



Leicester
City Council

Minutes of the Meeting of the
CABINET

Held: MONDAY, 5 OCTOBER 2009 at 1:00 pm

P R E S E N T:

Councillor Willmott - Chair
Councillor Dempster - Vice-Chair

Councillor Connelly
Councillor Kitterick
Councillor Palmer
Councillor Russell

Councillor Dawood
Councillor Osman
Councillor Patel
Councillor Westley

ALSO IN ATTENDANCE

Councillor Coley
Councillor Johnson (For Cllr Grant)

Liberal Democrat Group Leader
Conservative Group

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69. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Grant.

70. 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 1992 applied to them.

Councillor Connolly declared a personal interest in respect of item 7, Structural Solutions for National Challenge Schools, in that his children lived in the priority area for Fullhurst Community College. Councillor Connolly added that for the avoidance of doubt, the children were too young for the interest to be considered to be prejudicial.

Councillor Dawood declared a prejudicial interest in respect of item 10, Working Neighbourhood Fund and Related Economic Regeneration Programmes, as he worked for Connexions. Councillor Dawood undertook to leave the meeting during consideration of this item.

Councillor Russell declared a personal interest in respect of item 7, Structural Solutions for National Challenge Schools, in that her children lived in the priority area for Fullhurst Community College. Councillor Russell added that for the avoidance of doubt, the children were too young for the interest to be considered to be prejudicial. Councillor Russell also declared a further personal interest in the same item as she was a Council appointed member of the Fullhurst Community College Interim Executive Board.

Councillor Osman declared a prejudicial interest in respect of item 10, Working Neighbourhood Fund and Related Economic Regeneration Programmes, as he was Chair of a community organisation. Councillor Osman undertook to leave the meeting for consideration of this item.

Councillor Patel declared a prejudicial interest in respect of item 10, Working Neighbourhood Fund and Related Economic Regeneration Programmes, as he was a member of the St Matthew's Multi Access Consortium. Councillor Patel undertook to leave the meeting for the consideration of this item.

Councillor Westley declared that in respect of item 7, Structural Solutions for National Challenge Schools, he was Vice Chair of Babington Community Technology College.

71. LEADER'S ANNOUNCEMENTS

There were no announcements.

72. MINUTES OF PREVIOUS MEETING

RESOLVED:

that the minutes of the meeting of Cabinet held on 1 September 2009, be confirmed as a correct record.

73. MATTERS REFERRED FROM COMMITTEES

It was reported that there were no matters referred from committees.

74. OUTCOME OF CONSULTATION ON PROPOSED MOVE TO CLOSE RIVERSIDE BUSINESS AND ENTERPRISE COLLEGE

Councillor Dempster submitted a report, which informed Members of the outcome of the recent consultation and issues raised on the proposed move to close Riverside Business and Enterprise College.

Councillor Dempster explained how the consultation had taken place and that a strict legal process had been followed. She drew Members' attention to an amended report, which contained amended recommendations and an additional appendix outlining an alternative option for a programme of closure.

Allan Dunsmore, the Headteacher of Riverside Business and Enterprise

College, was then invited to present the views of Riverside's governing body, which had met on 24 September 2009. Mr Dunsmore referred Members to the Appendices that were attached to the amended report and explained that Option 2, as detailed in Appendix H, to close the school on 31 August 2011, was their preferred option if the proposal to close the school was confirmed. The governing body felt that Option 2 would be the better option for their pupils. They felt that it would be difficult to maintain staffing levels and subject options and therefore it would not be possible to sustain a continuous improvement in standards if the school remained open until 2012.

Councillor Coley expressed his support for Option 2 if the school was to close. He also stated that he felt that a poor response to the consultation may have been a result of parents feeling that it would not make a difference to the decision. He agreed that the school was not sustainable in its current form, and suggested that Ellesmere College could be co-located at the site. He also suggested that more investment could be made to ascertain whether an improvement in results could be sustained. He pointed out there had been several school closures in West Leicester.

Councillor Willmott stated that Cabinet Members wanted to take into account the views of the governing body and thanked Mr Dunsmore for coming to present these views to Cabinet. In response to Councillor Coley's comments, he stated that a strict process for consultation had been followed. Any other model for proposals for the site or relocation of Ellesmere College was a different issue, and could be considered following a decision on whether Riverside was to close. He also noted that the Ward Councillors supported the proposal to bring forward the closure if the final decision was made. This did not mean that they supported the principle of closure.

Councillor Dempster, seconded by Councillor Willmott moved that the amendment to the recommendations in the report be agreed, in that option two should be approved.

Cabinet accepted the recommendation to close the school. They also expressed a clear preference for Option 2, for the proposed school closure in August 2011.

RESOLVED:

that Cabinet:

- 1) notes the outcome of the recent consultation and officers' response to issues raised; and
- 2) agrees to move forward proposals to close Riverside Business and Enterprise College and authorises the publication of the Statutory Notice and Detailed Proposal based upon their preferred option at 9.7 and Appendix E to the amended report.
- 3) agrees to seek to protect the interests of current Riverside pupils who may be displaced by ceasing all further admissions

to all 2009/10 year groups at Riverside with immediate effect until 14 December 2009 (or date of final Cabinet decision upon closure) to avoid prejudicing potential outcomes for those currently at the School. The moratorium will of course be lifted on 15 December 2009 or other date should Cabinet decide at this point not to close the School.

- 4) endorses the exercise by the Director of Children's Services of powers conferred upon her under the Admissions Code 2009 to offer places of September 2010 for displaced pupils at Riverside Business and Enterprise College at any maintained community secondary school within the city.
- 5) agrees to receive a fresh report on responses following the publication of the Statutory Notice and Detailed Proposal and representations made during the formal representation period. This report to be received on 14 December 2009.

75. STRUCTURAL SOLUTIONS FOR NATIONAL CHALLENGE SCHOOLS

Councillor Dempster submitted a report that updated Members on the outcome of the exploration of an Academy option for Babington Community Technology College, Fullhurst Community College and Riverside Business

Councillor Dempster explained that the proposals for a National Challenge Hard Federation Trust between Rushey Mead School and Fullhurst and a National Challenge Trust/Co-operative National Challenge Trust for Babington and New College would build up partnership working and drive up standards. The proposals were subject to the approval of the Secretary of State.

Councillor Willmott commented that the proposals were a good way forward and that they gave schools the opportunity to support other schools and to share their expertise and knowledge.

RESOLVED:

that Cabinet:

- 1) notes the current position with regard to the five identified National Challenge schools;
- 2) accepts the recommendation that an Academy solution for the three colleges has been fully explored and found to be inappropriate at this time; further that there is currently consultation on a closure option for Riverside Business and Enterprise College; and
- 3) authorises Officers to work with Headteachers and Chairs of Governors/IEB to implement the necessary actions to work towards a National Challenge Hard Federation Trust between Rushey Mead and Fullhurst and for a National Challenge

Trust/Co-operative National Challenge Trust for Babington, and New College. If the consultation on closure for Riverside results in the outcome that it remains open, it will also be considered for National Challenge Trust status.

76. PROPOSAL FOR THE PART OR TOTAL REBUILDING OF MELLOR PRIMARY SCHOOL

Councillor Dempster submitted a report that sought approval for the part or total rebuilding of Mellor Primary School, Clarke Street, Leicester.

Councillor Dempster explained that the pupil forecast showed that there would be an increase in pupil numbers to require a 3 form entry, and with a view to planning for the future, Cabinet approval was therefore sought for Option 3. It was noted that the Children and Young People's Scrutiny Committee supported Option 3.

Councillor Willmott welcomed the opportunity for this significant investment in education in Leicester.

RESOLVED:

that Cabinet agrees to the rebuilding of both the infant and junior buildings, with links to the new Children's Centre, and form 3 entry infrastructure (number of classrooms to suit 2 form entry), which will be an approximate cost of up to £8.6 Million, giving the potential for approximately 200 further places to be added at a later date.

77. EAST MIDLANDS REGIONAL PLAN: PARTIAL REVIEW - OPTIONS CONSULTATION

Councillor Kitterick submitted a report that informed Members of the consultation on the East Midlands Regional Plan Partial Reviews.

RESOLVED:

that Cabinet notes the Regional Plan Options Consultation and endorses the proposed responses to the Regional Assembly's questions as set out in the report.

78. WORKING NEIGHBOURHOOD FUND AND RELATED ECONOMIC REGENERATION PROGRAMMES

Councillors Dawood, Osman and Patel left the meeting during consideration of the following item.

Councillor Kitterick submitted a report that outlined the current position of the Working Neighbourhood Funding. The report articulated a clear strategy, described the criteria for allocating funding, applied this to currently identified projects and set out how projects would be performance managed.

Councillor Kitterick explained that there was a £25 million programme to help people back into work and to gain meaningful employment. Members heard that help would be given to support those who were most in need. Councillor Kitterick expressed surprise at comments from the Overview and Scrutiny Management Board that there was a shortage of initiatives aimed towards the 16-18 year old bracket and responded that funding had been put into initiatives such as Connexions and the Future Jobs Fund to help young people.

A Member commented that the report was very welcome and added that this would make a big impact in dealing with unemployment.

RESOLVED:

that Cabinet:

- 1) approves the Commissioning Framework approach outlined in the report and attached as Annex 1;
- 2) approves the recommended Working Neighbourhood Fund/ European Regional Development Fund project portfolio, identified as Categories A & B in Annex 3;
- 3) approves the recommendations not to proceed with projects identified as Category C as detailed in Annex 3;
- 4) approves the scheme of evaluation outlined in Annex 3;
- 5) approves the Leicester Business Centre Phase IV project for inclusion in the Council's capital programme; and
- 6) approves the continuation of Working Neighbourhood Fund activities through the Area Based Grant to March 2013.

Councillors Dawood, Osman and Patel then returned to the meeting.

79. LEICESTER'S BID TO BECOME A CANDIDATE HOST CITY FOR THE 2018 OR 2022 FIFA WORLD CUP

Councillor Willmott submitted a report that informed Cabinet of the activities undertaken by Leicester as an Applicant Host City for the 2018 or 2022 FIFA World Cup and to seek approval to submit a bid to become a Candidate Host City.

An officer explained that three documents had been received and had been circulated internally for comment, and that new information continued to be received. These documents related to the Host City, Stadium and Training Site Agreements, and officers were as yet unclear whether the Council would be required to sign them as part of the bid (although this seemed to be the present expectation). Members were advised that it was unusual for bids to be accompanied by binding agreements, and advised that there would be a further

report to Cabinet if Agreements had to be signed.

RESOLVED:

that Cabinet:

- 1) agrees that the City Council, as lead agency, submits a bid to England 2018 seeking the status for Leicester of Candidate Host City for the 2018 and 2022 FIFA World Cup; and
- 2) agrees that a formal set of governance arrangements for the Bid are set up under the Leadership Board.

80. GREENSPACE STRATEGY (2009-2015)

Councillor Connelly submitted a report that sought Cabinet approval and adoption of the Greenspace Strategy as a corporate document, which underpinned the Local Development Framework (LDF) Core Strategy.

A Member stated that he welcomed the report and commented that it was important that Ward Councillors had the opportunity to provide input into the Strategy, and to have a say in their local area.

RESOLVED:

that Cabinet approves and adopts the Greenspace Strategy.

81. APPROVAL FOR LICENCE HOLDERS TO INSTALL CCTV IN TAXIS

Councillor Russell submitted a report that sought approval for the holders of the licences for hackney carriage and private hire vehicles to install CCTV systems in their taxis.

Councillor Russell explained that this would provide protection for both drivers and passengers and she hoped that other companies would come forward to seek approval for further CCTV systems.

RESOLVED:

that Cabinet:

- 1) approves for installation by licence holders the CCTV system provided by Xtron UK Limited; and
- 2) confirms that approval to install the system in individual taxis is conditional on recordings being made freely available to the police, licensing officers, the data controller (the company providing the system), but not being made available to any other third party except the data subject, under any circumstances.

82. TOTAL PLACE REPORT

Councillor Dawood submitted a report that informed Members about the Total Place Programme, and the projects of service redesign and systems change.

Councillor Willmott stated that the Council had achieved national recognition for this work, as it had been identified as an example of good practice, leading to improved efficiency and service outcomes.

RESOLVED:

that Cabinet

- 1) notes the developments for Total Place: and
- 2) notes the stakeholder engagement exercise.

83. 3 PERFORMANCE REPORTING - PERFORMANCE REPORT FOR QUARTER ONE 2009/10; REVENUE BUDGET MONITORING 2009/10 - PERIOD 3; 2009/10 CAPITAL PROGRAMME MONITORING - PERIOD 3

Performance Report for Quarter One 2009/10

Councillor Patel submitted a report that presented a summary of performances against the priorities set out in *One Leicester* for the first quarter of 2009/10.

RESOLVED:

that Cabinet:

- 1) notes the performance for the first quarter (as detailed in Sections five and six of the report and Appendices one and two);
- 2) notes the risks identified in the report, in particular risks presented by the recession, and
- 3) for those targets deemed to be at risk, commissions an analysis of that risk and proposed actions to mitigate for inclusion in the report to Cabinet;

Revenue Budget Monitoring 2009/10 – Period 3

Councillor Patel submitted a report that showed a summary position, which compared spending with the budget.

RESOLVED:

that Cabinet :

- 1) notes the changes made to the original approved budget for 2009/10;

- 2) notes the expenditure to date and the budgetary issues which have emerged so far this year;
- 3) notes the proposals put forward to ensure that spending is contained within the divisional budgets;
- 4) notes the progress made so far towards achieving the efficiency target; and
- 5) approves the claw back of excess budgets allocated to service divisions in respect of the 2009/10 pay award, to be used towards corporate budget pressures, as set out in Paragraph 10.1

2009/10 Capital Programme Monitoring - Period 3

Councillor Patel submitted a report to update Members on the progress of spending on the capital programme for 2009/10 to the end of June (period 3), and the forecast spend to the end of the year.

RESOLVED:

that Cabinet:

- 1) approves a revised level of programmed expenditure of £114.8 million;
- 2) notes the level of expenditure to the end of June 2009 of £11.4 million;
- 3) notes the current level of spend (10%) of the programme;
- 4) notes the downturn in capital receipts; and
- 5) notes the prudential indicators for 2009/10.

84. IMPROVING BME WORKFORCE REPRESENTATION: PROGRESS REPORT

Councillor Patel submitted a report, which provided Cabinet with a further update on the work being undertaken across the Council to progress the 'quick wins' identified in the *Black Workers Group Report: Improving BME Workforce Representation* that was considered by Cabinet in October 2008.

RESOLVED:

that Cabinet notes the report and welcomes the reported increase in the proportion of the Council's workforce from BME communities that has occurred since 2007, which has improved its representativeness.

85. PRIVATE SESSION

Members of Cabinet considered the reasons for considering the following report in private, on the basis that it contained information relating to the business affairs of the Authority. They felt that it was in the public interest to maintain the exemption, to protect the Council's business affairs. No objection was raised to this.

RESOLVED:

that the press and public be excluded during consideration of the following report in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because it involved the likely disclosure of 'exempt' information, as defined in the Paragraph 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).

LOCAL AUTHORITIES NEW BUILD HOMES: BID ROUND 2.

86. LOCAL AUTHORITIES NEW BUILD HOMES: BID ROUND 2

Councillor Westley submitted a report that advised Members of the opportunity for bidding for the Round 2 of the recently announced Fund for Local Authorities to build new homes for social rent.

RESOLVED:

that Cabinet agrees the recommendations set out in Paragraph 3 of the report.

87. CLOSE OF MEETING

The meeting closed at 2.16 pm.