



Leicester
City Council

Minutes of the Meeting of the
CABINET

Held: MONDAY, 23 JUNE 2008 at 1.00 pm

P R E S E N T :

Councillor Willmott- Chair
Councillor Osman - Vice-Chair

Councillor Aqbany
Councillor Connelly
Councillor Kitterick

Councillor Bhatti
Councillor Cooke
Councillor Wann

ALSO IN ATTENDANCE

Councillor Gill – Liberal Democrat Group
Councillor Mugglestone – Leader of the Conservative Group

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15. DECLARATIONS OF INTEREST

Members were asked to declare any interests that they had in the business to be discussed and/or indicate that Section 106 of the Local Government Finance Act 1992.

Councillor Gill declared that he had been lobbied by the owner in relation to report B1, 62-64 New Walk.

16. LEADER'S ANNOUNCEMENTS

There were no Leader's announcements.

17. MINUTES OF PREVIOUS MEETING

RESOLVED:

that the minutes of the Cabinet meeting held on 2 June 2008, having been circulated to Members, be taken as read and signed by the Chair as a correct record.

18. MATTERS REFERRED FROM COMMITTEES

There were no matters referred from Committees.

19. THE LEICESTER (CONSOLIDATION) TRAFFIC REGULATION ORDER 2006 (AMENDMENT) COLUMBINE ROAD ORDER 2008

Councillor Kitterick submitted a report concerning a proposal for a Traffic Regulation Order, the effect of which would close Columbine Road in Humberstone Ward.

Councillor Willmott noted that this type of decision was usually taken by officers, but as there was a large amount of public interest it was being referred to the Cabinet. There was, he noted, a need to consider all technical aspects of the issue as well as the level of public opinion which included the question of public judgement.

Councillor Kitterick gave the meeting details of the background to the report. He noted that Columbine Road was a cul-de-sac before 2005 and that residents wouldn't have known to query whether this would always be the case. A housing developer at the time went through the correct procedure to open the road up and this was put in place. A local land charges search to the Council, when a property in the area was purchased, wouldn't have shown that the road was due to open up unless the question was specifically asked. He also noted that there was a balance of opinion in the local area as to whether the road should be kept open or be closed off.

He then detailed the reasons for keeping the road open, which included that there was a legal agreement in place. He then further detailed the reasons why the road should be closed and this included the views of some local Councillors and a Member of Parliament as well as local residents. He also noted that there had been no formal objections from any of the emergency services or bus companies at the proposal to close the road. The closure would create better facilities for pedestrians and cyclists. He noted that the Ward Councillor, Councillor Potter was opposed to closing the road, but consideration would be given to extending a taxi service to those unduly affected by the closure and to finding suitable alternative bus routes in the area. He therefore urged his Cabinet colleagues to support closure of the road.

A number of queries were raised by Cabinet Members. It was queried whether the road was originally designated as a through road or a cul-de-sac. Councillor Kitterick explained that originally two separate developers built up to the existing cycle track, but it had never been joined up once further houses had been built. There was however an agreement between the Council and a later developer in 2000 that would mean the road being linked up, but he wasn't aware that this was widely advertised, if at all. It was expected by residents largely that there would be two cul-de-sacs abutting the cycle track.

A further query was raised with regard to the views of the emergency services and the bus operators, and whether there was an alternative route for them. Councillor Kitterick noted that officers were in discussion with bus operators for alternative routes. It was also proposed to extend an existing taxi service for people who needed it. There was no formal objection raised by the emergency services but it was noted that there were some slight concerns.

A query was raised with regard to the type of closure that would be installed. The Head of City Development noted that his would be bollards in the road to stop cars but cyclists and pedestrians would still have suitable access.

RESOLVED:

that the objections be overruled and that the Traffic Regulation Order be confirmed.

20. COMMUNITY INFRASTRUCTURE FUND (ROUND 2) APPLICATION

Councillor Kitterick submitted a report that informed Cabinet about the Community Infrastructure Fund 2 (CIF2), the Council's applications and its potential financial commitments of CIF2 should the scheme applications be successful.

Councillor Kitterick noted that the proposals in the report would help particularly with delivering residential development in the waterside area, which was an area of great potential but lacking in the required infrastructure.

Councillor Mugglestone queried whether the affordable housing associated with the Pennbury eco-town would be located in the city's regeneration areas. Councillor Kitterick noted that as part of the Pennbury development, the Co-op would put money to assist with creating mixed communities in the city's regeneration areas which was useful in such projects where the profit margins were smaller.

RESOLVED:

- (1) that the opportunities of the fund, the benefits of the schemes and potential financial commitments to the Council should they be successful, be noted; and
- (2) that the schemes detailed in the report, be taken forward for consideration for funding from the City Council's Capital Funds and New Growth Point.

21. 'PUTTING PEOPLE FIRST' - TRANSFORMING ADULT SOCIAL CARE IN LEICESTER

Councillor Cooke submitted a report that briefed Cabinet on the shared vision for transforming Adult Social Care as set out in 'Putting People First – A Shared Vision and Commitment to the Transformation of Adult Social Care' (December 2007).

Councillor Cooke noted that this was a radical agenda and would require a great deal of changes to the way in which the Council worked, particularly in focussing on delivering the individual needs of each service user.

RESOLVED:

- (1) that the shared concordat on policy for transforming Adult

Social Care as set out in 'Putting People First', be adopted;

- (2) that a team be established to undertake the work and programme manage the Putting People First Programme;
- (3) that the Cabinet Member Lead for Adults and Older People will be the Programme's Senior Responsible Owner;
- (4) that the Cabinet receive a further report on the implications arising from the National Individual Budget Pilot Evaluation and also at key project milestones.

22. FOURTH QUARTER PERFORMANCE REPORT 2007/08

Councillor Willmott, in Councillor Draycott's absence, submitted a report that presented the performance of the Council and its Partners in delivering services to citizens during the fourth quarter of 2007/08.

Councillor Willmott thanked those officers whose performance was at a high level. He noted that where there were problems in some areas, action would be taken to address them, but this would generally take some time.

RESOLVED:

- (1) that those areas demonstrating continuous improvement in performance be recognised; and
- (2) that the fourth quarter performance results be reviewed and the need for special action for areas of concern be considered.

23. TRRANSFORMING LEICESTER CITY COUNCIL

Councillor Willmott submitted a report that sought the release of an initial £200,000 from the Service Transformation Programme allocation identified in the Budget Strategy 2008/2011 that would enable work to continue to develop the programme that would allow the Council to play its role in delivering 'One Leicester'.

RESOLVED:

- (1) that the framework set out in the report be agreed as a starting point for developing the Transformation Programme;
- (2) that £200,000 be released from the Service Transformation Programme allocation in the Budget Strategy 2008/2011 to resource the initial work.

24. REPLACEMENT OF STANDBY GENERATOR AT NEW WALK CENTRE

Councillor Willmott submitted a report that sought approval to the purchase of a replacement standby generator to serve New Walk Centre.

Councillor Mugglestone raised a query regarding the specifications of the generator. The Chief Finance Officer undertook to respond to Councillor Mugglestone outside of the meeting.

RESOLVED:

that the Cabinet approves the purchase of a replacement emergency generator to be funded within the Centrally Located Administrative Buildings financing budget.

25. CORPORATE PROCUREMENT STRATEGY 2008/09 TO 2010-11

Councillor Willmott submitted a report that sought Cabinet approval to the Corporate Procurement Strategy for 2008/09 to 2010/11.

RESOLVED:

- (1) that the Corporate Procurement Strategy be approved;
- (2) that a 3 year increase in the resources available for procurement be approved, amounting to £60,000 per annum for 3 years, to be funded from the £2m set-aside for service transformation; and
- (3) that the implementation of any increase in establishment be deferred until such time as decisions are made about the delivery of the One Leicester programme.

26. 2007/08 CAPITAL PROGRAMME MONITORING - OUTTURN

Councillor Willmott submitted a report that showed the outturn position of the 2007/08 capital programme.

RESOLVED:

- (1) that the level of expenditure to the end March 2008 of £114.2 million, be noted;
- (2) that the position in relation to capital receipts be noted;
- (3) that the capital programme performance of spend, 88% of the approved programme (excluding any additions or expenditure brought forward) compared to a target of 90%, be noted;
- (4) that the prudential indicators for 2007/8 be noted; and
- (5) that Council be requested to vary the limit associated with the Cabinet's discretion to revise the capital programme. For the purpose of finance procedure rule 5.3.3, approval of a higher decision limit of £5m is proposed, being the amount below which Cabinet can make changes to the

capital programme, subject to the revenue impact of changes in the programme being containable within the Cabinet's virement limit.

27. REVENUE OUTTURN 2007/08

Councillor Willmott submitted a report that showed the financial summary outturn position comparing spending with the budget for all General Fund Services and the Housing Revenue Account (HRA).

RESOLVED:

- (1) that the final outturn for 2007/08 for each department and the Council as a whole, be noted;
- (2) that the reasons for the variances between the 2007/08 budget and the final outturn, be noted;
- (3) that the position of the Council's General Fund and HRA balances, be noted;
- (4) the position in respect of significant earmarked reserves, be noted;
- (5) the proposals for the use of under spends, be noted;
- (6) that the virements detailed in section 5.3 of the report, be approved;
- (7) the following changes to earmarked reserves, be approved:-
 - redesignation of Resources Department reserves (para. 7.5.3);
 - creation of new reserves (paragraph. 11.19);
- (8) the following reserve transfers which are required to fund the programme to Transform Leicester's Learning, be approved:-
 - The use of the Children and Young People's departmental underspend in 2007/08 (paragraph 7.2.1);
 - Redirection of funding for equal pay settlements in schools, to enable the correct technical treatment of a planned use of schools block reserves (paragraph 16.4);
- (9) the earmarking of sums toward the management and administration costs of equal pay and job evaluation as outlined in paragraph 8.4 of the report, be approved;
- (10) the earmarking of £0.3m from LABGI monies to facilitate

economic regeneration as outlined in paragraph 8.5, be approved.

28. COUNCIL TAX- POLICE AUTHORITY CAPPING

Councillor Willmott submitted a report that outlined the possibility that the Police Authority's budget may be capped which would change the level of the Police Authority's council tax.

RESOLVED:

that Cabinet requests Council to approve proposals to delegate authority to the Chief Finance Officer to calculate the revised total tax payable in Leicester should the Police Authority's tax change as a consequence of Government capping, and to proceed with the rebilling of Council taxpayers; and recommends to Council that the Council's own budget should not change in the event of capping.

29. DECISIONS BY INDIVIDUAL CABINET MEMBERS

Councillor Willmott submitted a report that asked the Cabinet to consider whether and what decisions they may wish to delegate to individual Cabinet Members and the procedure that would be required.

Councillor Willmott indicated that this power would only be used on rare occasions and decisions would be countersigned by himself.

RESOLVED:

- (1) that individual Cabinet Members be given delegated authority to take decisions within their portfolios which would otherwise need to be made by the Cabinet;
- (2) that each decision be subject to the Leader indicating written support for each decision;
- (3) that cross-portfolio decisions be subject to approval by all relevant Cabinet Leads;
- (4) that the report on which each such decision is based be published five clear days in advance as for other decision making reports;
- (5) that the other practical arrangements described in paragraphs 3.3 to 3.5 be established; and
- (6) that indemnity and insurance cover be extended as in paragraph 3.6.

30. 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 and taking all the circumstances into account, it is considered that the public interest in maintaining the information as exempt outweighs the public interest in disclosing the information.

Paragraph 3

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

62-64 NEW WALK

2005/06 HOUSING BENEFIT AND COUNCIL TAX BENEFIT
FINAL SUBSIDY CLAIM

31. 62-64 NEW WALK

Councillor Willmott submitted a report setting out options for the Council with regard to taking further action or not in respect of 62-64 New Walk.

RESOLVED:

that the exercise of the buyback option be approved and the following be granted:-

- (1) authority for the repurchase to proceed at the price detailed in the report, exclusive of VAT, and for the Service Director, Legal Services to put in place all necessary documentation;
- (2) authority to additional capital expenditure, as detailed in the report, to be financed from prudential borrowing under the spend to save rules to be financed by future capital receipts; and
- (3) in view of the need for a response by 28th June 2008, the Cabinet 5 day call in procedure be waived.

32. HOUSING BENEFIT SUBSIDY

Councillor Willmott submitted a report.

RESOLVED:

That Cabinet approves the recommendations as set out in the report.

33. CLOSE OF MEETING

The meeting closed at 2.00pm.

