



Leicester  
City Council

Minutes of the Meeting of the  
CABINET

Held: MONDAY, 25 JULY 2005 at 5.00pm

P R E S E N T :

Councillor Scuplak - Chair

Councillor Coley  
Councillor Farmer  
Councillor Grant

Councillor Gill  
Councillor Metcalfe  
Councillor Mugglestone

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**62. 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.

**63. LEADER'S ANNOUNCEMENTS**

There were no Leader's announcements.

**64. MINUTES OF PREVIOUS MEETING**

RESOLVED:

That the minutes of the meeting held on 11 July, having been circulated to Members be taken as read and signed by the Chair as a correct record.

**65. MATTERS REFERRED FROM SCRUTINY COMMITTEES**

Strategic Planning and Regeneration Scrutiny Committee – 22 June 2005

The Committee resolved the following at the above meeting.

Update on Public Sector Relocation (The Lyons Review)

- That Cabinet be requested to set up a cross party working group and include relevant parties such as the Leicester Regeneration Company to

look at how the Council should go forward in 'selling' Leicester as a relocation choice for public sector departments.

Councillor Farmer reported that work was being done to attract investment into Leicester, and that work would continue with all relevant agencies on moving forward.

RESOLVED:

- (1) that the Cabinet express their commitment to pursuing relocations to Leicester and to supporting relocating organisations,
- (2) that a Member Working Group be established to assess how the Council should contribute to the promotion of Leicester as a relocation choice for public services,
- (3) that the Working Group comprise the Cabinet Lead for Outer-City Regeneration (Chair), the Cabinet Lead for City Centre Regeneration and the Strategic Planning and Regeneration Scrutiny Triumvirate, with invitations to participate to the Chief Executives of the Leicester Regeneration Company and the Leicester Shire Economic Partnership, and
- (4) that the Working Group complete their work with a view to presenting recommendations to the Cabinet by November 2005.

Resources and Equal Opportunities Scrutiny Committee – 27 June 2005

The Committee resolved the following at the above meeting.

Scrutiny In Depth Investigations

That Cabinet be asked to consider the following:

- that there be a stronger line on the resources which would be required to carry out investigations,
- that when an in depth investigation is set up, officers be required to give all information requested by a Scrutiny Committee unless there was a clear legal reason why this should not be the case, and
- that there should be an obligation on Cabinet to consider the findings of an in depth investigation, and for Cabinet Members to attend meetings of Scrutiny to explain their responses to Scrutiny's findings.

Councillor Grant reported that the resolutions of the Scrutiny Committee would be taken into account when the full report on the workings of Scrutiny was

presented to Council in September 2005.

RESOLVED:

- (1) that the current framework in place, through the political conventions, to deal with the concerns raised by the Resources and Equal Opportunities Scrutiny Committee be noted,
- (2) that the issues be incorporated into the review of scrutiny, the outcome of which is to be reported to September Council.

#### Resources and Equal Opportunities Scrutiny Committee – 27 June 2005

The Committee resolved the following at the above meeting.

#### Lifelong Learning Budget – Report of Independent Accountants

That the following points be referred to Cabinet:

- that there be a change in the arrangements for deciding whether a review can be carried out under delegated powers, such that Members have a greater input,
- that future reviews carry out a mapping exercise in order to understand where costs and savings are coming from and going to,
- that there be a change in procedure rules in order that Cabinet be formally obliged to consider the comments of Scrutiny, either by formal or informal mechanisms, and
- that the Committee be provided with details of the number of people across departments who had been trained in accordance with the Prince 2 project management standard, and how many of these were managing projects at any particular time.

Councillor Coley responded as follows:

- Involvement of Members in organisational reviews: on 13 June 2005, the Cabinet approved an action plan in response to the accountants' report which includes "Review Member role in future organisational reviews". The deadline is September
- Costs and savings mapping: this is already a requirement in appropriate reviews.
- Formal requirement for Cabinet to consider comments of Scrutiny: this could be addressed in the review of Scrutiny working methods which will soon return for further Member consideration.

- Details of Officers with Prince2 project management training: the Service Director (Property ) is compiling this to circulate to Committee Members.

RESOLVED:

That the responses be reported back to the Resources and Equal Opportunities Scrutiny Committee Members.

#### **66. ADULT MENTAL HEALTH INTEGRATION - EXTENSION OF PARTNERSHIP AGREEMENT**

Councillor Gill submitted a report seeking approval for extending the partnership agreement following the consultation exercise held in April 2005. The consultation took place with Social Care and Health staff employed by Leicester City Council under the terms of the partnership agreement for the Leicestershire Partnership NHS Trust (LPT).

It was noted that the preferred option for the majority of staff was the option to extend the partnership agreement for a further period of two years, this would mean seconded staff would remain as Leicester City Council employees until 1 April 2008 with a view to transfer to the employment of the Leicestershire Partnership NHS Trust at that time.

RESOLVED:

- (1) that the method and results of the consultation process be noted, with the majority of staff opting for the option to extend the partnership agreement by two years from 1 April 2006,
- (2) that the partnership agreement with Leicestershire Partnership NHS Trust, Leicestershire County Council and Rutland County Council be extended for a period of two years with effect from 1 April 2006, and,
- (3) that the Corporate Director of Social Care and Health be asked to conduct further consultation with staff in early 2007 about the transfer of staff into the employment of the Leicestershire Partnership NHS Trust under the provisions of the Transfer of Undertakings (Protection of Employment) Regulations 1981 and that the outcomes of consultation be reported to Cabinet in the summer of 2007 together with recommendations for the future of the integrated service.

#### **67. FESTIVALS AND EVENTS STRATEGY - CONSULTATION STRATEGY**

Councillor Mugglestone submitted a report seeking Cabinet approval to consult on the Festivals and Events Strategy – Consultation Draft and approval for the

Consultation Programme.

RESOLVED:

- (1) that the Festivals and Events Strategy – Consultation Draft be approved for consultation,
- (2) that the development of a revised and enhanced festivals and events programme over the next 3-5 years in support of the strategy be agreed in principle, subject to consultation,
- (3) that the consultation programme be approved,
- (4) that further reports be received in October and November 2005 following consultation with festival and event organisers, stakeholders and partners, and
- (5) that the virement of £57,000 from Sports to Arts be approved.

#### **68. EFFICIENCY REVIEW OF PROPERTY (CLABS)**

Councillor Coley submitted a report informing Cabinet of progress with the review currently being undertaken of Centrally Located Administrative Buildings (CLABS). Approval was also sought for the first phase of the implementation of the review and to the release of funding from the Capital Programme to facilitate the first phase. The two options available for the strengthening of New Walk Centre, and the advantages and disadvantages of these were outlined.

RESOLVED:

- (1) that a trial be undertaken of the polymer fibre method of strengthening New Walk Centre,
- (2) that the initial number of moves as set out in 2.2, 2.6, 2.10, 2.14, 2.16 and 2.20 of the supporting information to the report be approved, and
- (3) that expenditure of up to £4.395 million be authorised as detailed in the report to be funded by prudential borrowing, subject to approval by Council, this expenditure to be part of the provision for CLABs of £29.676 million approved in the corporate capital programme to be phased over 3 years.

#### **69. APPROVAL TO PROCEED TO THE NEXT PHASE OF THE PROPERTY HEALTH PROGRAMME**

Councillor Coley submitted a report seeking approval to expenditure of £2.55

million from the 'Resources for Premises' approved funding of £10 million.

RESOLVED:

- (1) That the release of £2.55 million of funds within the 'Resources for Premises' budget for the completion of the Property Health Programme be approved,
- (2) that expenditure of £600,000 from the £2.55 million to the Asbestos Programme over the next 3 financial years be approved, and
- (3) that authority be delegated to the Corporate Director of Resources, Access and Diversity in consultation with the Cabinet Member for Finance to agree any variations in the spend between the various elements.

## **70. BOWSTRING BRIDGE**

Councillor Scuplak reminded Members that part of the report, financial information relating to the estimated costs of various options for the work, was attached on the private agenda and that the information therefore should not be disclosed or discussed at the meeting.

Councillor Coley submitted a report originally deferred from the meeting of Cabinet on 11 July 2005 to allow consideration of new information regarding the Bowstring Bridge from the Great Central Railway plc.

Councillor Coley reported that the initial proposal from Great Central Railway had been unable to meet the timescale or the cost of the repairs that were needed. However, Great Central Railway had since proposed salvaging the reusable parts of the bridge and restoring it elsewhere with a view to using it to bring more trains back into Leicester. It was noted that this would be a good tourist attraction but the need to ensure safety meant that a decision on the future of the bridge needed to be taken as soon as possible.

RESOLVED:

- (1) that a firm decision be taken now, in view of the urgent need to address imminent safety issues, given the considerable time the Council has already allowed for people to come forward with alternative solutions,
- (2) that the Council give every further opportunity to those who wish to salvage the structure, subject to the overriding needs of safety,
- (3) that the demolition of the bridge be authorised, subject to:
  - (a) the deadline for final demolition be extended if possible

to give maximum time for this, providing continuing safety can be achieved at a relatively low cost within the approved budget,

(b) the Great Central Railway, or other appropriate interested party being given the opportunity within the safety deadlines to salvage the bridge, or parts of it for removal to their own site pending a decision about its future,

(4) that the funds allocated in the capital programme for 2005/06 to 2007/08 to undertake the demolition of Bowstring Bridge and make safe both sides of the viaduct exposed by such demolition works be released, and

(5) that the Head of Legal Services be authorised to enter into all necessary contracts and agreements arising out of the proposed demolition works.

## **71. PROPOSALS TO CHANGE THE STATUS OF AVENUE INFANT AND JUNIOR SCHOOLS**

Councillor Scuplak presented a report advising Cabinet of the outcome of the consultation on the proposal to amalgamate the Avenue Infant and Junior schools into an all through primary school and sought views as to whether Cabinet wished to take the proposal forward. The relevant minute extract from the Education and Lifelong Learning Scrutiny Committee held on 21 July 2005 had been circulated.

Councillor Scuplak stated that generally the Local Education Authority was in favour of all through primary schools, although acknowledged that there were both advantages and disadvantages with this. It was noted that if the proposals were agreed, there would be a further opportunity for written representations. If any representations were received, the proposals would be put before the Schools Organisation Committee.

### **RESOLVED:**

(1) that the proposed amalgamation of Avenue Junior and Avenue Infant Schools be supported,

(2) that statutory consultation on the proposal be progressed, and

(3) that under the provisions of Cabinet procedure rule 12d, the decision be considered urgent because of the need to ensure that any potential merger can be completed by the end of the 2005/06 academic year, and therefore that no 'call in' be allowed.

## **72. ANY OTHER URGENT BUSINESS**

The Chair agreed to take the following item as urgent business. The matter was considered urgent to ensure that any changes in the operational transport service to meet the needs of young people came into effect as soon as possible during the summer holidays.

## **73. COMMUNITY TRANSPORT**

Councillor Mugglestone submitted a report responding to a request from the Aylestone, Eyres Monsell and Freeman Area Committee that Cabinet consider using spare capacity in the operational transport fleet to assist with supporting summer activities for young people.

Councillor Mugglestone welcomed the proposals and stressed the need to ensure that changes to the scheme were publicised as quickly and as widely as possible, to ensure that the maximum number of schemes could benefit from the changes to the scheme. It was also agreed that the scheme would be revisited when the pilot had been completed to see whether the scheme could be extended during other school holiday periods.

RESOLVED:

- (1) that surplus capacity in the Operational Transport fleet be allocated to holiday play/youth schemes in Leicester City subject to the criteria set out in the report, and that Officers manage the scheme as a pilot to investigate need and operational requirements, and if the pilot is successful it could become a regular arrangement,
- (2) that the Corporate Director for Regeneration and Culture, in consultation with the Cabinet Lead Member for Regeneration and Culture review the administrative criteria and arrangements for deposits for this particular use, and
- (3) that the decision is considered urgent to ensure that the changes in the operational transport service to meet the needs of young people come into effect as soon as possible during the school summer holidays, and that Cabinet procedure rule 12d (that no call in be made if Cabinet decides when making a decision that the matter is urgent for specified reasons) shall apply.

## **74. 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.

ONE OFF INVESTMENT IN CULTURAL SERVICES

MAGAZINE GATEWAY – DMU PROPOSALS

**75. ONE OFF INVESTMENT IN CULTURAL SERVICES**

Councillor Mugglestone submitted a report seeking agreement to expenditure on specific capital schemes included in the 2005/06 programme of ring fenced investment in Cultural Services in advance of capital receipts being obtained, agreement to transfer 2 capital schemes in the main Capital Programme to the reserve programme to reduce levels of advanced commitment and agreement to a revised programme for both disposals and related investments.

Councillor Farmer requested that a presentation be given to the Aylestone, Eyres Monsell and Freeman Area Committee on the proposals.

RESOLVED:

- (1) that the commitment of capital expenditure of £750,000 in 2005/06 on the Museums Collection Service Facility as a stand alone 'spend to save' scheme and £455,000 on the extension of Saffron Hill Cemetery and the restoration of Welford Road Cemetery be noted,
- (2) that the commitment of capital expenditure in 2005/06 and 2006/07 of £1,530,000 on the replacement of the changing rooms, gym and track at Saffron Lane Athletics Stadium and Aylestone Leisure Centre, be authorised
- (3) that the planned expenditure of £1,230,000 on Kickabout Areas and Replacement Astro Turf Pitch be transferred to the reserve capital programme,
- (4) that an addition to the original programme of investments (approved by Cabinet in March 2004) of contributions to improvements at New Walk Museum and the refurbishment of Braunstone Park to be financed from savings achieved on other schemes be approved,
- (5) that the amended programme of disposals and investments, including an allowance for inflation as set out

in appendix 2 be approved, and

- (6) that the decision is considered urgent because of the need to lay the track at Saffron Lane Athletics Stadium before the winter and the need to select a successful tenderer to allow the work to be completed, and that Cabinet procedure rule 12d (that no call in be made if Cabinet decides when making a decision that the matter is urgent for specified reasons) shall apply.

## **76. MAGAZINE GATEWAY - DE MONTFORT UNIVERSITY PROPOSALS**

Councillor Coley submitted a report informing Cabinet of the De Montfort University's (DMU) proposals to carry out a scheme of major works to the ring road at the Magazine Gateway, and recommended the disposal of two areas of land to DMU, presently compromising adopted highway and public open space in order to facilitate these proposals.

RESOLVED:

- (1) that the two areas of land as shown marked A and B on the plan appended to the report be transferred to DMU on the terms outlined in the report.
  - that the disposal of areas A and B takes place subject to DMU obtaining a planning consent entering into a contract to carry out the proposed scheme as outlined in the summary to the report and the required Highway Stopping Up Order is confirmed
  - DMU bear the Council's legal costs incurred in this transaction
- (2) that the Corporate Director of Resources, Access and Diversity be authorised, in consultation with the Cabinet Leads for Regeneration and Property, to consider any objections received as a result of advertising the proposed disposal of public open space referred to in the supporting information to the report, and
- (3) that the Head of Legal Services be authorised to enter into all necessary contracts and agreements, including a conditional contract, arising out of this disposal process.

## **77. CLOSE OF MEETING**

The meeting closed at 6.51 pm.

