



Leicester  
City Council

Minutes of the Meeting of the  
CABINET

Held: MONDAY, 14 JULY 2008 at 1.00 pm

P R E S E N T :

Councillor Willmott- Chair  
Councillor Osman - Vice-Chair

Councillor Aqbany	Councillor Bhatti
Councillor Connelly	Councillor Cooke
Councillor Dempster	Councillor Draycott
Councillor Kitterick	Councillor Wann

ALSO IN ATTENDANCE

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

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**34. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Follett.

**35. DECLARATIONS OF INTEREST**

Members were asked to declare any interests they may have in the business on the agenda and/or declare that Section 106 of the Local Government Finance Act applied to them. No such declarations were made.

**36. LEADER'S ANNOUNCEMENTS**

Councillor Willmott welcomed the recent White Paper, 'Communities in Control,' in particular the relaxation of the Widdicombe Rules regarding political restrictions on certain posts. He also welcomed the announcement that funding had been earmarked for strengthening voluntary sector leadership. He stated that the Council had already embraced aspects of 'double devolution', whereby communities were more empowered.

Councillor Willmott also stated that the Minister for Communities and Local Government had announced £270 million towards affordable housing, and that a report would be received by Cabinet in the future regarding how the Council could utilise some of this funding.

### **37. MINUTES OF PREVIOUS MEETING**

RESOLVED:

That the minutes of the meeting of the Cabinet held on 23 June 2008 be confirmed as a correct record.

### **38. MATTERS REFERRED FROM COMMITTEES**

The Town Clerk reported that there were no matters referred from Committees.

### **39. CODE OF CONDUCT FOR ELECTED MEMBERS**

The Service Director, Democratic Services, gave a presentation regarding changes to the Code of Conduct for Elected Members and the new procedures for dealing with complaints regarding Elected Members. He outlined issues relating to personal and prejudicial interests, gifts and hospitality, dealing with confidential information, and the new responsibility for a local authority's Standards Committee to investigate complaints about Members.

Sheila Brucciani, Independent Chair of the Standards Committee was present, along with Mary Ray, Independent Member of the Committee, to answer Members' questions. Mrs Brucciani circulated fact sheets on the matters discussed. With regard to Members' interests she stated that personal interests relating to memberships of outside bodies where appointed by the City Council or membership of any other body exercising functions of a public nature should only be declared if a Member wished to speak on a matter relating to that body.

Councillor Willmott thanked Mrs Brucciani for her attendance at the meeting and stated that the Cabinet had a duty to uphold standards as an example to the rest of the Council.

RESOLVED:

That the contents of the presentation and the fact sheets be noted.

### **40. INSPECTION BY OFSTED OF LEICESTER CITY COUNCIL FOSTERING SERVICE 2008**

Councillor Dempster submitted a report that advised on the outcome of the Ofsted inspection of the Leicester City Council Fostering Service during the week beginning 25 February 2008.

Officers were congratulated for the outstanding success of the inspection and noted that it was an exceptional achievement to receive an outstanding rating against each of the six categories inspected.

RESOLVED:

- 1) That the report from OFSTED regarding Leicester City Council's Fostering Service be noted.

- 2) That the positive comments of the Overview and Scrutiny Management Board be noted.
- 3) That the Cabinet congratulates all those involved in making the service successful.

#### **41. REVIEW OF THE MANAGEMENT OF CHILDREN'S CENTRES**

Councillor Dempster submitted a report that informed Cabinet of progress in developing Children's Centres, the approach adopted for the management of the centres and the procurement process to secure the external management of nine of the centres.

Councillor Willmott stated that the arrangements outlined in the report were excellent and that it was necessary to review the management in order to ensure the Centres were able to deliver. He also stated that Children's Centres were important in addressing the inequalities agenda.

RESOLVED:

That Cabinet:

- 1) Notes the progress made in developing Children's Centres.
- 2) Notes the approach that the Children and Young People's Services have adopted for the management of the Centres.
- 3) Notes the procurement process in place to secure the external management of 9 of the 23 centres.
- 4) Notes the comments of the Overview and Scrutiny Management Board.

#### **42. SECONDARY BEHAVIOUR SUPPORT SERVICE**

Councillor Dempster submitted a report that informed Cabinet of the planned remodelling of the Secondary Behaviour Support Service.

Councillor Willmott stated that this service was an important part of raising standards within the City's schools, and that it was important to reduce permanent exclusions.

RESOLVED:

That Cabinet:

- 1) Notes the contents of the report.
- 2) Notes the proposed re-modelling of the Secondary Behaviour Support Service.

- 3) Notes the intention to submit a bid for DCSF funding for the operation of a pilot project of alternative education provision, in line with one of the proposed options for delivery in the Government's White Paper – Back on Track (May 2008).
- 4) Approves the use of the former Cherryleas site by the Secondary Behaviour Support Service, to create an Assessment and Intervention Centre and approve the necessary expenditure for conversion work to the building, as outlined in Section 5 of the report.
- 5) Approves the addition of the scheme to the CYPS Capital Programme at an estimated cost of £600,000, to be funded at this stage by Basic Need Pupil Places allocation which is a service resource.
- 6) Notes the positive comments made by the Overview and Scrutiny Management Board.

#### **43. TRANSFORMING LEICESTER'S LEARNING PLAN**

Councillor Dempster submitted a report that sought Cabinet's approval of the current forecast additional costs of the Transforming Leicester's Learning Plan and the proposed sources of funding for the period Autumn 2007 to July/August 2009.

Councillor Willmott stated that the report represented significant levels of investment in the City's schools and showed the Council's commitment to turning education provision around in the City. He congratulated officers for their work and asked for the proposals to be implemented as soon as possible.

RESOLVED:

That Cabinet:

- 1) Notes the comments of the Overview and Scrutiny Management Board.
- 2) Approves the identified costs and the proposed funding package as set out in the report.
- 3) Notes that the spending and funding will be closely monitored, and assessments made of whether the additional financing has a commensurate impact on school improvement and improvement outcomes.

#### **44. DEMOLITION OF FORMER MUNDELLA COMMUNITY COLLEGE, WYCOMBE ROAD, LEICESTER**

Councillor Kitterick submitted a report that informed Cabinet of urgent action taken by the Corporate Director of Resources in consultation with the Leader,

Portfolio Cabinet Member and Chair and Vice-Chair of the Overview and Scrutiny Management Board with regard to the demolition of the former Mundella Community College.

Members stated that they welcomed the demolition as it was an eyesore and was needed to facilitate regeneration of the area.

RESOLVED:

That Cabinet notes the urgent action taken by the Corporate Director of Resources in consultation with relevant Members to authorise the expenditure of £510,000 for the demolition of the former Mundella Community College buildings using Prudential Borrowing Spend to Save monies to be repaid following completion of the sale of the site.

#### **45. FEASIBILITY STUDY - GRANBY STREET SUBWAY GATEWAY**

Councillor Kitterick submitted a report that outlined the options for improving the link between the station, city centre and business quarter that had been appraised.

Opposition Leaders questioned the recommendation to close the subway, stating that it could lead to more accidents on the road crossing, and that the subway had not been identified as a particular safety concern. They also asked if a cycleway could be provided through the subway. They recognised the unsuitability of the subway for people with mobility difficulties.

Councillor Kitterick responded that, although some people may be inconvenienced by the proposal, it was important to create a good first impression of the city upon visitors' arrival from the station. He stated that the cumulative effect of a better impression of the city to investors and employees, would, in time, cover the cost of the proposed work. He stated that the current subway was very difficult for some people to negotiate due to the steep gradient, and that this would also cause problems for cyclists, who would have to take the subway at speed. Barriers would be required if a cycle way was installed, and this would add to the unwelcoming feel of the subway.

Councillor Willmott stated that he welcomed the proposal to close the subway, as it was an important part of the Council's 25 year vision.

RESOLVED:

That Cabinet identifies Option 4 in the report – provide a direct 'at grade' crossing by filling in the subway – as their preferred option.

#### **46. ESTABLISHING A NEW ECONOMIC DEVELOPMENT COMPANY FOR LEICESTER AND LEICESTERSHIRE**

Councillor Kitterick submitted a report that sought Cabinet's approval of the principle of establishing a City Development Company across Leicester and Leicestershire, as called for in the One Leicester Sustainable Community

Strategy. He stated that this was a Majority Group manifesto commitment and was supported by the Governments' view of regeneration.

In response to the Overview and Scrutiny Management Board's comments, Councillor Kitterick stated that the early appointment of a chief executive was necessary to drive forward the implementation of the project and would enable the new Chief Executive to mould the organisation in a way that would work best. It was recommended, therefore, that the title of Chief Executive remain. Issues of performance related pay would be considered at a later stage. He stated that there was a willingness between the City, County and District councils to work together on the issue.

RESOLVED:

That Cabinet:

- 1) Endorses the principles, direction of travel and functionality of the Economic Development Company (EDC) as outlined in the report.
- 2) Agrees to the establishment of the EDC as set out in the work programme detailed at 5.14 of the report including the early appointment of a Chief Executive to be responsible for driving this programme forward and leading the new organisation.
- 3) Considers a further report before March 2009 formally launching the EDC.

#### **47. DOG CONTROL ORDERS**

Councillor Wann submitted a report that advised Members of the recommendations made during public consultation on the proposed Dog Control Orders and sought approval to commence the legal process to introduce the Orders in the city.

RESOLVED:

That Cabinet:

- 1) Agrees appropriate Dog Control Orders for the city as set out in the report.
- 2) Requests the Service Director, Legal Services, to remove cycle tracks from the schedule to the Dog Exclusion Leicester City Council Order 2008 as outlined in paragraph 4.5 of the report.
- 3) Agrees an implementation date of 1 September 2008.
- 4) Requests that the Corporate Director of Regeneration and Culture makes the necessary arrangements for the implementation and subsequent enforcement of these Orders,

including authorisation of relevant council officers.

- 5) Requests that the Corporate Director of Regeneration and Culture be delegated to consider any future representations and be authorised to make amendments to the existing Dog Control Orders as outlined in paragraph 4.12 of the report.

#### **48. EXTENDING DISTRICT HEATING AND CHP IN CENTRAL LEICESTER**

Councillor Wann submitted a report that described how extending the network of district heating schemes would achieve transformation of Leicester into Britain's Sustainability City.

Members expressed their support for the proposal due to the impact it would have on the carbon emissions in the City. Discussion took place regarding the type of fuel that would be used and it was noted that the possibility of using Council-produced flock was being investigated. It was noted that the Overview and Scrutiny Management Board had requested that a task group be set up to investigate the matter, and this was supported by Cabinet Members.

RESOLVED:

That Cabinet:

- 1) Supports the principle of implementing the Scheme as set out in the report to extend district heating and the use of combined heat and power in central Leicester and that a private sector led approach is chosen as the preferred delivery mechanism.
- 2) Authorises expenditure of up to £100,000 for a Project Manager and technical advice from the provision of £400,000 for combined heat and power, approved as part of the corporate capital programme by Council on 27 March 2008.
- 3) Authorises work to commence with partners on the design of procurement exercises and that a further report be brought to Cabinet on the specific details of what the Council will 'buy', before expressions of interest are formally sought from the market. In particular, the specifics need to resolve:
  - whether or not it is technically more efficient to procure individual meters as part of the same process, whilst ensuring that this does not jeopardise the fundability of the scheme;
  - the extent to which the second project is incorporated within the approach to the market, without making any form of pre-commitment at this stage.

#### **49. CREATION OF THE 2008-09 PROCUREMENT PLAN**

Councillor Willmott submitted a report that sought Cabinet's approval of the

procurement plan for 2008/09.

RESOLVED:

That Cabinet

- 1) Approves the forward plan of procurement activities as set out in Appendix 1 of the report.
- 2) Notes that the plan will be reviewed from time to time.
- 3) Notes that actual procurement activity will be monitored against the plan by the Select Committee.
- 4) Notes that on 21 April 2008 Cabinet reserved to itself the decision to let contracts in excess of the EU thresholds.
- 5) In accordance with the Scheme of Delegation to individual Cabinet Leads approved at the Cabinet meeting on 23 June 2008, approves the delegation of the letting of individual contracts included in this Procurement Plan (as may be amended from time to time).
- 6) In respect of decisions to spend area based grant, delegates approval to the Director of Partnership, Performance and Policy to enter into contracts, in consultation with the Chair of Leicester Partnership Executive Board, subject to subsequent reporting to Cabinet of contracts let.

**50. THE COUNCIL'S INFORMATION MANAGEMENT STRATEGY - 'MAKING INFORMATION WORK'**

Councillor Willmott submitted a report that outlined the Council's first Information Management Strategy.

RESOLVED:

That Cabinet:

- 1) Agrees the aims and objectives of the first Information Management Strategy 2008-2011.
- 2) Agrees the priorities and outcomes in Appendix A of the report.

**51. CORPORATE GOVERNANCE: ANNUAL REPORT FOR 2007/08**

Councillor Willmott submitted a report that enabled compliance with the requirements of the Council's Corporate Governance Code and reported the position regarding Local Ombudsman complaints.



Members considered the recommendations of the Audit and Standards Committees, particularly in relation to the recommendations regarding publicising the whistleblowing and anti-fraud and corruption policies.

RESOLVED:

That Cabinet authorises the Service Director, Legal Services, to produce a final form of Corporate Assurance Statement in consultation with the Council's Leader and Executive.

## **52. ANY OTHER URGENT BUSINESS**

### Service Director Posts

Councillor Willmott submitted a report that proposed a way forward for the recruitment to the vacant post of Service Director (Business Improvement) and sought approval for the establishment of the post of Head of Programme and Change Management and to agree a way forward for its recruitment.

The report was considered urgent due to the need to expedite the appointment of the post in order to prepare the organisation for the strategic programmes and projects necessary to support the One Leicester Vision. The post needed to align such programmes with the budget process and service planning processes which were due to start imminently.

RESOLVED:

That Cabinet:

- 1) Approves the addition to the establishment of the post of Head of Programme and Change Management.
- 2) Approves the funding as shown in the report.
- 3) Supports the Employees Committee's decision of 13 June 2008 to re-title the Service Director, Business Improvement as a Director of Human Resources and update the job description for this post to ensure it properly enables current strategic and corporate priorities to be delivered.

## **53. 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).

ENDERBY AND BIRSTALL PARK AND RIDE INCLUDING ST NICHOLAS PLACE BUS STOPS

SOUTHFIELDS JOINT SERVICE CENTRE OUTLINE

CONTRACTING WITH THE VOLUNTARY SECTOR 'GRANT AID CONTRACTS'

**54. ENDERBY AND BIRSTALL PARK AND RIDE INCLUDING ST NICHOLAS PLACE BUS STOPS**

Councillor Kitterick submitted a report that outlined progress on Park and Ride and sought approval to jointly commission (with the County Council) the construction of the Enderby Park and Ride car park site and bus service.

RESOLVED:

That Cabinet approves the recommendations as set out in Paragraph 3 of the report.

**55. SOUTHFIELDS JOINT SERVICE CENTRE OUTLINE BUSINESS CASE**

Councillor Draycott submitted a report that sought approval of the proposals for a Joint Service Centre on the site of former schools at Southfields Drive providing facilities for a range of council and health services under a Local Finance Improvement Trust scheme, and approval of the submission of the Outline Business Case for obtaining PFI credits.

RESOLVED:

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

**56. CONTRACTING WITH THE VOLUNTARY SECTOR 'GRANT AID CONTRACTS'**

Councillor Willmott submitted a report about the re-provision of services currently and historically contracted under 'grant aid contracts' with the voluntary sector as from 1 April 2009.

Members asked if there was opportunity for organisations to be moved into different categories for the contracts and officers replied that waivers could be given outside Cabinet under delegated powers, should Cabinet choose to not

block waivers.

RESOLVED:

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

**57. CLOSE OF MEETING**

The meeting closed at 2.15pm.

