



Leicester
City Council

Minutes of the Meeting of the
CABINET

Held: MONDAY, 16 MAY 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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247. 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.

248. LEADER'S ANNOUNCEMENTS

New Administration

Councillor Willmott announced that in view of the intention of the Liberal Democrat and Conservative Groups to form a coalition at the Council meeting on 19th May 2005, the meeting would be the final one with a Labour Cabinet.

The Leader detailed the achievements of the Administration since it came to power in November 2004, and detailed the plans it had had for the future. Councillor Willmott, together with other Members of the Cabinet, expressed his disappointment that the Administration would not be able to continue with this work, and stressed the importance of the continuation of the regeneration of the City for the future, and his hope that this would continue.

Councillor Willmott and the Cabinet expressed the need for stability in the City Council in order that it could move forward with a number of important regeneration schemes, and retain the confidence of external partners and agencies. In order for this to happen, and for the issue of political control to be

determined, the Labour group was offering to resign all of its seats on the Council if other political parties did the same, in order for there to be a fresh election to allow the chance for one party to win an overall majority.

British Union for Abolition of Vivisection

Councillor Willmott announced that he had written to the British Union for Abolition of Vivisection, and that they were looking at the feasibility of having a definition of products which were not tested on animals specifically for Local Authorities.

Robson Rhodes

Councillor Willmott asked the Chief Executive when the report from Robson Rhodes into the finances of the Divisional Organisational Review in Education and Lifelong Learning would be available, and was informed that this would be available in draft form this week, and would need to be checked for accuracy before decisions were made on what could be made public.

249. MINUTES OF PREVIOUS MEETING

Councillor Kitterick clarified the costs of replacing road humps in Melbourne Road and surrounding side streets should read as follows:

Melbourne Road

Speed Humps - £216,000

Carriageway Reconstruction – £600,000

Surrounding side streets

Speed humps - £1,700,000

Carriageway Reconstruction - £2,300,000

RESOLVED:

That, subject to the above amendment, the minutes of the meeting held on 25 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 Connelly asked for an update on the work requested at the last meeting on improving the signage for disabled access to Jewry Hall museum, and was informed that this would be sent to him after the meeting.

250. MATTERS REFERRED FROM SCRUTINY COMMITTEES

Health and Social Care Scrutiny Committee (Social Care Stream) – 7 April 2005

The Committee resolved the following at the above meeting.

Electronic Social Care Records

- That Cabinet be urged to ensure that sufficient funding is put in place to ensure that an adequate back up system for the Electronic Social Care Records can be out in place.

Councillor Getliffe thanked the Scrutiny Committee for their comments and agreed that this system was crucial to the department and that it was important that an adequate back up system was in place.

RESOLVED:

That Cabinet give a further commitment that as a priority the necessary budgetary provision should be put in place to ensure the procurement of an adequate back up system.

Health and Social Care Scrutiny Committee (Health Stream) – 27 April 2005

The Committee resolved the following at the above meeting.

Primary Care Trust Budgets 2005/2006

- That Cabinet be asked to identify ways to ensure that the consideration of health provision and services is included in the consultation process for future residential developments in the City.

Councillor Willmott submitted a response describing the work undertaken to ensure the provision of health services within proposed residential developments.

RESOLVED:

That the range of work being undertaken by the Planning Service with regard to this matter be noted, and that this continue within the current working arrangements.

251. ST GEORGE'S NORTH AND SOUTH AREA STRATEGY GUIDANCE DRAFT SUPPLEMENTARY PLANNING GUIDANCE

Councillor Willmott submitted a report covering the preparation of Supplementary Planning Guidance (SPG) to the Local Plan for the St George's North and South area of the city centre, the new community Leicester Regeneration Company intervention area. It was noted that the Strategic Planning and Regeneration Scrutiny Committee had considered the report and supported the strategy, and the minute extract of the meeting held on 9th May had been circulated.

Councillor Willmott stated that he believed that this was an excellent piece of work, and that it should be endorsed and approved with two changes detailed

below.

RESOLVED:

That the guidance be adopted as Supplementary Planning Guidance to the City of Leicester Local Plan, subject to the following additions:

Add new paragraph 8.2.2

Linear Park

The Leicester Regeneration Company Development Framework also indicates two new green spaces, one on Wharf Street south and one between Bedford Street south and Dryden Street. These, together with existing green spaces and appropriate environmentally improved linking streets, could form the basis of a linear park, flowing through the area and giving improved access northwards to Abbey Park. Opportunities will be taken to bring this idea forward through the use of developer contributions and other funding sources. An indicative route is shown on Map 14.

Delete existing text of paragraph 8.3.2 and replace with the revised text

Lee Circle

As noted in Section 4, Lee Circle Car Park itself is visually intrusive, with the surrounding road inconsistent with and disruptive of the historic street pattern. It is the intention of the City Council to work towards the removal of Lee Circle Car Park and to see it replaced with an appropriate and well designed mix of open space and new development together with a new road alignment.

252. COMMUNITY SAFETY STRATEGY AND IMPLICATIONS FOR LEICESTER CITY COUNCIL

Councillor Corrall submitted a report providing an overview of community safety strategy for the period 2005-06 produced by the Leicester Partnership Against Crime and Disorder (LAPCD). The report further outlined the key objectives of the strategy in order to ensure that all partners contribute to reducing crime and the fear of crime within Leicester.

It was noted that a partnership approach was key to the success of this strategy, and it was hoped that the Crime and Disorder Partnership would continue to meet formally under the new administration.

RESOLVED:

That the Community Safety Strategy (April 2005 – March 2008)

be endorsed and recommended to Council for approval.

253. IMPLEMENTATION OF DECRIMINALISED PARKING ENFORCEMENT

Councillor Kitterick submitted a report recommending that the city council submits an application for Decriminalised Parking Enforcement (DPE) powers to the Secretary of State. These powers would enable the Council to take over responsibility from the Police Traffic Warden Service for enforcement of all of the parking restrictions in Leicester. The report had been considered by the Leisure and Environment Scrutiny Committee on 11th May and the minute extract was circulated. The tender return referred to in the report had also been circulated.

Councillor Kitterick drew attention to the need for Member involvement in the National Parking Adjudication Service Joint Committee, and stated that it was his view that as part of the process of the application for decriminalised parking a consultation exercise on the possible introduction of residents parking should take place.

RESOLVED:

- (1) that an application to the Secretary of State seeking DPE powers to enable taking over responsibility from the police for enforcement of all of the parking restrictions within the City be approved,
- (2) that it be agreed to proceed with DPE on the basis of applying the maximum permissible level of penalty charge notice, presently set at £60 (reducing to £30 if paid within 14 days),
- (3) that a contract be awarded to the approved specialist DPE consultant that meets the specification and provides best value for money,
- (4) that the Service Director for Highways and Transportation, in liaison with the lead member for Highways and Transportation, be authorised to enter into contracts and undertake all other activities necessary to implement DPE,
- (5) that prudential borrowing of up to £735,000 be authorised, this amount to be drawn down to cover expected spends on the set up costs and initial expenses over the 3 years from 2005/06, estimated at £640,000 together with a contingency of up to 15%,
- (6) that a further report be brought to Cabinet in due course on the detailed proposals for the introduction of residents parking schemes, and

- (7) that the Service Director, Legal Services, be authorised to enter into any contracts needed.

254. CAPITAL PROGRAMME 2005/06 - 2007/08 REGENERATION AND CULTURE - ADDITIONAL INFORMATION

Councillor Draycott submitted a report seeking Cabinet's approval for the Regeneration and Culture schemes in the Corporate Capital Programme 2005/06 to 2007/08 that required further detail for approval.

RESOLVED:

- (1) That the implementation of the three year programmes for Festive Decorations, Riverside and Replacement Astro turf Pitches as detailed in the supporting papers be approved, and the total Riverside allocation of £359,000 be noted,
- (2) that the first year (2005/06) programme for Local Environmental Works as detailed in appendix one be noted, and that before committing further expenditure a further report be requested (for Scrutiny for consideration and then Cabinet for a decision) detailing options for a full 3 year local environmental works programme,
- (3) that the implementation of the first year (2005/06) of the Bridge refurbishment and Kickabout areas as detailed in the supporting papers be approved, and that the programmes for the following two years be agreed in principle, subject to further papers providing appropriate detail,
- (4) that the implementation of the first year (2005/06) of the Adoption of Private Streets as detailed in appendix one be approved, and that that it be agreed that in year two of the programme that the remaining private streets on the waiting list for adoption be completed, and in year three any streets on the waiting list unable to have been completed in year two will be finished and any further new private roads will be adopted, and
- (5) that the schemes proposed for the city centre development detailed in appendix 4 be noted, and that the expenditure on preliminary design work for all the city centre schemes, together with the expenditure for the delivery of the schemes in Market Street, Hotel Street, St Martins, Loseby Lane forming part of the extension of New Walk totalling £1.74 million, and that further reports be submitted to future meetings of Scrutiny and Cabinet providing more detail on the schemes and tier programming and approval for spend for the two years 2006/07 – 2007/08.

255. CORPORATE CAPITAL PROGRAMME - OLDER PERSONS HOMES

Councillor Getliffe submitted a report seeking Cabinet approval of the proposals for the Maintenance and Improvement of Older Persons Homes as requested at the Council meeting on 31 March 2005.

RESOLVED:

- (1) That the release of £250,000 for the maintenance and improvement of Older Persons Homes in the 2005/06 Capital Programme be confirmed, and
- (2) that a further report be requested detailing proposed expenditure for 2006/07 and 2007/08 as and when additional funding becomes available.

256. TRADING ORGANISATIONS - 2005/2006 BUDGETS

Councillor Draycott submitted a report detailing all the Council's trading organisations and their 2005/06 budgets. The report also proposed an update to the schedule of determination to Finance Procedure Rules, which governs the percentage of surpluses the trading organisations are allowed to retain.

RESOLVED:

- (1) That the 2005/2006 budgets for the Council's trading organisations be approved,
- (2) that the revised level of surplus retention be approved as follows
 - Housing Maintenance 100%
 - Other Organisations 50%
- (3) that the schedule of determinations to the Finance Procedure Rules be amended to reflect (2), and
- (4) that the proposed policies in respect of the use of retained surpluses for each department be noted.

257. MAKE POVERTY HISTORY

Councillor Willmott submitted a report providing details of the Make Poverty History campaign and set out possible ways in which the Council could facilitate their work in Leicester to increase awareness of international development issues. Councillor Willmott also stated that he would be writing to all Groups to gain cross party support for the campaign.

The aims of the campaign were fully supported and it was moved by Councillor Waddington that all Councillors and Chief Officers be asked to contribute a

days pay to the campaign, as well as reminding staff of the ability to make donations through payroll deductions.

RESOLVED:

- (1) That support for the Make Poverty History campaign be expressed,
- (2) that the Council's facilitation of the work of the campaign in Leicester be supported, as far as is practicable, on the basis that the campaign is non political,
- (3) that the Overseas Links Working Party be asked to consider whether the Council should encourage Strasbourg and Krefeld to write to their national governments urging them to place international development higher up the agenda,
- (4) that all Councillors and Chief Officers be asked to donate a days pay to the campaign, and a report on how donations could be implemented come to the next meeting of Cabinet, and
- (5) that the Leader write to all political groups on the Council to gain cross party support for the campaign.

258. EDUCATION CAPITAL STRATEGY AND PROGRAMME 2005/06 TO 2007/08

Councillor Waddington submitted a report advising of the strategic challenges facing the Education and Lifelong Learning property portfolio with a view to prioritising available resources. The report had been considered by the Education and Lifelong Learning Scrutiny Committee at the meeting on 12 May 2005 and the minute extract had been circulated.

Councillor Willmott noted that only 50% of the one off allocation of £2.5 million for the primary sector approved in the revenue budget would be committed to the capital programme until the Lifelong Learning Division recovery plan had been completed.

RESOLVED:

- (1) that the level of resources available and in particular the changing profile of the capital allocations made available by the Government be noted,
- (2) that the overall capital programme as detailed in appendix a of the report be approved,
- (3) that the block expenditure detailed in paragraph 1.66 of the Supporting Information be approved,

- (4) that the Corporate Director of Education and Lifelong Learning be authorised to agree the allocations within each expenditure block in consultation with the Schools Forum and the Cabinet Lead for Education and Lifelong Learning, for projects up to £1 million in value,
- (5) that the use of future years schools modernisation allocations to underwrite unsecured funding for the Braunstone Primary School projects up to £3,950,000 be approved, and that the use of this funding for these projects if capital receipts cannot be secured be agreed,
- (6) that only 50% of the one off allocation of £2.5 million for the primary sector approved in the revenue budget be committed to the capital programme until completion of the Lifelong Learning Division recovery plan,
- (7) that a Targeted Capital bid be submitted to the DfES to rebuild Taylor Road Primary School, or to repair it if this bid is unsuccessful,
- (8) that a contribution of £1.25 million from the Central Maintenance Fund be agreed to meet part of the costs of Taylor Road school,
- (9) that the Western Park school should be sold and that the receipt should be used to support the special schools review and supplement the schools capital programme, and
- (10) that the capital receipts from the sale of Braunstone schools playing fields be used for the Braunstone primary schools project if Government consent is received.

259. NEW PRIMARY SCHOOLS FOR BRAUNSTONE

Councillor Waddington submitted a report asking Cabinet to consider the revised proposals for the new Primary Schools project, in particular the revised accommodation requirement and the revised costs and the proposal to change one school location from the original site at Benbow Rise Infant School site to the Crescent Junior Schools site. The report had been considered by the Education and Lifelong Learning Scrutiny Committee at the meeting on 12 May 2005 and the minute extract had been circulated. Councillor Willmottt thanked Officers for their work in preparing the report.

RESOLVED:

- (1) that the amalgamation at the revised cost be approved,

- (2) that the recommendations contained in a separate report on the agenda regarding the funding of the school be noted,
- (3) that the publication of statutory notices to close Benbow Rise Infant and Crescent Junior Schools at the end of the summer term 2007, and for a new primary school to be established on the Crescent Junior Schools site at the commencement of the autumn term 2007 be approved,
- (4) that the disposal of part of the Benbow Rise Infant site be authorised for sale on the open market for redevelopment (subject to obtaining statutory approval for the disposal of school playing fields),
- (5) that supplementary planning guidance for the disposal of the site prior to its marketing be authorised,
- (6) that the Town Clerk and Corporate Director of Education and Lifelong Learning, in consultation with the Cabinet Lead Member for Finance be authorised to select the preferred purchaser and subsequently agree the detailed terms for disposal,
- (7) that the Service Director, Legal Services, be authorised to enter into the formal documentation necessary to complete disposal, and
- (8) that the Town Clerk be authorised to procure the works in accordance with the Council's Contract Procedure Rules.

260. 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.

261. GLENFIELD TUNNEL REPAIRS

Councillor Willmott submitted a report seeking Cabinet consent for the release

of the first phase of funds to carry out repairs and strengthening of the Glenfield Tunnel to ensure the public's health and safety.

RESOLVED:

- (1) that the release of funds detailed in the 2005/06 capital programme be approved, for the clearance and inspection of the airshafts and re-measurement if the tunnel alignment, and
- (2) that Property Services then pursue options for the disposal of the tunnel, and in the event that these are unsuccessful seek the release of the additional funds in the 2006/07 capital programme for design and implementation of minimum strengthening works outlined in the supporting information.

262. CLOSE OF MEETING

The meeting closed at 6.25pm.