



Leicester  
City Council

Minutes of the Meeting of the  
CABINET

Held: MONDAY, 4 APRIL 2005 at 5.00pm

P R E S E N T :

Councillor Willmott - Chair  
Councillor Draycott - Vice-Chair

Councillor Bhatti  
Councillor Connelly  
Councillor Corral

Councillor Getliffe  
Councillor Kitterick  
Councillor Waddington

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**208. 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.

Councillor Getliffe declared a personal interest in the reports on matters referred from Scrutiny in view of him being a Council tenant. Councillor Draycott also declared a personal interest in the reports as a member of her family was a Council tenant. However under paragraph 10 (d) of the Members' Code of Conduct, they regarded themselves as not having a prejudicial interest as long as the discussion did not relate to individual tenancies.

**209. LEADER'S ANNOUNCEMENTS**

There were no announcements.

**210. MINUTES OF PREVIOUS MEETING**

RESOLVED:

That the minutes of the ordinary meeting held on 7 March 2005, and the special meeting held on 29 March 2005 having been circulated to Members be taken as read and signed by the Chair as a correct record.

**211. MATTERS REFERRED FROM SCRUTINY COMMITTEES**

Housing Scrutiny Committee – 10 March 2005

The Committee resolved the following at the above meeting.

Issues referred from Council

-That Cabinet be recommended that for the year 2005/06 the figure of £3million be programmed for 'HomeCome' this being the anticipated figure of commuted sums and in the event this figure is exceeded, the surplus should be awarded to 'HomeCome',

- that Cabinet be informed that Housing Scrutiny Committee support the programme of Bathroom/Kitchen Modernisation but seek assurance that this will be targeted at the elderly in its initial stages,

- that the issue of play equipment in Housing be referred to the Corporate Director of Regeneration and Culture, and

- that Cabinet be informed of the Scrutiny Committee's commitment that the new telephony system be endorsed for 2005/06 as part of the Housing Capital Programme.

Councillor Bhatti addressed each of the issues raised by the Scrutiny Committee. It was noted that in relation to 'Homecome', the overall resources allocated were above the anticipated commuted sum, and it was therefore impractical to commit further money. In relation to the kitchen and bathroom modernisation programme, it was noted that priority was given to the longest serving tenants without rent arrears or anti social behaviour problems, and this in effect benefited the elderly. The Cabinet were informed that there was a report included on the agenda which addressed the points raised regarding play equipment in Housing areas, and that the new telephony system was taking place as planned.

RESOLVED:

- (1) That as the anticipated figure for commuted sums was already over committed, a further amount could not be allocated to 'HomeCome',
- (2) that as the current policy regarding the programme for the bathroom and kitchen modernisation programme had the effect of benefiting the elderly, no change be made to the prioritisation process, and
- (3) that the work on the new telephony system taking place as planned be noted

Anti Social Behaviour Annual Report Incorporating Crime and Disorder Activities

- that the progress made in tackling anti social behaviour in 2004/05 be welcomed, and

- that the Cabinet be requested to acknowledge the progress made and to secure the funding to continue the work of the Leicester Anti Social Behaviour Unit from 2006/07 onwards.

RESOLVED:

- (1) that the Scrutiny Committee's concerns be noted and the work and progress made by the Anti-social Behaviour Unit during 2004/05 be welcomed, and
- (2) that the lead Corporate Director for Crime and Disorder develop proposals for the ongoing funding of the Unit prior to next year's budget proposals, with funding provided earlier than 2006/07, if possible.

#### Planning and Affordable Housing

- That Cabinet be recommended to support the lowering of the minimum site size threshold at which affordable housing should be sought to 15 dwellings/0.5 hectares

Councillor Bhatti informed Cabinet that the report would be going to the Strategic Planning and Regeneration Scrutiny Committee for their comments before comments were formally submitted to the Office of the Deputy Prime Minister (ODPM).

RESOLVED:

That a further report be submitted when the final ODPM guidance was issued, to consider the implications for Leicester's local planning policies which would also incorporate the views of the Strategic Planning and Regeneration Scrutiny Committee.

## **212. A CITY ACADEMY TO REPLACE NEW COLLEGE**

Councillor Waddington submitted a report asking the Cabinet whether it wished to support the submission of an Expression of Interest to secure a second Academy for the City to replace New College. The minute extract of the Education and Lifelong Learning Scrutiny Committee held on 22 March had been circulated.

Councillor Waddington stated that full and detailed consultation would take place with parents and communities living in the area, and that work would be done on the size of the school and the location of the buildings. The need for work to be carried out quickly was also stressed, and a proposed consultation strategy was requested for submission to the Education and Lifelong Learning Scrutiny Committee and Cabinet as soon as possible.

RESOLVED:

- (1) That the Council should be a co signatory for an Expression of Interest for an Academy to replace New College, and
- (2) that a proposed consultation strategy be submitted to the Education and Lifelong Learning Scrutiny Committee and Cabinet as soon as possible.

### **213. SCHOOL ATTENDANCE**

Councillor Waddington submitted a report on pupil attendance levels for 2003/04 academic year, the strategies being adopted to address the position and new powers which were available to address unauthorised absence. The minute extract of the Education and Lifelong Learning Scrutiny Committee held on 9 February 2005 had been circulated and their comments were noted.

RESOLVED:

- (1) That the low attendance levels of City schools and actions being taken to support schools to address the situation be noted, and
- (2) that the Code of Conduct be agreed, and that a further report outlining progress made and any improvements in attendance levels be submitted to Cabinet in 12 months.

### **214. SCHOOL TERM AND HOLIDAY DATES FOR 2006/07 AND 2007/08**

Councillor Waddington submitted a report on the outcome of consultations in connection with term dates for 2005/06 and 2007/08. The minute extract of the Education and Lifelong Learning Scrutiny Committee held on 8 March 2005 had been circulated.

RESOLVED:

That the dates detailed in the appendix to the report be agreed for immediate distribution to Leicester City educational establishments and stakeholder groups.

### **215. TOWN HALL SQUARE CONSERVATION AREA CHARACTER STATEMENT**

Councillor Willmott submitted a report seeking approval of the Town Hall Square Conservation Area Character Statement and its adoption as Supplementary Planning Guidance. Councillor Willmott congratulated the Officers involved with the preparation of the Statement for their work.

RESOLVED:

That the Character Statement for Town Hall Square Conservation Area, including the boundaries as amended, be adopted as Supplementary Planning Guidance.

**216. FAIR ACCESS TO CARE SERVICES ACCESS, ELIGIBILITY AND PROVISION OF SOCIAL CARE SERVICES**

Councillor Getliffe submitted a report addressing the requirement to determine eligibility for services under the Government's guidance on Fair Access to Care Services, which had been introduced at the start of 2003/04.

RESOLVED:

That the threshold of eligibility for services under the Government's guidance for 'Fair Access to Care Services' be placed at 'substantial' and 'critical'.

**217. FREEDOM OF INFORMATION ACT 2000**

Councillor Draycott submitted a report informing the Cabinet of the volume and type of requests that the Authority had received under the Freedom of Information Act 2000, and the impact in terms of cost and staff time in satisfying these requests.

It was noted that Cabinet had agreed in January to charge only for disbursement costs in relation to Freedom of Information requests, but that since then there had been a small number of very detailed and complicated requests which had resulted in significant costs in terms of staff time which had taken resources away from service delivery. It was therefore proposed to charge for time and disbursements entailed in answering requests over the £450 threshold. It was noted that this charge would not affect the majority of requests, and would be open for further review in the future.

RESOLVED:

- (1) That the volume of requests for information received under the Act to date and the emerging issues be noted, and
- (2) that the City Council's charging policy be amended so that requests over the £450 limit be answered, but that a charge be made for the time as well as the disbursements entailed (based on the statutory rate).

**218. SECOND GENERATION LOCAL PUBLIC SERVICE AGREEMENT: DISTRIBUTION OF REWARD GRANT**

Councillor Draycott submitted a report regarding the principles of allocating the performance reward grant relating to the Council's second generation Local Public Service Agreement. Given that it was to take about 2 and a half years to

get to the end of the process, Councillor Draycott recommended that no decision on an allocation process be taken at this time. The minutes extract from the Resources and Equal Opportunities Scrutiny Committee held on 17 March 2005 and the minutes of the Leicester Partnership held on 9 February 2005 had been circulated.

RESOLVED:

That no decision be made at this stage on how the performance reward grant in relation to the Local Public Service Agreement should be allocated.

## **219. ANNUAL AUDIT LETTER**

Councillor Draycott submitted a report introducing the Annual Audit Letter for 2003/04. The minute extract of the Resources and Equal Opportunities Scrutiny Committee held on 17 March 2005 had been circulated, and their comments regarding the financial footing of the Council were noted. However it was noted that the Annual Audit Letter did not relate to the current financial year.

RESOLVED:

That the letter be noted.

## **220. BUDGET MANAGEMENT AND MONITORING DELEGATION THRESHOLDS**

Councillor Draycott submitted a report considering the extent of delegation to Officers, setting out 3 principle options of high, medium or low levels of delegation to Officers in relation to Cabinet's own thresholds.

Councillor Draycott recommended action which she considered ensured that responsibility was in the right place, and that virements could be monitored and reported back if necessary.

RESOLVED:

- (1) That the following should replace paragraph 5.4 of the schedule of determinations to finance procedure rules:

'Corporate Directors shall be authorised to vire sums between controllable budget lines, subject to the following limits:

- (i) the maximum by which any controllable budget line can be increased shall be £100,000,
- (ii) the maximum by which any controllable budget line can be reduced shall be £100,000,
- (iii) the same rules shall apply for calculating the value of any given virement as apply to the Cabinet's

ability to vire sums, as delegated by the full Council',

- (2) that no virement shall be undertaken by Corporate Directors without first consulting the relevant Cabinet Member and obtaining the approval of the Chief Finance Officer, and
- (3) that prior to granting approval the Chief Finance Officer shall consult the Leader and the Cabinet Member for Finance, and shall keep a written record of all approvals given together with the comments of the Leader and Cabinet Member for Finance.

## **221. DATES OF CABINET MEETINGS IN 2005/06**

RESOLVED:

That the following dates for meetings of Cabinet in 2005/06 be approved:

13 June 2005	16 January 2006
27 June 2005	6 February 2006
11 July 2005	20 February 2006
25 July 2005	6 March 2006
5 September 2005	20 March 2006
19 September 2005	3 April 2006
3 October 2005	24 April 2006
24 October 2005	15 May 2006
7 November 2005	
21 November 2005	
12 December 2005	

All meetings to start at 5pm

## **222. ANY OTHER URGENT BUSINESS**

The Chair agreed to take one item of urgent business.

### Play Areas on Housing Land

The report was considered urgent in order that the funding needed to tackle major safety concerns in play areas on the St Peters and St Matthews Estate be approved as soon as possible.

## **223. PLAY AREAS ON HOUSING LAND**

Councillor Bhatti submitted a report noting the action taken to tackle major safety concerns on play areas on the St Peters and St Matthews Estates and

seeking approval funding for replacements.

It was noted that the play areas affected were on Housing land, and maintenance was their responsibility, but that safety checks, inspections and minor repairs were carried out by the Regeneration and Culture Department, on behalf of the Housing Department, through a service level agreement. The cost of the capital work would be contained within the Housing Capital Programme, and any revenue costs involved would be a charge on the Housing General Fund. It was suggested that steps be taken to give ownership of the land to the Regeneration and Culture department, so that responsibility for play areas fell under one department. It was suggested however that the land should remain Housing land, but that responsibility for all play areas should be transferred to the Regeneration and Culture department. It was agreed that a report on the financial and legal implications of a transfer be submitted to a future meeting of Cabinet.

Councillor Connelly also stated that as the play equipment was replaced, work should be carried out to replace the chipped bark playing surface with wrapped tiles, which would cost more, but would have longer term benefits as they were safer and easier to maintain. It was felt however that this should not slow down the replacement of the equipment and subsequent reopening of the playgrounds.

Concern was also raised regarding the inspection process for assessing the safety of play equipment, and Members felt that the remedial work should have been identified and addressed at an earlier stage to avoid the closure of the playgrounds during the holiday period. It was agreed that details of the inspection process should be included in any report back.

It was noted that consultation would be taking place shortly with Taylor Road School and St Peters Tenants Association to see what play equipment was preferred, and these meetings would also take on board issues around playing surfaces. It was noted that the Director of Housing gave an assurance that all play areas affected would be open by the start of the school summer holidays.

#### RESOLVED:

- (1) That the action being taken of securing play areas and removing/repairing where possible, equipment be noted,
- (2) that the replacement of equipment at the 13 high risk play areas be approved and funded from the Housing Capital Programme,
- (3) that provision of £200,000 be made in the 2006/07 Housing Capital Programme for replacement of equipment at the other play areas on housing land in the City, and
- (4) that a further report be submitted outlining the inspection process in place, and the implications of transferring



ownership from the Housing to the Regeneration and Culture department.

#### **224. PRIVATE SESSION**

RESOLVED:

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

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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.

SALE OF 0.15 ACRES OF LAND AT CRANE STREET,  
LEICESTER

#### **225. SALE OF 0.15 ACRES OF LAND AT CRANE STREET, LEICESTER**

Councillor Willmott submitted a report.

RESOLVED:

That the limited marketing of 0.15 acres of land at Crane Street and the position regarding the submission of bids be noted.

#### **226. CLOSE OF MEETING**

The meeting closed at 5.55pm.

