



Leicester
City Council

MEETING OF THE CABINET

DATE: MONDAY, 8 NOVEMBER 2004

TIME: 5:00 pm

**PLACE: COMMITTEE ROOMS 2 & 3, 'B' BLOCK, NEW WALK
CENTRE, KING STREET, LEICESTER**

Members of the Committee

Councillor Roger Blackmore (Chair)
Councillor Johnson (Vice-Chair)

Councillors Coley, Metcalfe, Mugglestone, Ramsdale, Scuplak, Suleman
and Vincent

Members of the Cabinet are invited to attend the above meeting to
consider the items of business listed overleaf.

for Town Clerk

MEMBERS OF THE PUBLIC:

**YOU ARE VERY WELCOME TO ATTEND TO OBSERVE THE PROCEEDINGS.
HOWEVER, PLEASE NOTE THAT YOU ARE NOT ABLE TO PARTICIPATE IN
THE MEETING.**

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INFORMATION FOR MEMBERS OF THE PUBLIC

ACCESS TO INFORMATION AND MEETINGS

You have the right to attend Cabinet to hear decisions being made. You can also attend Scrutiny Committees, as well as meetings of the full Council. You can ask questions and make representations to Scrutiny Committees and Council. You also have the right to see copies of agendas and minutes. Dates of meetings are available at the Customer Service Centre. There are, however, certain occasions when the Council's meetings may need to discuss issues in private session. The reasons for dealing with matters in private session are set down in law.

WHEELCHAIR ACCESS

The Committee Rooms at New Walk Centre are all accessible to wheelchair users. If wheelchair access is required for Council meetings, which are held at the Town Hall, please contact Charles Poole on 252 7015 or call in at the Customer Service Centre.

BRAILLE/AUDIO TAPE

If there are any particular reports that you would like translating into Braille or providing on audio tape, the Committee Administrator can provide this for you (production times will depend upon equipment/facility availability).

General Enquiries - if you have any queries about any of the above or the business to be discussed, please contact Frances Wake/Roanne Dearing, Committee Services on (0116) 252 6028/7154 or call in at the Customer Service Centre.

Press Enquiries - please phone the Communications Unit on 252 6081

PUBLIC SESSION

AGENDA

1. DECLARATIONS OF INTEREST

Members are 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 applies to them.

2. LEADER'S ANNOUNCEMENTS

3. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 18 October 2004, have been circulated to Members and the Cabinet is asked to approve them as a correct record.

4. MATTERS REFERRED FROM SCRUTINY COMMITTEES

Appendix A

Resources and Equal Opportunities Scrutiny Committee – 21 October 2004

The following was agreed at the above meeting. The full minute extract and an Officer response will follow when available.

2004/05 Capital Programme Monitoring

RESOLVED:

that having considered the overall position relating to the capital programme the Committee recommend that Cabinet, in the light of the figures presented, look to bring forward schemes that would have gone ahead in later years and thereby reduce the levels of slippage reported.

Councillor Coley to respond.

Strategic Planning and Regeneration Scrutiny Committee – 20 October 2004

The following was agreed at the above meeting. The full minute extract is attached and an Officer response will follow when available.

Commuted Sums Affordable Housing

RESOLVED:

(1) that Cabinet be asked to change the Council's affordable housing policy to 30% affordable housing units as part of any development of 10 units or more and any development

100 units or above to be 40% affordable housing; and

- (2) that the Committee receive a further report on the issue of the use of employment land for housing.

Councillor Metcalfe to respond.

Education and Lifelong Learning Scrutiny Committee – 7 October 2004

The following was agreed at the above meeting. The full minute extract is attached and an Officer response will follow when available.

Note of an Informal Meeting Between members of the Education and Lifelong Learning Scrutiny Committee and the Parents and Staff of Special Schools regarding the Special Educational Needs Review 3 June 2004

RESOLVED:

- (1) That the Committee supports the conclusions of the meeting with parents;
- (2) That the Cabinet be asked to give consideration to the parents' views with particular reference to alternative options for SEN provision;
- (3) That the Cabinet be asked to agree a timetable which allowed for meaningful consultation on the Special Educational Needs Review and Building Schools for the Future, which did not allow the BSF decision to prejudice the outcome of the SEN review;
- (4) That a report on consultation undertaken be brought back to the next meeting of the Scrutiny Committee.

Councillor Suleman to respond.

5. LICENSING POLICY

Appendix B

Councillor Ramsdale submits a report seeking to obtain approval for the Council's Licensing Policy, following public consultation. The Cabinet is recommended to approve the full Licensing Policy, prior to its approval by full Council.

The relevant minute extract from the Licensing Committee held on 3 November 2004 will be circulated as soon as it is available.

The full policy is attached for Members of the Cabinet only. Copies are also available on the Council's website at www.cabinet.leicester.gov.uk or by phoning Committee Services on (0116) 252 7154

6. LEICESTER'S STATUTORY AIR QUALITY ACTION PLAN **Appendix C**

Councillor Ramsdale submits a report introducing the first consultation draft of Leicester's Statutory Air Quality Action Plan, complying with the Environment Act 1995, and seeking Cabinet's views on the content and future development of Air Quality Action Planning in Leicester. Cabinet is recommended to endorse the Air Quality Action Plan.

The relevant minute extract from the Leisure and Environment Scrutiny Committee held on 6 October 2004 is attached to the report.

The relevant minute extract from the Strategic Planning and Regeneration Scrutiny Committee held on 20 October will be circulated when it is available.

7. REVIEW OF SUPPORT SERVICES **Appendix D**

Councillor Coley submits a report seeking Cabinet approval to a review of the Council's support services, with a view to recommending the most effective and efficient future arrangements. The Cabinet is recommended to consider whether it wishes to commission a review of support services and if it does agree the scope of the review, and agree to finance the costs of the review from projected savings in this year's corporate budgets.

8. MEMBER INVOLVEMENT IN OPERATIONAL PERSONNEL MANAGEMENT **Appendix E**

Councillor Coley submits a report setting out the proposals to devolve responsibility for certain human resources appeals processes from elected members to senior officers. The Cabinet is recommended to agree that appeals presently heard by elected Members under the City Council's Disciplinary, Attendance, Management, Capability and Harassment and Discrimination Procedures be heard by senior officers, that grievance appeals, relating to the interpretation or application of one of the schemes of conditions of service be heard by senior officers, that appropriate notice of these changes be given to the workforce prior to implementation, that guidance for managers should be issued to ensure contingency across the Council throughout the Appeals process, and that the Council be recommended to amend the scheme of delegation accordingly.

9. CITY CENTRE IMPROVEMENTS **Appendix F**

Councillor Scuplak submits a report asking Cabinet to confirm its commitment to and leadership of the regeneration of Leicester's city centre, outlines the iconic value of the city centre to the long term social, economic and physical regeneration of Leicester as a whole, and details work needed in the city centre to deliver that commitment over the next three financial years. The Cabinet is recommended to approve the vision and strategy and the city centre development project, confirm its support for investment in the city centre to

support the regeneration of the city as a whole, recognise the need to give the city centre priority funding from city council sources, approve the measures set out in the supporting information as priorities for implementation in 2005/06 to 2007/08, approve seeking funding from other sources as set out in the report and reaffirm the policy issues set out in section 6.

10. INTERNAL PERFORMANCE REPORT

Appendix G

Councillor Coley submits a report reviewing the Council's internal performance in 2003/04 using the Performance Indicators reported in the Best Value Performance Plan. Cabinet is recommended to note and welcome the improvement in the performance of the Council overall and acknowledge staff's efforts in this achievement, consider whether there are any particular service areas for inclusion in the 2005/06 Best Value review programme when recommended to Cabinet later this year, and identify any issues to be considered within the 2005/06 budget strategy.

The relevant minute extract from the Resources and Equal Opportunities Scrutiny Committee held on 21 October 2004 will be circulated as soon as available.

11. LEICESTER CITY COUNCIL SERVICE PLAN FOR FOOD ENFORCEMENT 2004/2005

Appendix H

Councillor Ramsdale submits a report presenting the Service Plan for Food Enforcement 2004/05 and seeking Cabinet endorsement and Council approval for the plan. Cabinet is recommended to endorse the Service Plan for Food Enforcement.

The relevant minute extract from the Leisure and Environment Scrutiny Committee held on 6 October 2004 is attached to the report.

The full plan is attached for Members of the Cabinet only. Copies are also available on the Council's website at www.cabinet.leicester.gov.uk or by phoning Committee Services on (0116) 252 7154

12. PLAY AREA IMPROVEMENTS 2004-2005

Appendix I

Councillor Mugglestone submits a report seeking authorisation for expenditure of £100,000 for improvements to play areas from the 2004/05 Capital Programme. Cabinet is recommended to authorise expenditure from the 2004/05 Capital Programme of £100,000 for improvements to 7 play areas.

13. THE EMPTY HOMES STRATEGY - COMPULSORY PURCHASE ORDERS

Appendix J

Councillor Metcalfe submits a report proposing that Compulsory Purchase Orders are sought under the City Council's Empty Homes Strategy on two long term privately owned vacant properties in areas of priority housing needs. The Cabinet is asked to give approval to make the land and dwellings, as outlined

in the report, the subject of individual Compulsory Purchase Orders, in order to secure their improvement, proper management and occupation as residential dwellings.

Members are asked to note that as part of this report, financial information relating to the properties is attached. These papers are marked 'NOT FOR PUBLICATION'. The information in these papers is exempt as defined in paragraphs 7 and 8 of Section 100A(4) of the Local Government Act 1972, as amended. The information therefore must not be disclosed or discussed at the meeting. Should Members wish to refer to any of these details it is recommended that the meeting move into private session.

14. FINDINGS OF MALADMINISTRATION BY THE LOCAL GOVERNMENT OMBUDSMAN (OMBUDSMAN REPORT 03/13808) Appendix K

Councillor Metcalfe submits a report setting out the findings made by the Local Government Ombudsman following investigations into a complaint regarding a delay in dealing with a Housing Benefit application. The report also sets out the remedies that the Ombudsman recommends the Council to implement to provide just satisfaction to the complainants for the findings of maladministration leading to justice and invites the Council to consider whether it accepts the recommendations. The Cabinet is recommended to recommend that Council accepts the Ombudsman's recommendations, with the payment of £3000 released to Miss Paul, review its procedures to ensure that thorough checks are made to identify an address all outstanding benefit issues before possessions proceedings and credit the court and enforcement costs cleared by Miss Paul (£221.75) to her rent account.

15. ANY OTHER URGENT BUSINESS

16. PRIVATE SESSION

AGENDA

MEMBERS OF THE PUBLIC TO NOTE

Under the law, the Cabinet is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

The Cabinet is recommended to consider the following reports in private on the grounds that they contain 'exempt' information as defined by the Local Government (Access to Information) Act 1985, and consequently that the Cabinet makes the following resolution:-

“that the press and public be excluded during consideration of the following reports in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because they involve the likely disclosure of 'exempt' information, as defined in the Paragraphs detailed below of Part 1 of Schedule 12A of the Act.”

Paragraph 9

Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services.

17. PLANNING APPLICATIONS - MANOR FARM AND EAST HAMILTON

Councillor Scuplak submits a report.

