



Leicester  
City Council

Minutes of the Meeting of the  
CABINET

Held: MONDAY, 25 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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**227. 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 Willmott and the Chief Executive declared prejudicial interests in report B1 'Old Town Development Partnership - Progress Update' as Board Members of the Leicester Regeneration Company and left the room for the duration of this item.

**228. LEADER'S ANNOUNCEMENTS**

Chewing Gum Tax

The Leader announced that, following publicity around the campaigning being done by other Local Authorities on introducing a tax on chewing gum to fund the clean up of gum from the streets, he had asked for a report to be submitted to a future meeting outlining how the Council could add its support to the campaign.

'Make Poverty History' Campaign

The Leader also announced that he intended to have cross party discussions to establish views on the 'Make Poverty History' campaign being run by various charities. Given Leicester's track record of work on regeneration, ending low pay, work around employment creation, and its close links with other countries, a report would be submitted to a future meeting to look at adding the Council's support to the campaign.

## **229. MINUTES OF PREVIOUS MEETING**

RESOLVED:

That the minutes of the meeting held on 4 April 2005, having been circulated to Members be taken as read and signed by the Chair as a correct record.

As a matter arising from the minutes, Councillor Draycott asked for information about the current funding for work around anti social behaviour (minute 211). It was reported that the work was currently funded by mainstream resources and Neighbourhood Renewal Fund money which expired at the end of this year. Options were being investigated to ensure that funding could continue at the current level, and this would be dealt with by the Corporate Director who would have responsibility for community safety in due course.

## **230. MATTERS REFERRED FROM SCRUTINY COMMITTEES**

Leisure and Environment Scrutiny Committee – 6 April 2005

The Committee resolved the following at the above meeting.

Road Humps on Melbourne Road and Adjacent Side Streets

RESOLVED:

That whilst the expenditure to reconstruct the road humps on Melbourne Road to facilitate bus movement is welcome, Cabinet be asked to take into consideration the concerns of the long suffering residents of Highfields and take immediate steps to reduce the size of the road humps in adjoining streets.

Councillor Kitterick reported that the introduction of road humps in the area had resulted in a reduction in accidents in the area, particularly those involving children. However, it had been recognised that some of the humps were too high, especially for low floor buses. Work was planned therefore to reduce the height of the road humps along Melbourne Road at a cost of £816,000 The cost of carrying out similar work in the adjoining side streets would be least £1.7 million, for which the Council did not have the resources.

RESOLVED:

That the road humps in the side streets adjacent to Melbourne Road not be reconstructed.

## **231. SCHOOL ADMISSION ARRANGEMENTS FOR 2006**

Councillor Waddington submitted a report summarising the results of the annual statutory consultation on admission arrangements and limits for entry

into schools for 2006, and proposed arrangements for implementation. The minute extract of the Education and Lifelong Learning Scrutiny Committee held on 11 April 2005 had been circulated, and Councillor Waddington gave the undertaking that the issues which had been raised would be included as part of the consultation process for the following year.

**RESOLVED:**

- (1) that the proposal to overfill a school exceptionally beyond its admission number where the place was for a Looked After Child be adopted,
- (2) that the proposal to apply the sibling rule differently be adopted,
- (3) that the present system of mid term admissions be retained,
- (4) that the existing priority areas within the Sandfield Close adjustment be continued,
- (5) that the operation of the over subscription list for places in Key Stage 4 be discontinued,
- (6) that the proposed co-ordinated scheme for primary admissions with a common closing date of 24 February 2006 in the first year of operation, be adopted, and
- (7) that the proposed model policy for Foundation 1 entry into part time education in a main stream school be adopted.

**232. DEVELOPING HEALTH AND SOCIAL CARE CENTRES THROUGH LIFT AND NEW DEAL FOR COMMUNITIES**

Councillor Getliffe submitted a report describing the programme for developing Health and Social Care Centres across the City. The report sought Cabinet approval for delegated authority to progress with the Council's involvement in the next stage of Leicester LIFT (Local Improvement Finance Trust) as outlined in the second Strategic Service Development Plan (SSDP).

**RESOLVED:**

- (1) that the progress with the development of Health and Social Care Centres through Leicester LIFT and the Braunstone New Deal be noted,
- (2) that authority be delegated to the Corporate Director of Social Care and Health, in consultation with the Leader, the Cabinet Lead and the Corporate Director of Resources, Access and Diversity to sign off the second

version of the LIFT second Strategic Service Development Plan, and

- (3) that agreement by the Council to progress with the additional projects listed in the second LIFT Strategic Service Plan be subject to further Cabinet decisions based on confirmation of affordability, including the final position of PFI credits.

### **233. SCHEME OF DELEGATION**

Councillor Draycott submitted a report considering the outcome of a review of the Scheme of Delegation to Officers which had been carried out by all Scrutiny Committees. The report asked Cabinet to consider whether and what decisions to delegate to individual Cabinet Members and the procedure required. The minute extract of the Resources and Equal Opportunities Scrutiny Committee held on 17 March 2005 had been circulated.

Councillor Draycott informed Cabinet that the report had been the result of comments arising from consultation with all Scrutiny Committees about the Scheme of Delegation, and concerns which had been expressed over the lack of political input in some decisions, the overall role of Scrutiny in the decision making process, and the lack of clear lines of accountability for some decisions.

Councillor Willmott noted in particular the concerns of the Education and Lifelong Learning Scrutiny Committee at its meeting on 11 September 2004 and Resources and Equal Opportunities Scrutiny Committee at its meeting on 17 March 2005, and stated that it was the intention of the Cabinet to seek negotiated agreement with Scrutiny where possible, and to ensure that in future it would be clear that Cabinet and not Officers were responsible for major decisions. The Cabinet agreed that it was the significance of the decisions taken, rather than simply the amount of expenditure incurred or saved which should determine who was responsible for the decision.

#### **RESOLVED:**

- (1) That the views expressed by Scrutiny Committees be noted,
- (2) that the Town Clerk be required to introduce a system whereby decisions made by Corporate Directors/Chief Executive in consultation with relevant Cabinet Members are recorded and reported every three months to Cabinet,
- (3) that the Cabinet Lead be delegated decisions within his or her portfolio which would otherwise need to be made by the Cabinet, and approve that
  - a) each decision be subject to two Cabinet Members,

ie the relevant Cabinet Members and Leader (or Deputy Leader if the Leader is the relevant Cabinet Lead),

- b) the report on which each decision is based be published five clear days in advance, as for other decision making reports,
- c) the other practical arrangements detailed in paragraph 2.2 of the report be implemented
- d) indemnity and insurance cover be extended as in paragraph 2.5

(4) that Cabinet reserves to itself:

- a) decisions with a financial impact including virement in excess of £50,000 (either in a full year or in total in the case of one off expenditure) where the impact is outside the scope of budget or policy approved at Member level and/or,
- b) decisions leading to the closure of a building used by members of the public or voluntary organisations and/or,
- c) decisions to reduce previous levels of grant aid to a voluntary organisation where this would lead to the organisation's closure, and

(5) that prior to making proposals to Cabinet in respect of the matters in (4), Corporate Directors shall first seek the views of Scrutiny Committees, or should time not permit, Scrutiny Triumvirates.

#### **234. ECO-MANAGEMENT AND AUDIT SCHEME (EMAS)**

Councillor Corrall submitted a report providing information on the Council's progress towards the corporate environmental improvement targets. The minute extract of the Leisure and Environment Scrutiny Committee held on 6 April 2005 had been circulated, and the comments regarding the implementation of an Environmentally Friendly Purchasing Code were supported. Councillor Willmott reported that he had written to the British Union for the Abolition of Vivisection (BUVA) as an expression of interest in achieving the BUVA award.

RESOLVED:

- (1) That the progress towards the Eco Management and Audit Scheme (EMAS) targets during 2003/04 be noted,

- (2) that the minor amendments made to the EMAS targets for 2003/04 be noted,
- (3) that the implementation of the proposed 2005/06 action programme be agreed,
- (4) that the draft text for the 7th EMAS Public Statement be agreed, and
- (5) that the recommendations of the Leisure and Environment Scrutiny Committee held on 6 April 2005 be supported and the Environmentally Friendly Purchasing code be approved and that the Council seek to ensure that:
  - (a) ESPO products purchased are not tested on animals;
  - (b) ISS (the Council's cleaning company) meets the criteria for purchases;
  - (c) this is included in staff induction and appraisal;
  - (d) the British Union for Abolition of Vivisection (BUAV) award is researched and achieved

## **235. REPLACEMENT OF CITY OF LEICESTER LOCAL PLAN - PROPOSED MODIFICATIONS**

Councillor Willmott submitted a report seeking approval of the Council's response to the Local Plan Inquiry Inspector's recommendations and the proposed modifications to the Local Plan.

Minute extracts from the Development Control Committee on 19 April 2005 and the Strategic Planning and Regeneration Scrutiny Committee on 20 April 2005 had been circulated. It was noted that these comments would be included in the plan before it was submitted to full Council for approval, and that these would take the form of a separate appendix in order that it was clear what these changes were. The Plan would also be put on public deposit with the opportunity for comments to be made before the Plan was finally approved.

Councillor Willmott thanked all of the Officers involved for their work in preparing the Plan.

### **RESOLVED:**

That the Plan, plus any amendments arising from the comments received, be recommended to full Council for approval.

## **236. SUPPORTING PEOPLE STRATEGY 2005-10 AND ANNUAL PLAN 2005-06**

Councillor Getliffe submitted a report seeking approval of the 2005-10 Supporting People Strategy and Annual Plan 2005-06, as agreed by the Supporting People Commissioning Board on 11 February 2005. The minute extract from the Social Care and Health Scrutiny Committee (Social Care stream) had been circulated.

Councillor Getliffe expressed his thanks to all the Officers involved in preparing the Strategy.

RESOLVED:

That the Supporting People Strategy for 2005-10 and Annual Plan for 2005-06 be approved.

## **237. STRENGTHENING COMMUNITY SAFETY**

Councillor Corrall submitted a report advising Cabinet of the implications of the Council resolution and referral back to Cabinet from its meeting on 31 March 2005.

Councillor Corrall drew Cabinet's attention to comments from the Audit Commission regarding the need of the Council to identify a champion for the community safety function. It was agreed, in light of the restructuring that would be required resulting from the Children's Act, that instead of establishing an additional Service Director, an officer should be seconded to this role for a period of 6 months. The intention would be to locate this post in the proposed Adult Services Department.

With regard to the balance of £100,000 capital provision, the Cabinet agreed to refer this to the relevant Scrutiny Committee to consider and make recommendations to the Chief Executive for its expenditure.

RESOLVED:

- (1) that Cabinet agree not to create a permanent post of Service Director (Community Safety) and instead second an officer to act up into this new role of leading and coordinating community safety for a 6 month period at Service Director salary, the temporary post to report to the Corporate Director,
- (2) that the remaining provision available from the £100,000 provision be referred to the relevant Scrutiny Committee for consideration, and recommendation on its expenditure, and
- (3) that Cabinet note that the Chief Executive, in consultation with the Cabinet Member will allocate funding under

delegated powers as detailed in paragraph 2.7 of the report, following recommendations from the Scrutiny Committee.

### **238. ADDITIONAL INFORMATION ON CAPITAL SCHEMES - LAN INFRASTRUCTURE UPGRADE AND CORPORATE EDRMS**

Councillor Draycott submitted a report providing additional information for two Supported Schemes within the Capital Programme.

RESOLVED:

- (1) That the capital expenditure of £100,000 in each of the next three years for the ongoing maintenance of the Local Area Network infrastructure be approved, and
- (2) that the capital expenditure of £350,000 in 2005/06 and £250,000 in 2006/07 for the introduction of a corporate Electronic Document and Record Management System be approved.

### **239. CUSTOMER ACCESS STRATEGY**

Councillor Draycott submitted a report presenting the Council's Customer Access Strategy. In response to a Members question regarding the availability of services 'on line', the Service Director (IT and Customer Access) gave a commitment that 100% of the Council's services would be available 'on line' in 2006 in line with government's targets.

RESOLVED:

- (1) That the progress made since the Customer Care Best Value review in 2001 be noted, and
- (2) that the updated Customer Access Strategy be endorsed.

### **240. LOCAL AREA AGREEMENT**

Councillor Draycott submitted a report seeking the agreement of Cabinet to support an expression of interest through the Leicester Partnership to become one of the second phase of areas to enter Local Area Agreements with central government.

RESOLVED:

- (1) that an expression of interest, through the Leicester Partnership, for Leicester to take part in the second phase of areas entering into Local Area Agreements with central government be supported, and



- (2) that officers be asked to work with partners on developing improved methods of joint working on shared local priorities, irrespective of whether Leicester has a second phase Local Area Agreement.

#### **241. DISABILITY DISCRIMINATION ACT INITIATIVES 2005/2006**

Councillor Draycott submitted a report advising Cabinet of works recommended to be funded from the Disability Discrimination Act Initiatives budget for 2005/06, including the Access to Work portion of the budget and sought approvals to enable the programme to proceed.

Councillor Connelly requested that work be done to improve the signage with regard to disabled access to Jewry Wall museum,

RESOLVED:

- (1) That the works detailed in appendix 1 of the report, including the allocation of £20,000 to Access to Work and a sum of £17,750 in the event that urgent works are required in the light of complaints received be approved,
- (2) that the Corporate Director of Resources, Access and Diversity be authorised to order the works,
- (3) that the Corporate Director of Resources, Access and Diversity be authorised to seek all necessary consents,
- (4) that the Service Director of Legal Services be authorised to sign off any contracts (if necessary) to allow the work to proceed, and
- (5) that the Corporate Director of Resources, Access and Diversity be authorised to approve further works during the year as necessary or reassess or amend the programme, in consultation with the Lead Member for Property and Regeneration.

#### **242. 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.

#### OLD TOWN DEVELOPMENT PARTNERSHIP

##### Paragraph 7

Information relating to the financial or business affairs of any particular person (other than the authority)

And

##### Paragraph 8

The amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services

#### COMPULSORY PURCHASE OF 7 WYMAR CLOSE

##### Paragraph 12

Any legal proceedings by or against the authority or the determination of any matter affecting the authority whether in either case proceedings have commenced or are in contemplation

#### LEICESTER ASIAN YOUTH ASSOCIATION AND 27A ACCESS ARTS

### **243. OLD TOWN DEVELOPMENT PARTNERSHIP - PROGRESS UPDATE**

Councillor Willmott and the Chief Executive declared prejudicial interests in report B1 'Old Town Development Partnership - Progress Update' as Board members of the Leicester Regeneration Company and left the room for the duration of this item.

Councillor Draycott submitted a report seeking to reaffirm the City Council's commitment to the Development Partnership with the contractor as detailed in the report by extending the lock out agreement, and informed Members of the current situation regarding development of the emerging Phase 1 of the Partnership of St Augustines.

RESOLVED:

- (1) That the lockout be extended until either the Development Partnership Agreement is entered into with the developer, for the period detailed in the report or whichever is the earlier, to allow the developer to take forward proposals in

respect of the development of St Augustines,

- (2) that the area of land around the Magazine Gateway which is presently included in the area of the lockout agreement be excluded from the extended agreement in order that discussions with De Montfort University concerning their proposals for this area can proceed,
- (3) that the Corporate Director of Resources, Access and Diversity, in consultation with the Cabinet Lead Members for Regeneration and Property and Finance, be delegated authority to agree the following,
  - (a) to extend the lockout period as detailed in the report if circumstances arise which justifies such action,
  - (b) to agree terms for the exchange of lands at St Augustines, and
  - (c) that the Head of Legal Services be authorised to enter into the necessary arrangements.

#### **244. COMPULSORY PURCHASE OF 7 WYMAR CLOSE, BEAUMONT LEYS**

Councillor Bhatti submitted a report seeking agreement to the purchase of a property by Compulsory Purchase Order (CPO) to enable development of the Strasbourg Drive/Bishopdale Road site.

RESOLVED:

- (1) That the City Council declare and subsequently make a Compulsory Purchase Order pursuant to Section 226 (1) (a) of the Town and Country Planning Act 1990 as amended by Section 99 of the Planning and Compulsory Purchase Act 2004 for the purpose of development, redevelopment, or improvement on or in relation to the land and property known as 7 Wymar Close, Beaumont Leys, and that such development, redevelopment or improvement is likely to contribute to the achievement of the promotion of the economic, environmental and social well being of the area,
- (2) that confirmation of the order be subject to the Council being satisfied that there are no planning problems relating to the redevelopment proposals for the area in which the property in question is situated,
- (3) that the Corporate Director of Resources, Access and Diversity in consultation with the Corporate Director of Housing, be authorised to advertise the making of the order referred to in the report and to then take all relevant action to secure the confirmation of the order,

- (4) that the Corporate Director of Resources, Access and Diversity, in consultation with the Corporate Director of Housing be authorised:
  - (a) to agree terms to acquire the necessary interests within the CPO property and attached land, including those, if any, determined by the Lands Tribunal in consultation with the Cabinet Link for Housing,
  - (b) to make any further decisions required during and relevant to the CPO in consultation with the Cabinet Link for Housing to include those normally reserved to Cabinet, and
- (5) that the Head of Legal Services be authorised to prepare and execute all the necessary documentation required through the CPO process.

#### **245. LEICESTER ASIAN YOUTH ASSOCIATION AND 27A ACCESS ARTS**

Councillor Connelly submitted a report providing options for responding to requests from Leicester Asian Youth Association (LAYA) and 27a Access Arts (27A) for revenue funding after 31 March 2005. The report outlined the potential implications of these options. Comments from Councillors Coley and Karim on the proposals were circulated and considered by the Cabinet. Further to the report, it was noted that LAYA and 27a had responded positively to the options for funding detailed in the report and gave their commitment to continuing to work to become self sustainable.

Members noted the budget pressures in the Regeneration and Culture Department detailed in the report. Particular reference was made to the energy costs of £185,000 which Members felt should have identified at an earlier stage and provision made in this years budget.

The Cabinet supported the allocation of a one-off grant for 12 months to give LAYA and 27A the opportunity to continue to operate whilst working towards self sustainability. Officers were also requested to explore the potential for 27A to operate from alternative premises.

#### **RESOLVED:**

- (1) That the requests from the Leicester Asian Youth Association (LAYA) and 27A Access Arts (27A) for revenue funding after 31 March 2005 be supported by providing a further 12 months' funding at a reduced level of £57,100 to LAYA and £24,400 to 27A, the cost to be met from existing budgetary provision,
- (2) that the possibility of procuring some services which meet

corporate and departmental priorities be investigated for direct provision on a longer term basis, and

- (3) that Officers investigate the potential for 27A to operate from alternative premises.

#### **246. CLOSE OF MEETING**

The meeting closed at 6.25pm.