



Leicester
City Council

Minutes of the Meeting of the
CABINET

Held: MONDAY, 21 JUNE 2004 at 5.00pm

P R E S E N T :

Councillor R. Blackmore - Chair
Councillor Johnson - Vice-Chair

Councillor Coley	Councillor Mugglestone
Councillor Gill	Councillor Ramsdale
Councillor Metcalfe	Councillor Scuplak
Councillor Suleman	

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1. COUNCILLOR MRS JEAN MIDDLETON

The Cabinet stood for a minutes silence in tribute to the late Councillor Mrs Jean Middleton.

2. MEMBERSHIP OF CABINET 2004/05

The Chair welcomed both Councillors Gill and Ramsdale who were new members of the Cabinet.

RESOLVED:

that the membership of the Cabinet be noted.

3. DECLARATIONS OF INTEREST

Members were asked to declare any interests they may have in the business to be discussed and/or indicate that Section 106 of the Local Government Finance Act 1992 applied to them.

There were no delcarations.

4. DATES OF MEETINGS 2004/2005

RESOLVED:

that the dates of meetings for the forthcoming year be approved:-

12 July

20 December

16 August	24 January
6 September	14 February
27 September	7 March
18 October	4 April
8 November	25 April
29 November	16 May

All meetings to commence at 5pm.

5. LEADER'S ANNOUNCEMENTS

Leicester Mercury Debt Campaign

Councillor Blackmore welcomed and gave his support to the Leicester Mercury debt campaign which sought to raise awareness of the growing problem of indebtedness. He expressed particular concerns about the problem of door to door money lenders who operated in the city charging very high rates of interest.

Architecture Week

Councillor Blackmore noted it was architecture week and commented that there were a number of events happening as part of this. He also noted that the recently completed Sparkenhoe Community Theatre, by Ash Sakula Architects was being considered for a regional RIBA award. He congratulated all of those involved in making the theatre a success.

6. MINUTES OF PREVIOUS MEETING

RESOLVED:

that the minutes of the meeting of Cabinet held on 17 May 2004, having been circulated to Members, be taken as read and signed by the Chair as a correct record, subject to minute 291 being amended to read in the second paragraph that the date of the meeting of the Education and Lifelong Learning Scrutiny Committee was 12 May 2004.

7. MATTERS REFERRED FROM COMMITTEES

Employees (Retirements) Committee – 26 May 2004

Requests for Early Retirement: Education and Lifelong Learning Department

The Committee resolved the following at the above meeting:-

- *that Cabinet be requested to;*

- i) *look at the Council's Premature Retirement policy*
- ii) *seek options on the decision making cycle with regard to early retirements in schools*

Councillor Coley noted that Committee Members had concerns at the level of compensation that was being paid out to teachers who were retiring early. He also noted concerns raised at the Employees Consultative Forum about staff leaving on early retirement only to return shortly after as consultants. He did however report that the Audit Commission had supported the Council's policies, but in view of the concerns raised he felt it would be useful for Members to review the issues raised at the Cabinet Sub-Group which had already been considering issues in this area, but was currently in abeyance.

RESOLVED:

that the Cabinet Sub-Group be reconvened, under the Chair of Councillor Metcalfe and that the Working Group be asked to consider the latest issues raised by the Employees (Retirements) Committee as part of its ongoing work and include them in a future report to Cabinet.

8. AREA COMMITTEES FOR NEIGHBOURHOOD IMPROVEMENT: OPERATIONAL FRAMEWORK AND TOOLKIT

Councillor Blackmore submitted a report that presented an operational framework for the establishment of Area Committees in Leicester and a guidance document to support Councillors in their role as members of Area Committees.

Councillor Blackmore commented that the Cabinet had listened to a range of views and these informed the decision on the boundaries for the Area Committees. He also commented that there was opportunity for further discussion before this report was considered by Council to give further consideration to where the initial area committees would be held.

The relevant minutes extract from the Finance, Resources and Equal Opportunities Scrutiny Committee held on 28 April 2004 was attached to the report.

RESOLVED:

that the following be recommended to Council for approval:-

- (1) the Terms of Reference for Area Committees and their incorporation into the Council's Constitution;
- (2) the Rules of Procedure for Area Committees and their incorporation into the Council's Constitution;
- (3) the final boundaries for Area Committees and the city

centre, be as shown at Appendix B, Map A of the report;

- (4) that there be a phased introduction of Area Committees;
- (5) that the criteria for selecting initial areas for Area Committees, as detailed in the report be agreed;
- (6) that on the basis of the agreed criteria the first areas in which Area Committees operate be:-

Area 2 – Humberstone, Hamilton & Thurncourt
Area 6 – Aylestone, Eyres Monsell & Freeman
- (7) that Area Committees do not have delegated decision making powers in the first instance, pending the review of the initial areas;
- (8) that the suggested minimum standards for community engagement (public involvement in Area Committees and consultation by Area Committees), be approved;
- (9) that 'promoting community cohesion' be an eighth role for Area Committees; and
- (10) that the detailed operational guidance; 'Toolkit for Area Committees', be endorsed.

9. CHIEF EXECUTIVE'S ANNUAL REPORT 2004 MAKING LEICESTER MORE ATTRACTIVE

Councillor Blackmore submitted a report that provided a periodical review of past achievement and gave an opportunity to recognise and thank Members and staff for their significant contribution to the success of the Council and City. The report acknowledged certain threats and dangers that needed to be understood if the Council and its substantial resources were to be best placed to overcome the difficulties that all large enterprises must face. The report also sought political guidance on the key cross-service priorities for delivery in the coming year and beyond to give a focus for corporate effort and collaboration to drive forward the large and complex agenda encapsulated in the corporate plan.

The Chief Executive outlined for the Cabinet, the key points of the report. He commented that its focus was on the fundamental aim of the new Corporate Plan, which was to make Leicester more attractive. He outlined a number of achievements of the past year and the challenges ahead faced by the Council. He underlined the three key priorities of making Leicester more attractive to children, diverse communities and to investors. He saw more effective performance management as the key to providing more consistency to the level of service that was provided by the Council and would be bringing a report to Cabinet which looked at ways of making more services 'excellent'.

The Chief Executive further indicated that, he would be seeking Members views in three areas. These were; ways in which poor performance could be tackled; issues of consistency, where performance was weak and guidance as to whether Members felt the priorities of the Audit Commission were all appropriate to Leicester.

RESOLVED:

- (1) that the Council's achievements over the past year, be acknowledged;
- (2) that the proposed key service priorities for delivery in the coming year, and the priorities for improving organisational effectiveness be endorsed;
- (3) that the Chief Executive be asked to prepare a report on improving performance management throughout the authority.

10. VICTORIA CLIMBIE INQUIRY REPORT

Councillor Gill submitted a report providing an update on the continuing work to address the areas for improvement within the Social Services Inspectorate evaluation of the City Council's self audit following the inquiry Report.

The relevant minute extract from the Social Services and Personal Health Scrutiny Committee held on 28 April 2004 was attached to the report. Councillor Gill noted the Committee's recommendation to make awareness training on child protection compulsory to all Members. He commented that although it would be unworkable to make such training compulsory he recognised its importance. The Chair sought a legal view on the matter and was informed that the Council was only able to make training in an area compulsory where it was required to carry out a specific role.

RESOLVED:

- (1) that the action/progress following the completion of the Climbie self audit and the information now available on comparative findings be noted;
- (2) that the continuing responsibility on all Departments to maintain a clear focus on ensuring that safeguarding children is embedded in policies and accountabilities within all departments of the council be noted; and
- (3) that it be recommended to all Members in the strongest terms that awareness training on child protection be taken up by all Members.

11. FUTURE FUNDING ON TENANT AND TENANT AND RESIDENT ASSOCIATIONS

Councillor Metcalfe submitted a report which considered a new and more equitable way of funding Tenant and Tenant and Resident Associations in the city in accordance with the commitment given by the Cabinet Link Member for Housing to Council in January 2004. The report also recommended a service level agreement of tenant and Tenant and Resident Associations as part of the contract for receiving funding from the Council.

Councillor Metcalfe commented that the proposals in the report should not mean any Tenants Associations or Tenants and Residents Associations facing closure.

An addendum was circulated which outlined views from tenants and contained a new proposed service level agreement. Councillor Metcalfe noted that the tenants were opposed to the proposed two tier system for different Associations. As a result he was now proposing a one tier system to be put in place with a new set of service level agreements. He also noted that tenants had concerns over the restrictions on the resources to provide for accommodation and he was therefore proposing that Associations would be allowed up to 400 square foot in size and up to £4000 in cost. He also noted that the tenants requested that paragraph 6.1 be removed. This paragraph referred to the use of Council funds subsidising other activities by the Associations. He acknowledged there were difficulties in this area but on balance felt the paragraph should remain. He also noted there was a minor change to Point 29 on page 24 of the Service Level Agreement. He commented further that Tenants Association were mostly happy with the new arrangements.

RESOLVED:

that the Cabinet endorse the full report and proposals and after discussion with the Housing Scrutiny Committee and the Tenants Movement and the Housing Management Board, delegate to the Corporate Director of Housing in Consultation with the Cabinet Link Member for Housing the authority to determine how to proceed on the outstanding matters.

12. PROJECT MANAGEMENT ARRANGEMENTS FOR THE CITY CENTRE & CULTURAL QUARTER

Councillor Scuplak submitted a report which reviewed project management arrangements for the Performing Arts and Convention Centre during its construction period along with new proposals for the project management of the City Centre. The new arrangements were intended to link up major developments in the City Centre and ensure joined up management and overview.

RESOLVED:

- (1) that the proposals for project management of the city centre, be noted;
- (2) that the wider brief for the current Cultural Quarter Cabinet Sub-Group, and the change of name for that group to City Centre Cabinet Sub Group, be approved;
- (3) that the membership of the City Centre Cabinet Sub-Group be Councillors R. Blackmore, Coley, Mugglestone, Scuplak and that Councillors Sandringham and Farmer also be invited to attend;
- (4) that the Performing Arts and Convention Centre Policy Group be formed and the Membership be Councillor R. Blackmore and one representative from each of the political parties, the Conservative nomination to be Councillor Mugglestone and the other nominations to be provided by the group whips.

13. BEST VALUE PERFORMANCE PLAN 2004 - 2005

Councillor Coley submitted a report which reported on the 2004-2005 Best Value Performance Plan. The Council was required by law to publish information every year on its annual performance in delivering services to Leicester residents and businesses.

Members of the Cabinet enquired about the performance figures for waste recycling. Councillor Ramsdale commented that as far as he was aware they had improved considerably over the past year. Cabinet Members welcomed this news.

RESOLVED:

- (1) that Council be recommended to approve the Best Value Performance Plan for 2004/05;
- (2) that the plan be published electronically.

14. IMPROVING THE COUNCIL'S PERFORMANCE - THE BEST VALUE REVIEW, AUDIT & INSPECTION PROGRAMME 2004/05

Councillor Coley submitted a report seeking approval for this years Best Value review programme.

Councillor Coley noted that as the Council was now rated as 'Good' there would be no requirements for additional plans to be written this year and there would also be a saving in fees for audits to be undertaken.

RESOLVED:

- (1) that the strategic programme for improvement across the Council now in place, be noted;
- (2) that the programme of improvement action set out in paragraph 5.5, be agreed;
- (3) that the proposed audit and inspection programme for next year, be noted;
- (4) that the programme be reconsidered again next year following consideration of the performance report for 2003/4.

15. CORPORATE RISK MANAGEMENT STRATEGY

Councillor Coley submitted a report reviewing progress in implementing the Council's Risk Management Strategy and seeking agreement to the proposals set out within the report.

The relevant minutes extract from the Finance, Resources and Equal Opportunities Scrutiny Committee held on 14 June 2004 was circulated to the Cabinet. Councillor Coley noted the Committee was supportive of the report.

Members of the Cabinet expressed concerns that departments of the Council were not making sufficient progress in developing risk registers and had not given the work the appropriate priority. The Chief Finance Officer commented that he felt Corporate Directors were aware of the importance of the provision of risk registers but that departments faced many competing priorities.

RESOLVED:

- (1) that it be confirmed that the existing policy statement remains appropriate (See Appendix 1 of the report) and the roles and responsibilities (Appendix 2 of the report) remain appropriate;
- (2) that the use of a risk assessment matrix in all reports seeking significant decisions, be supported;
- (3) that the continued development of risk registers in each department, be supported;
- (4) that the designation of specific officers in all departments to be departmental risk officers with responsibility for progressing risk management and maintaining risk registers, including regular review and update by each department's management team, be supported;
- (5) that the Risk Management Fund be used as pump priming money for the Departmental Risk Officers, to be allocated to departments with reference to the amount of operational risk faced by each, the allocation of funds to be managed

by the Corporate Risk Management Group;

- (6) that the Procedures Working Party considers and recommends to the Council the changes to the Finance Procedure Rules set out in Appendix 4 of the report;
- (7) that the action plan for 2004/05 be noted (see Appendix 5 of the report);
- (8) that the Communication Strategy be noted (see Appendix 6 of the report).

16. REVENUE OUTTURN 2003/04

Councillor Coley submitted a report showing the final summary outturn position comparing spending with the budget for all General Fund Services and the Housing Revenue Account.

Members of the Cabinet congratulated Councillor Coley and officers for ensuring that the positive budget position was achieved in the last financial year.

The Cabinet also noted the budgetary position of the schools revenue reserves and the level of increase. The Chief Finance Officer commented that a full explanation would be given to the Education and Lifelong Learning Scrutiny Committee. He informed the Committee that the Government had proposed that a system for the clawback of schools reserves be introduced.

RESOLVED:

- (1) that the final outturn for 2003/04 for each department and the Council as a whole, be noted;
- (2) that the reasons for the variances between the 2003/04 budget and the final outturn, be noted;
- (3) that the position of the Council's general reserve, be noted;
- (4) that a contribution of £0.3m to the capital fund resulting from surpluses generated by investment property and general fund traded services, be approved;
- (5) that the position in respect of significant earmarked reserves, be noted;
- (6) that the proposals for the use of underspends, be noted;
- (7) that the draw down of earmarked reserves to meet revenue costs incurred in 2003/04, be approved;
- (8) that the establishment of new earmarked reserves

(proposed in section 10.17 of the supporting report), be approved;

- (9) that the carry forward of the residue of the city centre improvements money which was set up in 2002/03 to pay the final costs of the projects, be approved;
- (10) that the virements as detailed in section 4.2 of the supporting report, be approved.

17. STATUTORY STATEMENT OF ACCOUNTS 2003/2004

Councillor Coley submitted a report which met the Council's requirement under the Accounts and Audit regulations to formally approve the accounts prior to audit.

Members of the Cabinet congratulated finance officers for preparing the accounts three months earlier than would usually be the case to meet new legal requirements.

RESOLVED:

that the Statement of Accounts for 2003/2004 be noted and that they be submitted to Council for approval.

18. URGENT WORK UNDER CONTRACT PROCEDURE RULES

Councillor Ramsdale submitted a report advising the Cabinet of Urgent Works carried out under paragraph 4.1(k) of the Contract Procedure Rules and approved by the Service Director, Highways and Transportation.

RESOLVED:

that the urgent action of the Service Director (Highways and Transportation), taken under Contract Procedure Rule 4.1(k), be noted.

19. REVIEW OF STAFFING REVIEWS

Councillor Coley submitted a report informing the Cabinet of Members' current roles and responsibilities under the Council's protocol for Organisational and Staffing Change and evaluated the lessons learnt from recent staffing reviews and presented Cabinet with initial options for improvement as part of a planned review of the protocol in the forthcoming months.

The relevant minute extract from the Finance Resources and Equal Opportunities held on 14 June 2004 was circulated to the Cabinet. Councillor Coley noted that the Committee were largely negative about the report but he sought to assure the Committee that it was not the intention of the review to amend the constitution or to reduce the rights of Scrutiny Committees to investigate the purpose and impact on services of staffing reviews.

RESOLVED:

- (1) that the Cabinet's initial view is:
 - i) in general the role of Members in individual staffing matters should be confined to service directors and above,
 - ii) the role of Members is in relation to strategies, policies and service objectives before and after an organisational review,
 - iii) an organisational review is a management process to deliver defined policies and service objectives;
- (2). that the rights of Scrutiny Committees to information should be fully observed and these rights be clarified in relation to organisational reviews and confidential staffing matters;
- (3). that a final decision be taken after the review of the protocol and a further report to Finance, Resources and Equal Opportunities Scrutiny Committee and to the Cabinet.

20. ADDITIONAL PROPERTY RESOURCES - AUTHORITY FOR EXPENDITURE

This report was withdrawn by the Corporate Director of Resources, Access and Diversity.

21. PERFORMING ARTS AND CONFERENCE CENTRE (PACC) PROPERTY APPROPRIATION TO SUPPORT IMPLEMENTATION OF PLANNING CONSENT AS ENVISAGED BY CABINET DECISION OF 2ND MARCH 2004.

This report was withdrawn by the Corporate Director of Resources, Access and Diversity.

22. ANY OTHER URGENT BUSINESS

The Chair agreed to take the following item as urgent business:-

SECRETARIAL SUPPORT TO POLITICAL GROUPS

The reason for urgency is that as the proposal was linked to savings in this year's budget, it was imperative that the matter was resolved urgently.

23. SECRETARIAL SUPPORT FOR POLITICAL GROUPS

Councillor Coley submitted a report which had been referred from the Procedures Working Party about the level of secretarial support offered to political groups.

RESOLVED:

that secretarial support for political groups on the Council be discontinued immediately.

24. CLOSE OF MEETING

The meeting closed at 6.15pm.

