



Leicester  
City Council

Minutes of the Meeting of the  
CABINET

Held: MONDAY, 13 DECEMBER 2010 at 1:00 pm

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

ALSO IN ATTENDANCE

Councillor Grant

Conservative Group Leader

\* \* \* \* \*

**130. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**131. 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 Palmer declared a personal and prejudicial interest in Item 6, "Report of the Culture & Leisure Scrutiny Task Group: Review of Funding for the Special Olympics," as he was a member of the Board of the Special Olympics.

Councillor Grant declared a personal and prejudicial interest in Item 17,

“Revised Organisational and Redundancy Policies,” as his partner was an employee of Leicester City Council. As he was not a voting member of Cabinet he agreed to not take part in the discussion but remain in the meeting.

## **132. LEADER'S ANNOUNCEMENTS**

### **Skills for Care Accolade**

The Leader announced that the Leicester, Leicestershire and Rutland Workforce Strategy Partners Programme had been declared 2010 Skills for Care Accolades winner in the category for the “most effective practice in workforce development across partner agencies.” He highlighted the verifier’s commendation of the approach to data collection and the cross-agency work and effect on quality, process and standards. He expressed his appreciation to all who had been involved.

## **133. MINUTES OF PREVIOUS MEETING**

RESOLVED:

That the minutes of the meeting of Cabinet, held on 22 November 2010, be confirmed as a correct record.

## **134. MATTERS REFERRED FROM COMMITTEES**

There were no matters referred from committees.

## **135. REPORT OF THE CULTURE AND LEISURE SCRUTINY TASK GROUP: REVIEW OF FUNDING FOR THE SPECIAL OLYMPICS**

Councillor Palmer left the meeting during consideration of the following item.

Councillor Clair, Culture and Leisure Task Group Leader, submitted a report that presented the findings of the Task Group Review into the Special Olympics Leicester 2009. He stated that Leicester’s achievement in hosting the event was something to be proud of and it had been an important event for the City in raising its profile.

Members thanked Councillor Clair and the Task Group for the work they had done and noted the success of the event. Councillor Wann stated that he had met with the 2012 Olympics Council regarding the potential for the Olympic Flame to come through Leicester and hoped that the achievement of the successful hosting of the Special Olympics would strengthen Leicester’s chance.

RESOLVED:

That Cabinet receives the report and notes the conclusions and recommendations outlined in section 4 and 5 of the report.

Councillor Palmer returned to the meeting.

### **136. REPORT OF THE REGENERATION AND TRANSPORT SCRUTINY TASK GROUP REVIEW ON CYCLING ACCESS TO NEW WALK**

Councillor Newcombe, Regeneration and Transportation Task Group Leader submitted a report that presented the findings and recommendations of the Regeneration and Transportation Task Group's review of cycling issues on New Walk and a Divisional response to the report. He stated that this review had taken place due to public interest in the matter and as a result of a petition that had been submitted, showing that there was opportunity to raise matters for consideration by Councillors.

Members noted the extensive consultation that had taken place and endorsed the recommended approach in the report, stating that New Walk was unique and historic, and would be unsuitable and dangerous for cycle traffic to be allowed. Councillor Osman, Cabinet Lead for Regeneration and Transport, stated that work was being and had been done to improve access for cyclists into the city and it was hoped that additional resources could also be brought in. It was requested that the suggested additional signage should actively direct cyclists to alternative safe routes.

Members thanked Councillor Newcombe and the Task Group for the work they had done.

RESOLVED:

That Cabinet:

- 1) notes the findings and recommendations set out in Appendix A, paragraphs 2.1-2.5 of the report;
- 2) supports the Divisional comments in Appendix B, paragraphs 2.1-2.3 of the report.

### **137. RE-ORGANISATION OF THE CHILDREN'S INFORMATION SERVICE**

Councillor Dempster submitted a report that outlined the nature of the Children's Information Service and sought comment upon a revised service delivery model and approval for the commencement of appropriate HR procedures to bring about this change in delivery model.

Councillor Dempster agreed to the Children & Young People Scrutiny Committee's request for dialogue with staff.

With the agreement of the Leader, Gary Garner of UNISON spoke on behalf of staff at the Service, stating that, although the need for review was understood, no consultation had taken place and there had been no time to talk with staff about the implications. He also expressed concern that he had not been permitted to speak on staff issues at the Children & Young People Scrutiny Committee. He stated that staff queried the figures in the report regarding the service's spend.

Councillor Dempster stated that affected staff would be closely involved over the coming weeks and that the proposals were in line with the best interests of the children and families of the city.

RESOLVED:

That Cabinet approves the new service delivery model detailed in the accompanying report, authorises the immediate decommissioning of the current operations base at 12 Bishop Street and the commencement of appropriate HR procedures to implement the new delivery model.

### **138. STATEMENT OF PURPOSE FOSTERING SERVICE**

Councillor Dempster submitted a report that provided details of the Statement of Purpose of the Fostering Service.

Councillor Dempster noted the comments and support of the Children & Young People Scrutiny Committee.

It was noted that some Cabinet Members had attended the recent Young People Awards, where it was evident that a large amount of young people within the service were making achievements and Leicester foster carers were among the best.

RESOLVED:

That Cabinet receives the report and approves the Statement of Purpose as attached at Appendix 1 of the report in accordance with National minimum standard.1.3 'The registered provider' (in the case of a local authority, the elected members) formally approves the statement of purpose of the fostering service.

### **139. REVISIONS TO WORKING TOGETHER 2010**

Councillor Dempster submitted a report that outlined the key changes to the guidance to inter-agency working to safeguard and promote the welfare of children contained within the revised Working Together to Safeguard Children 2010. She stressed the challenge of dealing with increased number of child protection issues against a difficulty in recruiting experienced social workers.

Councillor Dempster noted the support of the Children & Young People Scrutiny Committee.

RESOLVED:

That Cabinet:

- 1) Receives the report and notes changes to the guidance to inter-agency working to safeguard and promote the welfare of children contained within Working Together 2010;
- 2) Agrees the necessary changes to the Leicester Safeguarding

Children Board procedures.

- 3) Notes the funding recommendations as detailed under Financial Implications, having previously been agreed by the Local Safeguarding Children Board Executive Group.

#### **140. REPLACEMENT CITY ART GALLERY PROJECT**

This report was withdrawn.

#### **141. DE MONTFORT HALL BUSINESS PLAN**

Councillor Wann submitted a report that presented a business plan for the operation of De Montfort Hall and sought to agree a way forward to ensure the Hall was adequately funded and provided a cost effective and varied programme of live entertainment for the people of Leicester and beyond. The development of a sustainable business plan was an integral component of the improvement plan for the Hall.

Councillor Grant stated that there had not been a unanimous decision at the Overview & Scrutiny Management Board that the proposed option was the best, and there was concern about the Council's ability to turn the facility around. He also raised concern regarding the additional funding required at a time when some services to vulnerable service users may increase in price. He also stated that the report contained no equalities implications and felt that such reports should consider equality impacts corporately.

Members stated that the decision had not been taken lightly, and that, when looking in detail, De Montfort Hall's recent programming had exceeded that of privately run facilities elsewhere. Hidden economic advantages to the city were also highlighted and actions already taken that were resulting in significant reductions to cost to the Council. It was noted that the Culture & Leisure Task Group had also looked at the issue in detail.

The Leader thanked all involved.

RESOLVED:

That Cabinet:

- 1) Agrees the proposed Vision and Objectives for De Montfort Hall (as set out in Para 4.4.1 of the report;)
- 2) Adopts and implements the proposed Programme Policy for De Montfort Hall (as set out in Para 4.5.7) by:
  - a) Increasing the number of single-night popular income generating events,
  - b) Increasing the number of long-run touring musical theatre productions,

- c) Prioritising popular income generating shows, and
  - d) Maximising commercial hires for non-performance events;
- 3) Reduces the cost of the Philharmonia Orchestra residency by decreasing the number of concerts from 9 to 7, noting that additional funding is being sought by the Philharmonia for a bespoke programme of concerts tailored for Leicester primary schools (Para 4.7.1-6);
- 4) Reduces the cost of the outdoor festivals, by changing the arrangements for Summer Sundaes Weekender to a guaranteed fee model followed by a % split of income. This model will reduce costs substantially, share risk more equitably, and provide a mechanism to manage and control expenditure more effectively, as described in Para 4.6. As part of this arrangement, and in agreement with our partners, Concert Clinic, Big Session Festival will not take place in its current format in 2011, with any resulting programme gaps being met by the indoor programme;
- 5) Continues with the current governance arrangements for the management and operation of De Montfort Hall (Para's 4.8.6-8) on the understanding that:-
- Hall Management will be supported by an Advisory Board made up of councillors, stakeholders and representatives from the Business Community to ensure every effort is made to improve the financial performance of the Hall. The terms of reference and membership of the Advisory Board to be delegated to the Director of Cultural Services in consultation with the Cabinet Lead Member for Culture and Leisure
  - A Finance and Business Manager is recruited as soon as possible so that the financial performance of the Hall can be constantly reviewed and developed
  - The ongoing cost of this arrangement, (an increase of £287k per annum), as described in the Financial Implications section of the report are noted and incorporated within the base budget for 2011/12 onwards
  - A further report is brought to Cabinet on governance which looks in more detail at the feasibility and

potential benefits of establishing a trust model for the long term future operation and management of De Montfort Hall

- 6) Supports the development of an asset management plan (Paras 4.9.1-4.)

#### **142. 82-86 RUTLAND STREET - CREATIVE INDUSTRIES WORKSPACE**

Councillor Osman submitted a report that sought Cabinet approval for conversion of Council owned buildings at 82-86 Rutland Street to workspaces for the creative industries sector.

Councillor Osman noted the support of the Overview & Scrutiny Management Board and agreed with their request to receive updates on the portfolio of managed workspace.

RESOLVED:

That Cabinet notes the report and approves the conversion of 82 – 86 Rutland Street to workspaces for the creative industries sector, and:

- 1) authorises the Strategic Director Development, Culture and Regeneration to agree and sign off the funding agreement with emda for ERDF capital support;
- 2) approves capital expenditure on the project in line with the funding profile included in the report (para 5.1.3 of the report);
- 3) approves the use of £426k Working Neighbourhoods Fund funds to support the project.

#### **143. DECLARATION OF GLEN HILLS LOCAL NATURE RESERVE**

Councillor Russell submitted a report that sought approval to declare City Council owned land at Glen Hills a Local Nature Reserve (LNR) in parallel with the LNR designation of the adjoining land by Blaby District Council, Leicestershire County Council and Glen Parva Parish Council. She stated that this would extend the conservation and biodiversity work across the city and thanked Overview & Scrutiny Management Board for their endorsement.

Councillor Grant stated that, although there was support for the proposal, such a declaration was not a guaranteed protection of the site, such as the proposed football pitches on Aylestone Meadows. Councillor Russell responded that relevant organisations were fully involved in any changes to such sites.

RESOLVED:

That Cabinet approves declaration of land in the Council's ownership at Glen Hills, shown in Appendix 1 of the report, as a

Local Nature Reserve.

#### **144. ECO-MANAGEMENT AND AUDIT SCHEME (EMAS) ANNUAL REPORT**

Councillor Russell submitted a report that provided Cabinet with information on the Council's annual environmental progress through the Eco-Management and Audit Scheme (EMAS.) She gave an update to the report in that all of the 10,000 trees had now been planted.

Councillor Russell noted the endorsement of the Overview & Scrutiny Management Board and the recognition of the need to continue to invest to save.

Councillor Grant stated that Members had been impressed by the emphasis on environmental impact alongside efficiency and appropriate use of scarce resources. Councillor Russell informed Members that carbon action planning was taking place on a cross-divisional basis.

RESOLVED:

That Cabinet:

- 1) Notes progress towards the EMAS targets during 2009/10 (appendix 1 of the report);
- 2) Agrees new targets and amendments to existing corporate targets (appendix 4);
- 3) Agrees the adequacy and appropriateness of the 2010/11 action programme (appendix 3) to achieving the EMAS targets;
- 4) Agrees the draft text for the 2009/10 EMAS Public Statement (appendix 2);
- 5) Agrees the management review of EMAS (appendix 5).

#### **145. DEVELOPING INTERMEDIATE CARE AND DEMENTIA FACILITIES IN LEICESTER: PROGRAMME RESOURCES**

Councillor Palmer submitted a report that requested the allocation of £235,000 capital funding to the 'Creating Dementia and Intermediate Care Facilities' PFI programme.

RESOLVED:

That Cabinet agrees to release £235k from the £3.5m Intermediate Care capital funding to support stage one of the PFI process.

#### **146. REVISED ORGANISATIONAL REVIEW AND REDUNDANCY POLICIES**



Councillor Dawood submitted a report that presented the new Organisational Review and Redundancy policies for approval.

RESOLVED:

That Cabinet

- 1) Notes the points raised in this report in relation to:
  - In the proposed Redundancy Policy, trial periods;
  - In the proposed Organisational Change Policy, consultation arrangements and grading appeals;
  - Any additional statements submitted separately by representatives of the trade union side; and
- 2) In the light of those considerations agrees to the adoption of the new policies with immediate effect.

#### **147. REVIEW OF FEES AND CHARGES**

Councillor Patel submitted a report that asked Cabinet to consider whether they wished to review some charging policies early.

Councillor Patel noted the endorsement of the Overview & Scrutiny Management Board. Councillor Grant expressed concern that an equality impact assessment had not been provided. In response, Councillor Palmer stated that a significant majority of vulnerable service users of certain services would not face an increase in charges.

RESOLVED:

That Cabinet:

- 1) Gives Directors discretion to increase fees and charges from 1 January 2011 rather than April 2011 in consultation with the appropriate Cabinet Lead;
- 2) Agrees to implement the specific increases in fees and charges in the areas listed in paragraph 3.3 and Appendix A of the report from January 2011.

#### **148. REVENUE BUDGET MONITORING 2010/11 - PERIOD 6**

Councillor Patel submitted a report that showed a summary position comparing spending with the budget. The comments of the Performance & Value for Money Select Committee were noted.

It was reported that figures for Cultural Services may change as a result of Cabinet's decision regarding De Montfort Hall.

RESOLVED:

That Cabinet:

- 1) Notes the changes made to the original approved budget for 2010/11;
- 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) Approves the creation of new reserves set out in Paragraph 11 of the report.

#### **149. CAPITAL PROGRAMME MONITORING - 2010/11 - PERIOD 6**

Councillor Patel submitted a report that shows the position of the capital programme for 2010/11 at the end of Period 6. The comments of the Performance & Value for Money Select Committee were noted.

Members' attention was drawn to areas where in-year cuts had taken place, and it was reported that the success of other New Growth Fund schemes which were still being pursued would not be known until March.

RESOLVED:

That Cabinet:

- 1) Approves a revised level of programme expenditure of £108.5m;
- 2) Notes the actual capital expenditure of £31.245m at period 6 and the relatively low level of spend (29%) at the half year point;
- 3) Notes the level of slippage that has occurred since period 4;
- 4) Notes that capital receipts targets are on course to be met.

#### **150. ORGANISATIONAL DEVELOPMENT AND IMPROVEMENT PROGRAMME - IMPROVING PROCUREMENT**

Councillor Patel submitted a report that sought member approval to the general direction in securing improvements and efficiency in the Council's procurement activities.

RESOLVED:

That Cabinet:

- 1) Notes the findings of the attached report, and support the direction of travel;
- 2) Approves the purchasing of a strategic procurement capability

from outside specialists on a pilot basis for 12 months, with a view to subsequent renewal or development of in-house capability;

- 3) Approves the pursuit of the savings opportunities described in the report and such other opportunities as may become apparent at a later stage (noting that any major change in the way in which the Council provides a service will be subject to Cabinet decision).

#### **151. LEARNING DISABILITIES - SECTION 75 AGREEMENT AND SERVICE LEVEL AGREEMENT**

Councillor Palmer submitted a report that brought to the attention of Cabinet that the appropriate legal framework had been developed and agreed to ensure the council was compliant with new guidance.

RESOLVED:

That Cabinet:

- 1) Approves the position of the Council between 1<sup>st</sup> April 2009 and 31<sup>st</sup> March 2010 as Lead Commissioners of specialist health services from LPT;
- 2) Approves the variation of the existing section 75 agreement between the Council and the Leicester City PCT such that the specialist learning disability services provided by the LPT are commissioned by NHS Leicester City for the reasons described in this report;
- 3) Gives the Strategic Director of Adults and Communities delegated authority with advice from the Director of Legal Services to enter into the appropriate agreements to give effect to the above approvals.

#### **152. EXTENDING DISTRICT HEATING AND COMBINED HEAT & POWER (CHP) IN LEICESTER**

Councillor Westley submitted a report that updated Members on the outcome of the Competitive Dialogue conducted in accordance with EU procurement regulations for the Project for "Extending District Heating and Combined Heat and Power in Leicester".

Councillor Westley reported that the proposals would put Leicester at the forefront of energy efficiency and that any additional income would be used to make Council homes more energy efficient. He noted that Overview & Scrutiny Management Board supported the report. Members commended Councillor Westley for the work he had done on the issue and recognised the savings the arrangements would generate. It was noted that Leicester was one of very few cities that had retained district heating and this would continue to provide

affordable heat and carbon savings.

RESOLVED:

That Cabinet:

- 1) Authorises the Strategic Director, Development Culture & Regeneration to award the contract to Cofely District Energy (the Preferred Bidder) with the basis of the award being the “most economically advantageous” Bid;
- 2) Endorses the proposed approach to residential metering for tenants and leaseholders;
- 3) Authorises the granting of leases on Peppercorn rents for the 6 boiler room sites;
- 4) Agrees that the Council will honour the price guarantee to tenants and leaseholders for a further 12 months and prices will continue to be reviewed annually as part of the rent-setting process;
- 5) Agrees that the ongoing programme of energy efficiency measures within the whole of the Council's stock is considered when agreeing the Housing Capital Programme and that resources arising from this scheme are invested in the programme.
- 6) That the legal and financial implications remain as “not for publication” as they contain exempt information as specified within paragraph 3 of Schedule 12A of the Local Government Act 1972, as amended, as they contain information relating to the financial or business affairs of any particular person (including the authority holding that information), and the public interest in maintaining the exemption outweighs the public interest in disclosing them.

### **153. CLOSE OF MEETING**

The meeting closed at 2.10pm.

