



Leicester
City Council

Minutes of the Meeting of the
CABINET

Held: MONDAY, 12 MARCH 2007 at 5.00pm

P R E S E N T :

Councillor R Blackmore - Chair
Councillor Scuplak - Vice-Chair

Councillor Coley
Councillor Gill
Councillor Grant

Councillor Mugglestone
Councillor Ramsdale
Councillor Sandringham

Councillor Smith

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202. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Suleman.

203. 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 Act applied to them.

No declarations were made.

204. LEADER'S ANNOUNCEMENTS

Bicentenary of the Abolition of the Slave Trade 1807

The Leader referred to this month marking the Bicentenary of the Abolition of the Slave Trade in 1807. He reported that today the Black Workers' Group had hosted a conference to commemorate the long struggle for freedom. The Leader thanked the Black Workers' Group and their Chair Jos Johnson, and Professor Baroness Lola Young OBE, the keynote speaker, for their contribution to the event and added that he was proud that Leicester born Elizabeth Heyrick was part of the abolition campaign 200 years ago.

The Leader also referred to the Sankofa Walk (a west African word "to learn from the past and make the future better") which was to take place this summer from London to Bristol, Liverpool and back to London. He noted that on 5 July 07 walkers would pass along the Grand Union Canal to the Martyrs Church in Westcotes Drive to deliver an apology, including to African Caribbean

community leaders. He remarked that we all need to remember this struggle for justice, and to continue it in different ways today.

Highcross Quarter

The Leader reported that the Highcross Quarter topping out ceremony had taken place on Friday – a major milestone for the city and signal to the region and the country.

Abbey Park Mower

The Leader reported that the first mowing of the year on Abbey Park had taken place earlier than usual this year, a very visible piece of evidence here in Leicester that climate change was happening on our doorstep.

205. MINUTES OF PREVIOUS MEETING

RESOLVED:

that the minutes of the meeting held on 19 February 2007, having been circulated to Members, be taken as read and signed by the Chair as a correct record.

206. MATTERS REFERRED FROM COMMITTEES

Resources and Corporate Issues Scrutiny Committee – 11 January 2007 St Gabriels' Community Centre

The following was agreed at the above meeting.

“That officers be requested to make the Cabinet aware of the current position of the Community Centre and the services it proposes to undertake in the future”.

Councillor Gill reported that Cabinet Members had received the report on St Gabriel's Community Centre and received a briefing on the current position. He thanked the Scrutiny Committee for their comments.

207. AREA COMMITTEE EXPENDITURE

Councillor Sandringham submitted a report that sought Cabinet endorsement of spending proposals by Area Committees

RESOLVED:

that the expenditure proposals in Appendix A of the report be approved.

208. LEICESTER CITY COUNCIL'S CLIMATE CHANGE ACTION PLAN - PART 1: MITIGATION

Councillor Smith submitted a report that identified how Leicester City Council could contribute to the reduction of both its own direct greenhouse gas

emissions and those of the city as a whole, in order that Leicester could make its contribution to reducing the effects of Climate Change, and implement its agreed Climate Change Strategy.

RESOLVED:

- (1) that the actions listed in Appendix 1 of the report which is Part 1 of the Climate Change Action Plan and deals with reducing greenhouse gas emissions (mitigation), be adopted.
- (2) that a further report on how the Council and City should prepare to adapt to the inevitable climate changes (adaptation), be received.
- (3) that in order to give the best likelihood of the Council achieving the EMAS targets relating to its own CO₂ emissions, the need to aim for the following targets be recognised:-

A CO₂ impact assessment should be made for all new or replacement buildings and for service delivery changes showing the cost of achieving further reductions.

All Council buildings which replace existing ones should, as a minimum, aim to produce 50% less emissions than the ones they replace, to be achieved by a mix of energy efficiencies and generation or purchase of renewable energy.

All new developments should aim to be 'carbon neutral' to be achieved by a mix of energy efficiencies and the generation or purchase of renewable energy.

All proposals to relocate existing functions or provide new (i.e., additional) services must not adversely affect EMAS targets on emissions arising from vehicle fleet, customer mileage, staff business mileage and staff commuting and the impact on Travel Plan Policies must be considered as part of the business case for the change and the impact on customer travel must also be assessed.

- (4) that a further report on the implications of committing the Council's existing buildings to be all carbon neutral by 2012 (to match Central Government's target for its own "estate") and the issue of "carbon offsetting" be received.
- (5) that a fee based Schools Energy Agency to offer a technical service to Governing bodies to implement energy measures as part of their efficiency planning and linked to the education of children be created.

- (6) that the following service developments be noted:-
- the creation of a permanent post of Better Buildings Officer when Neighbourhood Renewal Funding funds expire.
- the Appointment of a Climate Change Officer to prepare Part 2 of the Action Plan (adaptation) and ensure implementation of Parts 1 and 2
- the Commissioning of specialist advice on the cost and benefits of extending the Council's existing Combined Heat and Power Schemes and the procurement options.
- (7) that heavier investment from the Partnership in enabling other organisations to prepare their own Climate Change Action Plans be encouraged; and
- (8) that an annual report and review of the Climate Change Action Plan be received.

209. CENTRAL LEICESTERSHIRE LOCAL TRANSPORT PLAN 2006 TO 2011 - CAPITAL PROGRAMMES 2007/08

Councillor Mugglestone submitted a report asking Cabinet to approve for recommendation to Council proposed 2007/08 Local Transport Plan Integrated Transport and Capital Maintenance Programmes.

The relevant minute extract from the Highways and Transportation Scrutiny Committee on 8 March 2007 was also circulated to Cabinet.

RESOLVED:

- (1) that the programme of works for 2007/08 as set out in Appendix A and B of the report be recommended to Council for approval.
- (2) that the priorities for spending the road safety grant as set out in the report be approved.
- (3) that, subject to approval of the Corporate Capital Programme, it be noted that the whole programme is designated as one in which the director is authorised to reallocate resources on grounds of operational efficiency; and
- (4) that such reallocation as detailed in (3) above shall only be carried out after consultation with the Cabinet Lead, and be reported subsequently to the Cabinet and Scrutiny

Committee.

210. CULTURAL QUARTER PHASE 2 - THE NEW DIGITAL MEDIA CENTRE

Councillor Scuplak submitted a report seeking approval to support work on a Digital Media Centre as part of the Cultural Quarter within the St George's Area and for recommending to Council its inclusion in the Capital Programme. It was noted however that the scheme could only proceed following a further detailed report to and decision of Cabinet.

RESOLVED:

- (1) that Council be asked to agree to the addition of £19.741m to the capital programme, of which the Council's cash input will be £2.52m.
- (2) that no expenditure be committed on the project until Cabinet considers a further detailed report, other than on development work and fees prior to letting the construction contract.
- (3) that further expenditure on fees only be spent with the authority of the Corporate Director of Regeneration and Culture, in consultation with the Chief Finance Officer.
- (4) that it be noted that revenue funding for the scheme, including the impact of prudential borrowing, was reflected in the Council's budget strategy for 2007/08 to 2009/10, as approved by the Council on 21 February.
- (5) that the timetable given in table 8 of the supporting information to the report be agreed.
- (6) that an environmental impact assessment be carried out as part of the project design, taking onboard the recommendations from the 'Climate Change – What's your plan' report; and
- (7) that the considerable amount of detailed technical and legal work still to be completed, the resolution of which will be part of the subsequent report be noted.

211. CASTLE GARDENS AND STONEYGATE CONSERVATION AREA CHARACTER APPRAISALS

Councillor Scuplak submitted a report that requested Cabinet to approve the adoption of the Character Appraisals for Castle Gardens and Stoneygate as supplementary guidance to the Local Plan and for Cabinet approval to amendments to the boundaries of the Castle Gardens and Stoneygate Conservation Areas. Cabinet was also asked to approve the proposed change of name from Castle Gardens Conservation Area to 'Castle Conservation Area'.

The relevant minute extract from the Planning and Development Control Committee on 6 March 2007 was also circulated to Cabinet.

RESOLVED:

- (1) that the comments received from property owners as set out in Tables 1 and 2 in Appendix 1 to the report be noted and that the responses and/or actions taken in respect of each be approved.
- (2) that the Character Appraisals be adopted as supplementary guidance to the City of Leicester Local Plan.
- (3) that the proposed amendments to the boundaries of the Castle Gardens and Stoneygate Conservation Areas be approved.
- (4) that the proposed change of name from Castle Gardens Conservation Area to 'Castle Conservation Area' be approved; and
- (5) that the Town clerk be authorised to make and advertise the Article 4(1) Direction for Talbot Lane, and be authorised to forward the Directions to the Secretary of State for confirmation.

212. COMMUNITY COHESION ASSESSMENT INSTRUMENT

Councillor Blackmore submitted a report that sought support and guidance from Cabinet for taking forward, in consultation with partners, a new Community Cohesion Assessment Instrument which would inform and support the implementation and development of the council's community cohesion strategy. Councillor Blackmore thanked De Montfort University for their contribution to this work.

RESOLVED:

- (1) that as part of a range of approaches to understand and evaluate community cohesion in Leicester, and if appropriate, the three cities in the East Midlands, the Council and its partners adopt and make available for use the Boeck Instrument.
- (2) that opportunities be sought for funding from Government such as the Department for Communities and Local Government Tackling Criminal Extremism Fund, and for working with the Institute of Community Cohesion to supplement Area Committee funding.
- (3) that all Area Committees be asked to engage with local

residents based on the Boeck instrument; and

- (4) that the views of Scrutiny Committee Members on implementation and evaluation be sought

213. COMMUNITY COHESION PROGRAMME REVIEW REPORT

Councillor Blackmore submitted a report that drew Cabinet's attention to the Community Cohesion Programme Review Report and which highlighted some of the achievements that had been delivered through the Community Cohesion Programme.

RESOLVED:

that the findings of the report be noted.

214. CORPORATE CAPITAL PROGRAMME 2007/2008

Councillor Coley submitted a report that asked the Cabinet to recommend to Council an updated corporate capital programme for the period 2005/06 to 2007/08 based on the Council's Capital Strategy. He noted that the report was yet to be considered by the Resources and Corporate Issues Scrutiny Committee at its meeting on 15 March and he would be happy to consider any comments they wished to make.

RESOLVED:

- (1) that the capital programme shown at Appendix A to the report be recommended to Council.
- (2) that the following schemes (in accordance with financial procedure rule 5.4.1) be agreed as ones in which a decision on the details of the scheme is reserved to Cabinet (to the extent that a decision has not yet been made). These are:

Renewal and Replacement of centrally located administrative buildings (CLABS)

Local Environment Works

DDA Programme

- (3) that it be recommended to Council that the schemes on the Reserved List in Appendix B to the report can only proceed subject to a further approval by Cabinet with regard to the detailed implementation of the scheme, and subject to funding being available.
- (4) That the following be designated as service resources for the purposes of this programme (being resources which fall outside the scope of the corporate programme): -

housing capital receipts;

housing, education and transport elements of the Single Capital Pot;

profits made by the Housing Maintenance DSO;

capital grants awarded by central government for specific purposes;

third party contributions;

departmental revenue contributions.

- (5) that Council be recommended to determine that the Integrated Transport, Roads Maintenance and Decent Homes Standards groups of capital schemes are deemed to be capital programme areas within which corporate directors are permitted to reallocate resources on grounds of operational efficiency for the purposes of financial procedure rule 5.1.
- (6) That in connection with the Finance Procedure Rules: -
 - (a) a decision limit of £250,000, being the limit above which directors need to seek Cabinet approval for changes to the capital programme which would otherwise be delegated to them, be approved
 - (b) Council be recommended to approve a decision limit of £1 million, being the amount below which the Cabinet can make changes to the programme, provided the revenue impact can be met from other budgets within the Cabinet's virement limit; and
- (7) that it be noted that the above limits apply to the capital programme as a whole, not just the corporate capital programme, and that they are unchanged from previous years.

215. REVENUE BUDGET 2006/2007 MONITORING - PERIOD 9

Councillor Coley submitted a report that showed a summary position that compared spending with the budget and highlighted the significant budget issues that had arisen so far.

RESOLVED:

- (1) that the changes made to the original approved budget for 2006/07 be noted.

- (2) that the expenditure to date and the budgetary issues which have emerged so far this year be noted; and
- (3) that the proposals put forward to ensure that spending is contained within the Departments' budget be noted.

216. CAPITAL PROGRAMME 2006/2007 MONITORING PERIOD 9

Councillor Coley submitted a report that updated Members on the progress of the capital programme for 2006/07 up to the end of December 2006.

RESOLVED:

- (1) that a revised level of programmed expenditure of £99.043 million be approved.
- (2) that the level of expenditure to the end of December 2006 of £59.5 million be noted
- (3) that the position relating to capital receipts be noted
- (4) that it be noted that the forecast capital programme performance is 90% of the approved budget, and that this matches the target set; and
- (5) that the prudential indicators for 2006/07 be noted.

217. IMPLEMENTATION OF SMOKE-FREE LEGISLATION IN LEICESTER

Councillor Mugglestone and Councillor Gill submitted a report that outlined the legislative restrictions on smoking from 1 July 2007 and the preparations being taken to discharge the City Council's regulatory responsibilities in Leicester.

RESOLVED:

- (1) that the broad framework for implementation of Smoke-free legislation in Leicester be endorsed.
- (2) that the powers introduced by this legislation be delegated to the Corporate Director of Regeneration and Culture, who will make arrangements for these powers to be exercised by relevant officers on his behalf; and
- (3) that a Smoke-free Regulatory Policy be developed and submitted to Cabinet for approval prior to 1 July 2007.

218. FINDINGS OF MALADMINISTRATION BY THE LOCAL GOVERNMENT OMBUDSMAN

Councillor Coley submitted a report setting out the findings of the Local Government Ombudsman following the investigation into a complaint that the Council failed to stop unauthorised use of business premises.

RESOLVED:

- (1) that the Ombudsman's recommendations be recommended to Council for approval.
- (2) that a report be made to the Ombudsman within three months on the progress that has been made to ensure that the conditions attached to the consent are made; and
- (3) that it be noted that steps have been taken to ensure that the minutes of the Planning and Development Control Committee do include a summary of reasons for decisions taken, particularly when they are contrary to the initial officer recommendations.

219. SCHEME OF DELEGATION

Councillor Coley submitted a report that provided Cabinet with a routine summary of decisions made at Corporate Director level in consultation with Cabinet Leads and updated Cabinet's Scheme of Delegation so as to comply with the current CPA "Use of Resources" improvement plan.

RESOLVED:

- (1) that the summary of decisions made at Corporate Director level in consultation with Cabinet leads as summarised in Appendix A to the report be noted; and
- (2) that the Town Clerk be authorised to amend the text of cabinet's current Scheme of Delegation to show that the Cabinet Lead of Resources has responsibility for asset management.

220. GOOD PRACTICE GUIDELINES FOR A POLICY DEVELOPMENT PROCESS

Councillor Blackmore submitted a report that set out a good practice model for corporate policy development, as requested by the Equality Stakeholder Scrutiny Group, chaired by Councillor Sandringham.

RESOLVED:

- that the policy development process be endorsed and promoted as an example of good practice.

221. ANIMAL FRIENDLY PURCHASING POLICY

Councillor Sandringham submitted a report that informed the Cabinet of a request for resources by the Chair of the Animal Friendly Working Group.

RESOLVED:

- (1) that approval be given for the use of £5,000 from corporate reserves this year to enable the immediate recruitment to a post of Ethical and Sustainable Procurement officer.
- (2) that approval be given for £35,000 per annum in 2007/08 budget (£17.5k R&C reserves, £17.5k corporate reserves) to pay for this post for that year.
- (3) that support be given for a growth bid coming forward in the 2008/9 budget strategy process to support this post on an on going basis, if it has been able to demonstrate its success; and
- (4) that this post be located in the Environment Team in Regeneration & Culture to enable it to be embedded into the European procurement project and other sustainability work carried out by that team.

222. ANY OTHER URGENT BUSINESS

The Leader reported that he had agreed to accept an item referred to the Cabinet by the Aylestone, Eyres Monsell and Freeman Area Committee at its meeting on 15 February 2007. The reason for urgency was to allow the scheme referred to by the Committee to progress.

223. MATTER REFERRED FROM COMMITTEE - LEICESTER SOUTH AREA PROFILE, SUMMARY AND BACKGROUND INFORMATION

It was noted that at its meeting on 15 February 2007, the Aylestone, Eyres Monsell and Freeman Area Committee had agreed the following:-

“That cabinet be requested to ask officers to continue the work on a regeneration scheme for the area”.

Councillor Scuplak responded to the referral and supported the need for localised regeneration schemes. This view was supported by the Leader.

224. CLOSE OF MEETING

The meeting ended at 5.55pm.

