



Leicester
City Council

Minutes of the Meeting of the
CABINET

Held: MONDAY, 22 NOVEMBER 2010 at 1.00pm

P R E S E N T :

Councillor Patel - Chair
Councillor Dempster - Vice-Chair

Councillor Bhatti
Councillor Naylor
Councillor Palmer
Councillor Wann

Councillor Dawood
Councillor Osman
Councillor Russell
Councillor Westley

In attendance

Councillor Coley
Councillor Johnson

Liberal Democrat Group Leader
Conservative Group

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108. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Grant, Leader of the Conservative Group. Councillor Johnson was in attendance instead of Councillor Grant.

109. DECLARATIONS OF INTEREST

Members were asked to declare any interests they may have in the business on the agenda and or declare if Section 106 of the Local Government Finance Act 1992 applied to them.

Councillor Russell declared a personal and non-prejudicial interest in item AOUB1, ICT Provision in Leicester to Support Pupil Learning and Implementation of Pilot Netbook Loan Scheme for City Pupils, in that her son attended a primary school, though not one of the schools mentioned in the report.

Councillor Westley declared a personal and non-prejudicial interest in Appendix G, Review of the Rival Market Policy, in that his cousin was a market trader. Councillor Westley added that he was also a member of the Markets' Forum.

Councillor Coley declared a personal interest in Appendix A, New College

Structural Solutions for National Challenge Schools – Land Transfer, in that he was a member of the Interim Executive Board at New College. Councillor Coley further declared in respect of Appendix G, Review of the Rival Market Policy, that he was a member of the Markets' Forum.

110. LEADER'S ANNOUNCEMENTS

TAKEOVER DAY

The Leader announced that Leicester City Council had recently hosted a highly successful Take-Over Day where 85 young people were provided with opportunities to shadow both members and Council Officers for a day. A number of young people were provided with work experience opportunities through Nando's restaurants who worked in partnership with the Council to support the event. All of the young people who took part were supported by staff from the Council Youth Service and received an accredited Youth Achievement Challenge Award.

TRANSFORMING THE LEARNING ENVIRONMENT 0-11 PROGRAMME

The Leader announced that the Transforming the Learning Environment 0-11 Programme recently completed several building projects within Leicester City Primary Schools. Humberstone Infant and Junior Schools, Rolleston Primary School, Rowlatts Hill and Woodstock Primary Schools all held successful and well-attended opening ceremonies to mark the end of their building projects.

The Leader added that the City Council had been well represented at recent Award Ceremonies. Charnwood Primary School had received the award for Small Scheme of the Year at the recent ProCon Awards, where Judgemeadow Community College was a Large Scheme finalist. In addition, Leicester City was a finalist at the Education Investor Awards in the category 'Building Schools for the Future Programme of the year' and was commended for 'Innovation in ICT' at the same ceremony.

111. MINUTES OF PREVIOUS MEETING

RESOLVED:

that the minutes of the meeting of Cabinet held on 8 November 2010 be confirmed as a correct record.

112. MATTERS REFERRED FROM COMMITTEES

There were no matters referred.

113. NEW COLLEGE STRUCTURAL SOLUTIONS FOR NATIONAL CHALLENGE SCHOOLS -LAND TRANSFER

Councillor Dempster submitted a report that updated Members on the Land Transfer process and which sought approval for the disposal of the New College School site to the Trustees at nil consideration. Councillor Dempster

added that the Children and Young People Scrutiny Committee had considered the report and endorsed its recommendations.

RESOLVED:

that Cabinet approves the disposal of the New College School site to the Trustees at nil consideration.

114. REVIEW OF STATEMENT OF LICENSING POLICY

Councillor Russell submitted a report that sought to obtain Cabinet's views on the draft Statement of Licensing Policy following public consultation and consultation with the Licensing Committee, prior to approval by full Council.

Councillor Russell added that the Licensing Committee had considered the draft Statement of Licensing Policy at its meeting on 11 November 2010 and had requested that the proposed cumulative impact area for the London Road/Granby Street area be extended to include London Road as far as Granville Road, and also incorporate Conduit Street/Sparkenhoe Street and both sides of Highfield Street. Cabinet Members were requested to support this recommendation.

RESOLVED:

that Cabinet Members welcome the draft Statement of Licensing Policy and supports the request of the Licensing Committee that the proposed cumulative impact area for the London Road/Granby Street area be extended to include London Road as far as Granville Road, and also incorporate Conduit Street/Sparkenhoe Street and both sides of Highfield Street.

115. LOCAL DEVELOPMENT FRAMEWORK: ADOPTION OF CORE STRATEGY AND REVISION OF LOCAL DEVELOPMENT SCHEME

Councillor Osman submitted a report that considered the adoption of the Local Development Framework Core Strategy which would provide the overarching planning policies to guide development in the City to 2026. The report also sought approval for a revised Local Development Scheme which set out the policies that needed to be saved alongside the Core Strategy.

Councillor Osman stated that the Planning and Development Committee had considered the report at its meeting on 9 November 2010 and had welcomed the findings of the Independent Planning Inspector. The recommendation of the Overview and Scrutiny Management Board at their meeting held on 18 November 2010 that a full discussion on the report should take place at Full Council on 25 November 2010 was also noted.

RESOLVED:

that Cabinet:

- 1) recommends to Council the acceptance of the Inspector's report and to adopt the Core Strategy as amended by the

changes set out in the Inspector's report;

- 2) approves the revision of the current Local Development Scheme to ensure that it is in conformity with the adopted Core Strategy; and
- 3) recommends to Council that the Core Strategy be amended to include a factual update on the status of the Regional Spatial Strategy.

116. PARTNERSHIP ARRANGEMENTS FOR PROVIDING CARE MANAGEMENT SERVICES FOR PERSONS WITH SUBSTANCE MISUSE PROBLEMS

Councillor Palmer submitted a report that conveyed the success of partnership working and which sought Council approval for the acceptance of a delegated function, to the City Council from Leicestershire and Rutland County Councils, thus enabling it to carry out Community Care Assessment and Care Management arrangements for people with Substance Misuse living in those areas.

Councillor Palmer stated that at the meeting of the Overview and Scrutiny Management Board on 18 November 2010, he had undertaken to provide information on the number of individuals who had received support from such services and that he could either give out the figures verbally or provide them in writing. Further to this, Members indicated that were happy for Councillor Palmer to provide this information in writing outside of the meeting.

RESOLVED:

that Cabinet:

- 1) notes the success of the interim arrangements for working with people with substance misuse problems;
- 2) notes and formally approves the delegation to the Council of a social care function by Leicestershire and Rutland County Councils of their community care assessment and care management arrangements for people with substance misuse problems; and
- 3) authorises the Service Director Care Management Services to present the report to Full Council and gain approval to enter into agreements which give effect to the arrangements as detailed in the report and in paragraph 2.2 in consultation with and advice from the Director of Legal Services.

117. THE FUTURE ARRANGEMENTS OF THE DEPRIVATION OF LIBERTY SAFEGUARDS (DOLS) SERVICE UNDER THE PROVISIONS OF THE MENTAL CAPACITY ACT 2005

Councillor Palmer submitted a report that sought Cabinet approval for a three

year rolling financial arrangement for the provision of the Deprivation of Liberty Safeguards (DOLS) Service from, 1 April 2011. Councillor Palmer added that the Service was very important in providing protection for some of the most vulnerable people in Leicester.

RESOLVED:

that Cabinet agrees in principle to a new agreement on a three year rolling basis as a way of embedding the service to some of the most vulnerable citizens on Leicester.

118. COMMUNITY LEGAL ADVICE CENTRE (CLAC) SERVICE AND FUTURE COMMISSIONING OF ADVICE SERVICES IN LEICESTER CITY

Councillor Palmer submitted a report that sought approval for extending the current Community Legal Advice Centre (CLAC) contract by 12 months from 1 April 2011 until 31 March 2012 and to support a strategic review of advice services in Leicester City.

RESOLVED:

that Cabinet:

- 1) approves the extension of the current CLAC contract by 12 months from 1 April 2011 until 1 April 2012; and
- 2) notes and supports the undertaking of a strategic review of advice services commissioned and/or provided by the council for advice services to adults in the areas of: housing, financial employment, immigration nationality and asylum and health and community care. This will enable the development of a commissioning model and specification that provides high quality, accessible and cost effective advice services at neighbourhood and at city level that is responsive to the changing economic conditions.

119. REVIEW OF RIVAL MARKET POLICY

Councillor Westley submitted a report that considered revisions to the Rival Markets Policy to provide clearer guidelines for any potential operators seeking a licence, and to review licence fees for each category.

Members welcomed the reduction in charges for the farmers' market as a way of encouraging the sale of more local produce and commented that consumers were becoming increasingly interested in knowing where their food originated from.

A Member queried that fact that when the Sunday Market was discussed previously, it had been agreed that an update should be brought back to Cabinet within 6 months. Councillor Westley responded that currently there were legal negotiations taking place and that therefore he was unable to comment further for the time being. Councillor Coley commented that he

recognised that there were concerns that the rival market may affect city centre trade, but also stated that traders had a duty to provide a good service as people needed to be assured of the quality of goods they purchased. He added that he was aware that several initiatives had been suggested to address any quality concerns.

RESOLVED:

that Cabinet approves the revised Rival Market Policy with immediate effect.

120. CORPORATE EQUALITY STRATEGY

Councillor Dawood submitted a report that presented a revised Corporate Equality Strategy which set out how the Council aimed to reduce inequality within the city as well as how it would meet its public sector equality duties.

RESOLVED:

that Cabinet agrees the revised Equality Strategy

121. STATE OF THE CITY REPORT: LEICESTER PARTNERSHIP ANNUAL REPORT 2009/10

Councillor Patel submitted the State of the City Report, which assessed the progress made in delivery of the One Leicester aims and priorities up to April 2010. Councillor Patel noted that the Performance and Value for Money Select Committee had considered the report in their meeting on 15 November 2010 and had noted the progress that had been made with regard to the commitments in the State of the City Report.

RESOLVED:

that Cabinet approves the report and notes the arrangements for publication and circulation.

122. COUNCIL ANNUAL REPORT 2009/10

Councillor Patel submitted the Council Annual Report 2009/10 which informed stakeholders of the council's progress towards fulfilling its commitment to One Leicester. The report also fulfilled statutory requirements by including the Statement of Accounts and the Organisation Assurance Certificate.

Councillor Patel explained that the Performance and Value for Money Select Committee had considered the report at its meeting on 15 November 2010 and had requested a 'traffic light' monitoring system with regard to the targets in the Council Annual report and an explanation on whether the targets were achievable and whether the City Council was on route to achieving them. Members were requested to agree to this.

RESOLVED:

that Cabinet:

- 1) approves and recommends the report to Full Council;
- 2) notes the arrangements for publication and circulation of the report; and
- 3) requests a future report with a 'traffic light' system with regard to the targets in the Council Annual Report and an explanation on whether the targets are achievable and if the City Council is on route to achieving them.

123. COMPREHENSIVE SPENDING REVIEW 2010 AND SPENDING MORATORIUM

Councillor Patel submits a report that considers the Comprehensive Spending Review and a proposed spending moratorium. Members heard that the cuts to the City's funding for 2011/12 would be greater than anticipated.

RESOLVED:

that Cabinet

- 1) approves a moratorium on entering new commitments prior to setting the 2011/12 budget, as described in the report; and
- 2) authorises the Chief Finance Officer, in consultation with the Leader, to grant exceptions to the moratorium on grounds of the need for a quick decision.

124. ANY OTHER URGENT BUSINESS

ICT PROVISION IN LEICESTER TO SUPPORT PUPIL LEARNING AND IMPLEMENTATION OF PILOT NETBOOK LOAN SCHEME FOR CITY PUPILS

The Leader agreed to accept this item as urgent business due to the educational imperative.

Councillor Dempster submitted a report which updated Cabinet on the current levels of ICT equipment available to children in Leicester City Primary Schools, the update of the National Home Access Scheme in City households and which sought approval for the immediate implementation of a pilot Netbook loan scheme for pupils in five City schools.

Members welcomed the report and commented that whilst children benefitted from very good ICT provision in their schools, not all had access to ICT facilities in their homes and this would help to improve access for all children especially in areas of deprivation.

RESOLVED:

that Cabinet:

- 1) agrees the implementation of the pilot Netbook loan scheme; and
- 2) in accordance with the Constitution of Leicester City Council (Rule 12 (d) and (e)), agrees that this decision is not subject to call in, given the urgency and educational imperative.

PROCUREMENT REQUIREMENTS FOR SUPPORTED LIVING SERVICES FOR ADULTS WITH LEARNING DISABILITIES

The Leader agreed to accept this item as urgent business on the grounds that two contracts expired on 30 November 2010 and that Cabinet approval was sought to extend the contracts in order that daily care for people with severe learning disabilities could continue.

Councillor Palmer submitted a report that sought to inform Cabinet of the procurement decisions that were required in respect of supported living services for adults with learning disabilities, and to secure additions to the Procurement Plan for 2010/2011. The report also sought approval to extend two contracts whilst the procurement process is carried out in 2011, in accordance with the Council's Contract Procurement Rules.

Councillor Palmer stated that he regretted the fact that the report had been submitted to Cabinet late, and that he would investigate the reason for this. He added that the Performance and Value for Money Select Committee would still be given an opportunity to consider the report.

RESOLVED:

that Cabinet:

- 1) approves the additions to the Corporate Procurement Plan as set out in the Appendix 1 and Appendix 2 of the report;
- 2) approves an extension to two contracts to 31 March 2012 as set out in Appendix 2 for the reasons described in the report whilst the procurement process for these contracts is carried out in 2011, together with the contracts listed in Appendix 1.

125. CLOSE OF MEETING

The meeting closed at 1.32 pm.

