different exercise.

RESOLVED;

that Cabinet:

- 1) notes the changes made to the original approved budget for 2009/10;
- 2) notes the expenditure to date and the budgetary issues which have emerged so far this year;
- 3) notes the proposals put forward to ensure that spending is contained within the Divisional budgets;
- 4) notes the progress made so far towards achieving the efficiency target;
- 5) approves additional expenditure of up to £1m to facilitate the split of housing and revenues systems; such expenditure is expected to be recovered as discussed in paragraph 6.2.3 of the report.

141. ANY OTHER URGENT BUSINESS

The Leader agreed to consider the following report as urgent business to enable Partnerships for Schools to progress the Council's proposals, which they could not do without Cabinet consideration.

LEICESTER BUILDING SCHOOLS FOR THE FUTURE (BSF) PROGRAMME

Councillor Dempster submitted a report that advised Members of the outcome of Phase 1 of the BSF programme, which was substantially complete, and sought approval for the Council's Strategy for Change (SfC) direction of travel.

Councillor Willmott noted the list of work to be done on schools, outlined in the report and stated that he was pleased that the Council could deliver a programme of this scale.

RESOLVED:

that Cabinet:

- 1) notes the successful outcome of Phase 1 of the BSF Programme;
- 2) approves the Strategy for Change (SfC), as the Council's intended direction of travel;
- 3) notes that the service is developing an action plan to ensure that BSF is affordable within existing budgeted resources, and that action will be taken as necessary (and as described in the financial implications) to deliver this;
- 4) notes that the SfC is still subject to negotiation with and approval from Partnerships for Schools (Pfs), the Government's agency responsible for delivery of the national programme;
- 5) notes that this report only sets out the Council's intended direction of travel. The report includes proposals to change schools that will require statutory consultation and statutory procedures to be followed. This report must not prejudice those procedures, including the current statutory process being followed for Riverside Business and Enterprise College. The SfC contains a single set of proposals as specifically required by Partnerships for Schools;
- 6) agrees that the Council should underwrite the cost of activities on the critical path in order to avoid delay to the programme, with financial commitments as follows; noting that in the order of £700,000 of the costs would be subsequently recoverable from BSF capital funding with the balance from CYPS revenue resources (as previously agreed): -
 - i) OBC–Specialist financial modeling required by Treasury & banks £225,000
 - ii) OBC – Abnormals and planning brief £20,000
 - iii) Rushey Mead School Planning £ 40,000
 - iv) Crown Hills / City of Leicester develop scheme £ 500,000

- v) Childrens Hospital School Stage £125,000
- vi) Cherryleas specialist learning centre Stage £80,000
- vii) St Paul's legal agreements with Diocese £ 15,000

Total £1,005,000

142. CLOSE OF MEETING

The meeting closed at 1.53pm.

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