



Leicester  
City Council

Minutes of the Meeting of the  
CABINET

Held: TUESDAY, 5 SEPTEMBER 2006 at 5.00pm

P R E S E N T :

Councillor R Blackmore - Chair

Councillor Coley  
Councillor Grant  
Councillor Gill  
Councillor Mugglestone

Councillor Ramsdale  
Councillor Sandringham  
Councillor Smith  
Councillor Suleman

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**57. DECLARATIONS OF INTEREST**

Councillor Gill declared a personal and prejudicial interest in Appendix E, 'Review of Restriction of Hackney Carriage Licences' and left the meeting during discussion of the item.

**58. LEADER'S ANNOUNCEMENTS**

National Parkforce Award

The Leader congratulated the City Council's Parks staff on winning the new National Parkforce award, presented by the Commission for Architecture and the Built Environment – for its “significant impact” on preventing crime and anti-social behaviour in the city.

In the past two years, working together with the police and local communities, they had succeeded in achieving a 15 percent reduction in crime, particularly in arson attacks.

Leicester's parks team came top out of 138 council park services in the country. The Leader expressed the Cabinet's thanks and congratulations to them all.

Animal Friendly Policy

The Leader referred to the adoption by Cabinet in April this year of an Animal Friendly Purchasing Policy. He noted that research indicated that Leicester Council was the first local authority to develop such a policy and there was potential for the Council to gain “Beacon” status in this area. Already five local authorities had approached the Council stating their interest in following suit. He also noted that a Working Party led by Councillor Sandringham had been

working on the issue of policy implementation since April and had concluded that in order to progress this policy it would be necessary to input appropriate staffing support and the initial focus of this officer must be the implementation of the Animal Friendly Purchasing Policy. It was intended that they would also deal with other ethical and sustainability issues eg developing local supply links, reducing transport miles and packaging etc. The Leader reported therefore that he would be asking officers, led by Andy Keeling, to progress this matter and bring any matters to Cabinet as necessary.

#### Single Non Emergency Number - 101

The Leader reported the launch of the above service for all non emergency calls related to anti social behaviour.

#### New College GCSE Results

The Leader congratulated New College on its improvement reflected in its recent GCSE results.

### **59. MINUTES OF PREVIOUS MEETING**

#### **RESOLVED:**

that the minutes of the ordinary meeting held on 24 July 2006 and the special meeting held on 31 July 2006, having been circulated to Members, be taken as read and signed by the Chair as a correct record.

### **60. MATTERS REFERRED FROM COMMITTEES**

There were no matters referred.

### **61. RELATIONSHIP BETWEEN PLANNING LEGISLATION AND THE LICENSING ACT 2003**

Councillor Mugglestone submitted a report which aimed to clarify the relationship between Planning and the Licensing Act 2003 and to identify a future approach to managing the relationship between the two. Although it was recommended that the 2 regimes were best kept separate, Councillor Mugglestone reported that he had asked officers to look at ways of co-ordinating the enforcement aspects of the 2 regimes.

The relevant minutes extracts of the Licensing Committee on 8 June 2006 and the Planning and Development Control Committee on 20 June 2006 had been circulated to the Cabinet.

#### **RESOLVED:**

- (1) that the comments of Licensing Committee and Development Control Committee set out in Appendix 3 of the report be noted.
- (2) that the approach to managing the inter-relationship

between planning and licensing by dealing with them as two independent processes, as detailed in the report, be approved but officers give consideration to ways of co-ordinating the approach on enforcement matters; and

- (3) that the Corporate Director of Regeneration and Culture ensure that clear information is provided to applicants from premises subject to both regimes about the authorisations required, potential outcomes of their applications and the situation in respect of fees, to ensure there is no confusion about the inter-relationship between planning and licensing.

## **62. LOCAL DEVELOPMENT FRAMEWORK - ADOPTION OF STATEMENT OF COMMUNITY INVOLVEMENT**

Councillor Mugglestone submitted a report setting out the recommendations of the Planning Inspector following examination of the draft Statement of Community Involvement and presented a revised document for adoption by the City Council. The Statement of Community Involvement was a requirement of the new local development framework approach to the development plan process introduced by the Planning and Compulsory Purchase Act 2004.

RESOLVED:

that the Statement of Community Involvement be recommended to Council for adoption.

## **63. CLIMATE CHANGE: WHAT'S YOUR PLAN?**

Councillor Smith submitted a report seeking agreement to a way forward for developing renewed commitment from organisations and individuals in Leicester, including Leicester City Council, to taking action on Climate Change.

RESOLVED:

- (1) that the proposal to develop a Climate Change Action Plan for the City Council be approved and a further report received in early 2007, as detailed in Sections 1 and 2 of the report.
- (2) that approval be given to working with the Leicester Partnership to endorse and promote the "Climate Change: What's your Plan?" campaign, as detailed in Section 1 of the report; and
- (3) that a Cabinet sub group for Climate Change be established chaired by the Cabinet Lead for Community Safety and Housing, as detailed in Section 7 of the report, including Councillors R Blackmore, Mugglestone and

Ramsdale.

#### **64. REVIEW OF HOUSING ALLOCATION POLICY**

Councillor Smith submitted a report suggesting changes to the Housing Allocation Policy.

The relevant minute extracts of the Community Safety and Housing Scrutiny Committee on 3 August 2006 and 24 August were circulated to the Cabinet.

##### **RESOLVED:**

- (1) that time in need points be simplified and all points categories receive one point per month to a maximum of 24.
- (2) that the Council withdraws from the Homes Mobility Scheme.
- (3) that there be one higher level of points for shared facilities.
- (4) that underoccupation points be awarded for the number of bedrooms given up, at a rate of 125 points per bedroom.
- (5) that Officers bring forward new proposals for the assessment of low-level Access Health Care & Support.
- (6) that Unfitness points be deleted from the Allocation Policy.
- (7) that Age points be deleted from the Allocation Policy.
- (8) that Children points be deleted from the Allocation Policy.
- (9) that 5 points be awarded for families in upper floor accommodation and 5 points for families with no access to garden, households being eligible for either or both categories.
- (10) that Tower Block' points be deleted from the Allocation Policy.
- (11) that Low income points be deleted from the Allocation Policy.
- (12) that the allocation of all age-designated flats be harmonised so that it is first offered to applicants age 60 years and over with offers made by age bands reduced by 5 years until a suitable applicant be identified, the current policy for bungalows being retained.
- (13) that applicants who choose to downsize be allowed to

maintain their overcrowding and time in need points that reflect their current level of overcrowding.

- (14) that the points allocation limit, below which no property will be allocated, be reduced to 28.
- (15) that the proposed eligibility table as detailed at Appendix 15 of the report be approved; and
- (16) that the proposed Access Health Care and Support Assessment Criteria, as detailed at Appendix 16 of the report be approved as amended in that Appendix.

## **65. REVIEW OF RESTRICTION OF HACKNEY CARRIAGE LICENCES**

Councillor Mugglestone submitted a report asking Cabinet to review its policy on restricting the number of hackney carriage licences. He recommended that the current restriction continue as it was considered there was no unmet demand. However, Councillor Mugglestone referred to the lack of adequate taxi ranks in the City and in particular the need for ranks in the Shires Area.

The relevant minute extract of the Licensing Committee on 8 June 2006 had been circulated to Cabinet and it was noted that this Committee had suggested that bus stops could be used as taxi ranks after the end of bus service hours.

RESOLVED:

- (1) that the current restriction on the number of hackney carriage licences issued be continued.
- (2) that the Corporate Director of Regeneration and Culture be requested to commission a further study into the demand for hackney carriages within the next three years; and
- (3) that the Corporate Director of Regeneration and Culture investigate the possibility of using certain bus stops as taxi ranks after the hours of regular bus service operations.

## **66. FUNDING OF ANTI SOCIAL BEHAVIOUR SERVICE**

Councillor Gill submitted a report addressing the principle of transferring budgets with services as part of structural reviews. In particular, the report dealt with the Leicester Anti Social Behaviour Unit, recently transferred from Housing to Adult and Community Services.

RESOLVED:

- (1) that the decision of the Chief Executive that, in principle, re-organisations of departments and services should be supported by identifying a viable and transparent budget to

transfer with the activities be noted; and

- (2) that given the exceptional circumstances of this case, the residue of £353,000 be met by £170,000 from the Crime and Disorder Growth and £183,000 from the Housing Revenue Account.

## **67. RETIREMENT POLICY AND PROCEDURE**

Councillor Coley submitted a report seeking the Cabinet's agreement for the introduction of a Retirement Policy and procedure.

An addendum report and revised recommendations had been circulated.

RESOLVED:

- (1) that the normal Age Retirement for Leicester City Council employees be set at age 65 from 5 October 2006.
- (2) that all requests by City Council employees to continue working after the normal retirement age of 65 be approved as detailed at paragraph 10 of the Policy, this only applying to age related retirement purposes.
- (3) that the Retirement Policy specified at paragraph 1.6 in the supporting information report, as amended by the addendum report, be approved.
- (4) that in response to paragraph 3.1 in the supporting information report, corporate Health and Safety be requested to develop a policy for health assessments; and
- (5) that it be noted that the policy will be reviewed after 12 months in operation or sooner, subject to any developments in legislation and/or decided cases.

## **68. APPLICATION OF DISCRETION UNDER THE LOCAL GOVERNMENT PENSION SCHEME (LGPS)**

Councillor Coley submitted a report setting out policy proposals based on discretions available to the Council under the Local Government Pension Scheme (LGPS) and related regulations.

Comments from T&GWU, UNISON and the Teachers Consultative Committee had been circulated to the Cabinet.

Officers clarified that the current premature retirement provisions were discretionary and not part of terms and conditions of employment.

The Chair referred to a number of meetings of the Employees (Early Retirements) Committee where Members had expressed concern at the costs

of early retirement particularly from schools. It was noted that the proposals being recommended would bring to an end the process for 'added years' to be awarded and in terms of school based staff, retirement decisions would in future be taken by the Schools Forum and any costs arising funded from the school's budget.

RESOLVED:

- (1) that the position of the Trade Unions be noted.
- (2) that the new policy proposal on "Added Years" and/or compensation as set out in paragraph 1 (ii) of the report be approved.
- (3) that approval be given to not pursue recovery from employees who have benefited from the previous decision to waive employee pension contribution after 40 years service.
- (4) that approval be given to allow the discretion on flexible retirement but develop further criteria on the business reasons that should apply and not to fund any costs that may be incurred in allowing the discretion unless there is an agreed business case.
- (5) that approval be given to continuing to apply the policy of not allowing augmentation; and
- (6) that the above changes be implemented on 6 October following a one month notice period as required under the Local Government Pension Scheme, or earlier if changes in the law require it, to apply to all employees subject to Local Government and Teachers Pension Schemes.

## **69. BRAUNSTONE HALL**

Councillor Coley submitted a report seeking approval from Cabinet to not agree an extension of the agreement for lease to Braunstone Community Association (BCA), and to market Braunstone Hall for disposal by way of a long lease.

RESOLVED:

that the Corporate Director of Resources be authorised to not agree an extension of the agreement for lease of the Hall to Braunstone Community Association, and to subsequently market Braunstone Hall for disposal by way of a long lease on terms to be determined in consultation with the Cabinet Lead member for Resources and Corporate Issues.

**70. BRAUNSTONE PARK / SPINNEY HILL PARK HERITAGE LOTTERY FUND BID**

Councillor Mugglestone submitted a report updating Cabinet on the current status of the Braunstone Park Heritage Lottery Fund project and asking Cabinet's approval for an alternative application to the Heritage Lottery Fund for Spinney Hill Park.

It was noted, with regard to the recommendation for match funding, that if the property sales on which this relied did not happen or did not realise the level of receipt anticipated, then the proposal would either not be able to go ahead or funding would need to be found from another source.

**RESOLVED:**

- (1) that the suspension of the Braunstone Park Heritage Lottery Fund project be noted with regret.
- (2) that the development and submission of a grant application to the Heritage Lottery Fund for Spinney Hill Park be noted; and
- (3) that approval be given for match funding of £420,000 one-off investment from the 2007/08 Capital programme, together with £120,000 from the sale of land on the park to Leicestershire Police Authority being earmarked for future development of the Spinney Hill Park as agreed at Cabinet on 2 February 2004.

**71. CLOSE OF MEETING**

The meeting ended at 5.51 pm.



