



Leicester
City Council

MEETING OF THE CABINET

DATE: MONDAY, 9 MARCH 2009

TIME: 1PM

**PLACE: TEA ROOM, TOWN HALL, TOWN HALL SQUARE,
LEICESTER**

Members of the Cabinet

Councillor Willmott (Chair)

Councillor Osman (Vice-Chair)

Councillors Aqbany, Bhatti, Connelly, Cooke, Dempster, Draycott,
Kitterick, and Wann

Members of the Cabinet are invited to attend the above meeting to
consider the items of business listed overleaf.

for Town Clerk

MEMBERS OF THE PUBLIC:

**YOU ARE VERY WELCOME TO ATTEND TO OBSERVE THE PROCEEDINGS.
HOWEVER, PLEASE NOTE THAT YOU ARE NOT ABLE TO PARTICIPATE IN
THE MEETING.**

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Leicester City Council
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INFORMATION FOR MEMBERS OF THE PUBLIC

ACCESS TO INFORMATION AND MEETINGS

You have the right to attend Cabinet to hear decisions being made. You can also attend Committees, as well as meetings of the full Council.

There are procedures for you to ask questions and make representations to Scrutiny Committees, Area Committees and Council. Please contact Committee Services, as detailed below for further guidance on this.

You also have the right to see copies of agendas and minutes. Agendas and minutes are available on the Council's website at www.cabinet.leicester.gov.uk or by contacting us as detailed below.

Dates of meetings are available at the Customer Service Centre, King Street, Town Hall Reception and on the Website.

There are certain occasions when the Council's meetings may need to discuss issues in private session. The reasons for dealing with matters in private session are set down in law.

WHEELCHAIR ACCESS

Meetings are held at the Town Hall. The Meeting rooms are all accessible to wheelchair users. Wheelchair access to the Town Hall is from Horsefair Street (Take the lift to the ground floor and go straight ahead to main reception).

BRAILLE/AUDIO TAPE/TRANSLATION

If there are any particular reports that you would like translating or providing on audio tape, the Committee Administrator can organise this for you (production times will depend upon equipment/facility availability).

INDUCTION LOOPS

There are induction loop facilities in meeting rooms. Please speak to the Committee Services Officer at the meeting if you wish to use this facility or contact them as detailed below.

General Enquiries - if you have any queries about any of the above or the business to be discussed, please contact Heather Kent in Committee Services on (0116) 229 8816 or email Heather.Kent@leicester.gov.uk or call in at the Town Hall.

Press Enquiries - please phone the Communications Unit on 252 6081

PUBLIC SESSION

AGENDA

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are asked 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 applies to them.

3. LEADER'S ANNOUNCEMENTS

4. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 16 February 2009 have been circulated to Members and the Cabinet is asked to approve them as a correct record.

5. MATTERS REFERRED FROM COMMITTEES

6. REPORT OF THE ENVIRONMENT AND SUSTAINABILITY TASK GROUP - EXTENDING DISTRICT HEATING AND COMBINED HEAT AND POWER IN CENTRAL LEICESTER

Appendix A

Councillor Russell, Member of the Environment and Sustainability Task Group submits, on behalf of the Leader of the Task Group, a report that provides the findings of the Task Group investigation into the contract specification and performance criteria for the proposed new district heating and combined heat and power scheme. Cabinet is asked to support the recommendations in the report.

A minute extract from the meeting of the Overview and Scrutiny Management Board on 12 February 2009 is attached.

7. EXTENDING DISTRICT HEATING AND COMBINED HEAT AND POWER IN CENTRAL LEICESTER

Appendix B

Councillor Aqbany submits a report that reviews the options available at the end of Stage One of the Project for "Extending District Heating and Combined Heat and Power in Central Leicester", and describes the outcomes of each of these options in terms of impact on the City Council's objectives. Cabinet is asked to approve the recommendations as set out in Paragraph 3 of the report.

A minute extract from the meeting of the Overview and Scrutiny Management Board on 5 March 2009 will be circulated as soon as it is available.

8. **THE EMPTY HOMES STRATEGY - COMPULSORY PURCHASE OF 40 UPPINGHAM ROAD, 42 UPPINGHAM ROAD AND 22 OSMASTON ROAD** [Appendix C](#)

Councillor Aqbany submits a report that proposes that compulsory purchase orders are made on three long standing empty homes. Cabinet is recommended to make Compulsory Purchase Orders (CPO) under s17 Housing Act 1995 on the land and dwellings, as outlined in Appendix D of the report, in order to secure their improvement, proper management and occupation as residential dwellings; and to authorise the necessary capital expenditure from the Housing Capital Programme.

Please note that the supporting information to the report contains exempt information and is attached for Members only, at the end of the agenda. These papers are marked 'NOT FOR PUBLICATION'. The information in these papers will be exempt as defined in paragraphs 1,2 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended and it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. The information therefore must not be disclosed or discussed at the meeting. Should Members wish to refer to any of these details it is recommended that the meeting move into private session.

9. **CHILDREN AND YOUNG PEOPLE'S CAPITAL PROGRAMME 2009-10 TO 2011-12** [Appendix D](#)

Councillor Dempster submits a report that seeks approval for a 2 year 0-19 Integrated Capital Strategy. Cabinet is asked to approve the recommendations as set out in Paragraph 3.2 of the report.

A minute extract from the meeting of the Overview and Scrutiny Management Board on 5 March 2009 will be circulated as soon as it is available.

10. **DEDICATED SCHOOLS GRANT OUTTURN AND SCHOOLS BALANCES 2007/08** [Appendix E](#)

Councillor Dempster submits a report that provides details of the Schools Revenue Outturn 2007/08. Cabinet is asked to approve the recommendations as set out in Paragraph 3.3 of the report.

A minute extract from the meeting of the Overview and Scrutiny Management Board on 5 March 2009 will be circulated as soon as it is available.

11. **BUSM AFFORDABLE HOUSING - NEW GROWTH POINT FUNDING** [Appendix F](#)

Councillor Kitterick submits a report that indicates progress on a proposed

affordable housing scheme at BUSM at Ross Walk and recommends the inclusion of the New Growth Point funding allocation of £2 million in the Council's capital programme. Cabinet is requested to note this report and approve the inclusion of the New Growth Points funding of £2 million for the BUSM housing scheme in the Capital Programme over the 09/10 10/11 period.

A minute extract from the meeting of the Overview and Scrutiny Management Board on 5 March 2009 will be circulated as soon as it is available.

12. ON-STREET PARKING - ANNUAL REPORT [Appendix G](#)

Councillor Kitterick submits a report that informs Members of actual income and expenditure for 2007/08 and gives a breakdown of where surplus income was spent. Cabinet is asked to approve the recommendations as set out in Paragraph 3.1 of the report.

13. CITY OF LEICESTER LOCAL PLAN: SAVED POLICIES [Appendix H](#)

Councillor Kitterick submits a report that informs Members of the Secretary of State's Direction on the local plan policies that are saved beyond January 2009 and seeks Council endorsement of the changes to the adopted Local Plan. Cabinet is asked to note the Secretary of State's Direction and recommend that Council adopt the changes to the Local Plan.

14. ESTABLISHMENT OF SUB-REGIONAL ECONOMIC DEVELOPMENT ARRANGEMENTS AND ECONOMIC DEVELOPMENT COMPANY [Appendix I](#)

Councillor Kitterick submits a report that updates and seeks Cabinet approval to complete the establishment of the new sub-regional economic development arrangements (including emda Sub-Regional funding programme, Multi Area Agreement and Support Unit) and Leicester and Leicestershire Economic Development Company (EDC). Cabinet is asked to approve the recommendations in Paragraph 3 of the report.

A minute extract from the meeting of the Overview and Scrutiny Management Board on 5 March 2009 will be circulated as soon as it is available.

15. PARTNERSHIP ARRANGEMENTS FOR PROVIDING CARE MANAGEMENT SERVICES FOR PERSONS WITH SUBSTANCE MISUSE PROBLEMS [Appendix J](#)

Councillor Cooke submits a report that seeks Cabinet approval of setting up of revised community care assessments and care management services for persons with substance misuse problems. Cabinet is asked to approve the recommendations as set out in Paragraph 3 of the report.

A minute extract from the meeting of the Overview and Scrutiny Management Board on 5 March 2009 will be circulated as soon as it is available.

16. PARTNERSHIP ARRANGEMENTS FOR DEPRIVATION OF LIBERTY SAFEGUARDS ASSESSMENTS **Appendix K**

Councillor Cooke submits a report that seeks Cabinet approval for the setting up of a joint Deprivation of Liberty (DOL) Assessment Service which will be hosted by Leicestershire County Council. Cabinet is asked to approve the recommendations as set out in Paragraph 3 of the report.

17. PARTNERSHIP ARRANGEMENTS FOR ADULT MENTAL HEALTH SERVICES **Appendix L**

Councillor Cooke submits a report that sets out proposals regarding new Partnership Arrangements between Leicestershire Partnership NHS Trust (LPT), Leicester City Council, Leicestershire County Council and Rutland County Council for the provision of health and social care services for adults with mental health needs. Cabinet is asked to approve the recommendations as set out in Paragraph 2 of the report.

Please note that additional documentation to the report contains exempt information and is attached for Members only, at the end of the agenda. This paper is marked 'NOT FOR PUBLICATION'. The information in this paper will be exempt as defined in paragraph 5 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended and it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. The information therefore must not be disclosed or discussed at the meeting. Should Members wish to refer to any of these details it is recommended that the meeting move into private session.

18. FAIR ACCESS TO CARE SERVICES, ACCESS, ELIGIBILITY AND PROVISION OF SOCIAL CARE SERVICES **Appendix M**

Councillor Cooke submits a report that addresses the requirement to determine eligibility for services under the Government's guidance on Fair Access to Care Services (FACS). Cabinet is recommended to agree that the threshold of eligibility should continue to be placed at 'substantial' and 'critical' as indicated in Appendix 1 of the report.

A minute extract from the meeting of the Overview and Scrutiny Management Board on 5 March 2009 will be circulated as soon as it is available.

19. PERFORMANCE REPORT FOR QUARTER THREE **Appendix N**

Councillor Draycott submits a report that presents a summary of performance against the priorities set out in *One Leicester* for the third quarter of 2008/9. Cabinet is asked to approve the recommendations as set out in Paragraph 2 of the report.

A minute extract from the meeting of the Performance and Value for Money Select Committee on 2 March 2009 will be circulated as soon as it is available.

20. UPDATE OF FINANCE PROCEDURE RULES [Appendix O](#)

Councillor Willmott submits a report that informs Members of a revised version of Finance Procedure Rules that, subject to approval, will become operative from 1st April 2009. Cabinet is recommended to note the proposed changes to the Finance Procedure Rules.

21. ASSET MANAGEMENT AND PROPERTY PORTFOLIO PERFORMANCE [Appendix P](#)

Councillor Willmott submits a report that informs Members about current developments in Asset Management Planning, and the performance of the property portfolio including the level of required maintenance and progress to address it. Cabinet is recommended to note the contents of the report and support the ongoing development of Asset Management Planning in support of One Leicester and jointly with other partners where appropriate.

22. LOCAL AREA AGREEMENT (LAA) ANNUAL REFRESH SIGN-OFF [Appendix Q](#)

Councillor Willmott submits a report that presents background information on the first Annual Refresh of the Local Area Agreement (2008/11) and sets out the latest position on negotiations with Government Office for the East Midlands (GOEM) in advance of a final report seeking sign-off by Cabinet. Cabinet is recommended to agree to sign-off Leicester's revised LAA and if necessary agree that delegated powers are used to agree any outstanding issues prior to seeking sign-off by the Secretary of State for Communities and Local Government on 30th March.

23. CORPORATE CAPITAL PROGRAMME 2009/10 [Appendix R](#)

Councillor Willmott submits a report that recommends updating the "corporate" capital programme for 2009/10 based on the Council's medium-term financial strategy. Cabinet is asked to approve the recommendations as set out in Paragraph 3.2 of the report.

A minute extract from the meeting of the Overview and Scrutiny Management Board on 5 March 2009 will be circulated as soon as it is available.

**24. 2008/09 CAPITAL PROGRAMME MONITORING – Appendix S
PERIOD 9**

Councillor Willmott submits a report that updates Members on the progress of spending on the capital programme for 2008/09 up to the end of December (period 9), and the forecast spend to the end of the year. Cabinet is asked to approve the recommendations as set out in Paragraph 3.1 of the report.

A minute extract from the meeting of the Performance and Value for Money Select Committee on 2 March 2009 will be circulated as soon as it is available.

**25. REVENUE BUDGET MONITORING 2008/09 – PERIOD Appendix T
9**

Councillor Willmott submits a report that shows a summary position comparing spending with the budget. Cabinet is asked to approve the recommendations as set out in Paragraph 3.1 of the report.

A minute extract from the meeting of the Performance and Value for Money Select Committee on 2 March 2009 will be circulated as soon as it is available.

26. ANY OTHER URGENT BUSINESS

27. PRIVATE SESSION

AGENDA

MEMBERS OF THE PUBLIC TO NOTE

Under the law, the Cabinet is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

The Cabinet is recommended to consider the following reports in private on the grounds that they contain 'exempt' information as defined by the Local Government (Access to Information) Act 1985, as amended and consequently that the Cabinet makes the following resolution:-

“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 1

Information relating to any individual.

Paragraph 2

Information which is likely to reveal the identity of an individual.

Paragraph 3

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

REDEVELOPMENT OF THE EXCHANGE AT EYRES MONSELL

28. REDEVELOPMENT OF THE EXCHANGE AT EYRES MONSELL **Appendix B1**

Councillor Kitterick submits a report.

