



Leicester
City Council

Minutes of the Meeting of the
CABINET

Held: MONDAY, 8 NOVEMBER 2004 at 5.00pm

P R E S E N T :

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

Councillor Coley	Councillor Mugglestone
Councillor Ramsdale	Councillor Metcalfe
Councillor Scuplak	Councillor Suleman
Councillor Vincent	

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104. DECLARATIONS OF INTEREST

Members were requested 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.

No declarations were made.

105. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 18 October 2004, having been circulated to Members be taken as read and signed by the Chair as a correct record.

106. MATTERS REFERRED FROM SCRUTINY COMMITTEES

Resources and Equal Opportunities Scrutiny Committee – 21 October 2004

The Committee resolved the following at the above meeting.

- That having considered the overall position relating to the capital programme the Committee recommend that Cabinet, in the light of 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 submitted a report to Cabinet in response to the Resources and Equal Opportunities Scrutiny Committees concerns about underspending on the capital programme and which explained how carrying forward worked and the options available.

RESOLVED:

That no action be taken at this stage but any slippage be taken into account in the consideration of the 2005/06 Capital Programme.

Strategic Planning and Regeneration Scrutiny Committee – 20 October 2004

The Committee resolved the following at the above meeting.

- 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 of 100 units or more be 40% affordable housing, and

Councillor Scuplak reported that this was an issue which touched on a number of Council policies. The Inspectors report on the Local Plan Public Enquiry and Government guidance on this issue were also expected soon. In light of this, it was agreed that Cabinet consider a report on affordable housing policy at the January meeting of Cabinet.

RESOLVED:

That a report on the affordable housing policy be submitted to the Cabinet in January 2005.

Education and Lifelong Learning Scrutiny Committee – 7 October 2004

The Committee resolved the following at the above meeting.

- that the Committee supports the conclusions of the meetings with parents,
- that the Cabinet be asked to give consideration to the parents' views with particular reference to alternative options for SEN provision,
- 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,

- that a report on consultation undertaken be brought back to the next meeting of the Committee.

Councillor Suleman reported that a number of options had been considered before significant consultation took place, The formal consultation was still to happen. It was noted that the final report would be considered by Cabinet.

107. LICENSING POLICY

Councillor Ramsdale submitted a report seeking approval of the Council's Licensing Policy following public consultation. The minute extract from the Licensing Committee on 3 November 2004 and an Equalities Impact Assessment had been circulated.

RESOLVED

- (1) that Cabinet endorse the attached Licensing Policy, prior to formal approval by full Council,**
- (2) that Cabinet endorse the special policy on cumulative impact, prior to formal approval by full Council.**

108. LEICESTER'S STATUTORY AIR QUALITY ACTION PLAN

Councillor Ramsdale submitted a report introducing the first consultation draft of Leicester's statutory Air Quality Action Plan, complying with the Environment Act 1995, and sought views on the content and future development of Air Quality Action Planning in Leicester. The relevant minute extracts from the Leisure and Environment and Strategic Planning and Regeneration Scrutiny Committees and an amendment sheet relating to the financial implications had been circulated.

RESOLVED:

That the Air Quality Action Plan be endorsed.

109. REVIEW OF SUPPORT SERVICES

Councillor Coley submitted a report seeking Cabinet's approval to a review of the Council's support services with a view to recommending the most efficient and effective future arrangements. UNISON's comments on the review had been circulated. It was noted that UNISON had requested that the item be deferred to allow them more time to comment. However, as they would be considered as part of any review, it was not considered there was a case for delay.

RESOLVED:

- (1) That a review of support services be commissioned,
- (2) that the scope of the review as detailed in the report be approved, and
- (3) that the costs of the review be met from projected savings in this year's corporate budgets.

110. MEMBER INVOLVEMENT IN OPERATIONAL PERSONNEL MANAGEMENT

Councillor Coley proposed that this report be deferred until the next meeting of the Cabinet, to allow consideration of comments of the Resources and Equal Opportunities Scrutiny Committee.

RESOLVED:

That the report be deferred until the next meeting of Cabinet.

111. CITY CENTRE IMPROVEMENTS

Councillor Scuplak submitted a report asking Cabinet to confirm its commitment to and leadership of the regeneration of Leicester's City Centre, outlining the iconic value of the City Centre to the long term social, economic and physical regeneration of Leicester as a whole, and detailing the work needed in the city centre to deliver that commitment over the next three financial years.

Some concern was expressed that the City Centre would not be to the detriment of the outer estates. Officers confirmed that in agreeing the recommendations in the report the Cabinet would not be committing any allocation of finance.

RESOLVED:

- (1) that the vision and strategy and the City Centre Development Project, as detailed in the report, be approved,
- (2) that the Cabinet's support for investment in the City Centre to support the regeneration of the City as a whole be confirmed,
- (3) that the need to give the City Centre priority for funding from City Council resources be recognised,
- (4) that the measures set out in the supporting information as priorities for implementation in 2005/06 to 2007/08 be approved,
- (5) that approval be given to seek funding from other sources

as set out in the report, and

- (6) that the policy issues set out in section 7 of the report be reaffirmed.

112. INTERNAL PERFORMANCE REPORT

Councillor Coley submitted a report reviewing the Council's internal performance in 2003/04 using the Performance Indicators (PI's) reported in the Best Value Performance Plan, and suggested areas of action to improve performance. The relevant minute extract from the Resources and Equal Opportunities Scrutiny Committee had been circulated.

RESOLVED:

That Cabinet note and welcome the improvements in performance of the Council overall and acknowledge staff's efforts in this achievement.

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

Councillor Ramsdale submitted a report presenting the Service Plan for Food Enforcement 2004/05, and sought Cabinet endorsement of the plan, prior to submission to full Council. The relevant minute extract from the Leisure and Environment Scrutiny Committee on 6 October had been circulated.

RESOLVED:

That the Service Plan for Food Enforcement be endorsed for 2004/05 for recommendation to Council.

114. PLAY AREA IMPROVEMENTS 2004-2005

Councillor Mugglestone submitted a report seeking authorisation of £100,000 for improvements to play areas from the 2004/05 Capital Programme.

RESOLVED:

That approval be given for expenditure from the 2004/05 Capital Programme of £100,000 for improvements to 7 play areas as identified in the report.

115. THE EMPTY HOMES STRATEGY - COMPULSORY PURCHASE ORDERS

Councillor Metcalfe submitted a report proposing that Compulsory Purchase Orders were sought under the City Council's Empty Homes Strategy on five long term privately owned vacant properties in areas of priority housing need.

RESOLVED:

- (1) That the following land and dwellings be made the subject of Compulsory Purchase Orders in order to secure their improvement, proper management and occupation as residential dwellings.:

71 Chandos Street
12 Blanklyn Avenue

- (2) that the necessary capital expenditure be authorised from the Empty Homes Strategy in line with the agreed Capital Programme.

116. FINDINGS OF MALADMINISTRATION BY THE LOCAL GOVERNMENT OMBUDSMAN (OMBUDSMAN REPORT 03/13808)

Councillor Metalfe submitted a report setting out findings made by the Local Government Ombudsman following the investigations into a complaint regarding a delay in dealing with a Housing Benefit application. The report also set out the remedies that the Ombudsman recommended the Council implemented to provide just satisfaction to the complainant for the findings of maladministration leading to injustice.

RESOLVED:

- (a) that Cabinet recommend that the Council accepts the Ombudsman's recommendations, with the payment of £3000 released to Miss Paul
- (b) that the Council review its procedures to ensure that thorough checks are made to identify and address issues before possession proceedings and evictions go ahead
- (c) that the Council credit and enforcement costs cleared by Miss Paul (£221.75) to her rent account.

117. ANY OTHER URGENT BUSINESS

The Cabinet accepted on item of urgent business, which was taken as urgent as the audit of the Council's accounts must be conducted in accordance with a timetable prescribed by law. It is also a requirement that the Council's Cabinet should receive a report from the auditor prior to the completion of the audit, and this was the last meeting which permitted both these criteria to be satisfied.

118. STATUTORY STATEMENT OF ACCOUNTS

Councillor Coley submitted a report outlining a matter which the District Auditor wished to bring to the Cabinet's attention, concerning the basis of the calculation of the Council's liability for the future cost of pension arrangements in respect of those former staff to whom added years pensions enhancements

have been granted.

RESOLVED:

- (1) That the position with regard to the valuation of the Council's liability for the future cost of added years pensions enhancements be noted, and
- (2) the report of the district auditor be noted.

119. PRIVATE SESSION

RESOLVED:

that the press and public be excluded during consideration of the following report in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because it involves 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.

PLANNING APPLICATIONS – MANOR FARM AND EAST HAMILTON

120. PLANNING APPLICATIONS - MANOR FARM AND EAST HAMILTON

Councillor Scuplak submitted a report regarding the outline planning applications for residential development of Council owned land at Hamilton and sought the Cabinet's view on the Council's commitment to planning obligations arising and the appropriate level of these contributions.

RESOLVED:

- (1) that a sum of £3.09m be approved as the appropriate contribution to education/community/leisure/transport facilities at Manor Farm and East Hamilton,
- (2) that the additional expenditure of £670,000 be considered alongside other priorities in the next capital bidding round, and
- (3) that delegated authority be granted to the Corporate Director of Resources, Access and Diversity in consultation with the Cabinet Link Member for Regeneration, Planning and Property to approve any variations to the level and

phasing of any contributions which may arise as a result of the planning decision.

121. CLOSE OF MEETING

The meeting closed at 6.18 pm.

