



Leicester
City Council

Minutes of the Meeting of the
CABINET

Held: MONDAY, 19 MARCH 2001 at 5.00pm

P R E S E N T :

Councillor Willmott - Chair
Councillor Patel - Vice-Chair

Councillor Draycott
Councillor Getliffe
Councillor Holden

Councillor Osman
Councillor Roberts
Councillor Subedar

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182. DECLARATIONS OF INTEREST

Members were requested 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 applied to them.

There were no declarations of interest.

183. LEADER'S ANNOUNCEMENTS

(a) ICT Awards

The Leader reported that the City Council had won two Information and Communication Technology awards from the Society of Communication and Information Technology Managers, as one of the top six web sites amongst unitary authorities and amongst the most improved sites in the last 12 months of all local authorities in England.

(b) Bradgate Park Trust

The Leader reported that the City Council had received a letter from the Trustees of Bradgate Park with regard to the current foot and mouth crisis which had led to closure of the park. It was noted that the City Council had agreed a reduction of £20,000 in its contribution to the park for the current year based on the park increasing its income by increasing car parking charges. However, as a result of the required closure, the park was suffering significant losses. The Leader therefore asked that officers take appropriate action on how this funding might be reinstated for this year in the light of the special circumstances.

(c) National Front March

The Leader reported that members of the Cabinet and he were aware of a proposal for a National March organised by the National Front to take place in Leicester on Saturday 21 April 2001. He expressed his own, his Cabinet colleagues' and members of the Labour Group's abhorrence at such a proposal from the National Front and hoped this would be supported by the other two political groups on the Council and all fair minded people within the City. He wished to put on record as a Cabinet and a Council that such a March was neither welcome nor wanted in the City. As a City celebrating diversity and vitality he hoped that all sections of the community in Leicester would combine with the City Council in condemning and opposing in the strongest possible terms any proposal from the National Front for such a March. In order for the matter to be given full consideration, he asked officers to bring a full report to the next meeting of the Cabinet.

(d) Baby Joe

The Leader referred to an open letter from the staff of the Social Services Department which offered support and care to the parents of the abandoned baby Joe. The Leader commended and thanked the staff for their speedy and sensitive response and added the Cabinet's support to the appeal to the parents to come forward and assured the parents of the City Council's support and help.

184. MINUTES OF PREVIOUS MEETING

RESOLVED:

that the Minutes of the meeting of the Cabinet held on 5 March 2001, having been circulated to Members, be received, taken as read and signed by the Chair as a correct record.

185. SERVICE PROFILE - CHILDREN AND FAMILIES SERVICES

Councillor Getliffe gave a presentation on the Children and Families Services provision within the Social Services Department.

RESOLVED:

that the presentation be noted.

186. JOINT REVIEW ACTION PLAN UPDATE 2001/2002

Councillor Getliffe submitted a report detailing the action that the Department of Social Services and the City Council generally had taken on the Audit Commission/Department of Health Joint Review Presentation to the Social Services Committee in March 2000. It was acknowledged that there was still further work to be done but there had been substantial service developments since the review.

RESOLVED:

- (1) that the substantial service developments which had taken place since March 2000 be noted and a further report be received in March 2002 on actions taken in 2001/2002;
- (2) that staff in the Social Services Department be commended for their commitment in achieving these developments; and
- (3) that the updated plan be approved as the official response from the Authority to the Joint Review when they revisit the Authority at the end of March 2001.

187. THE CHILDREN'S FUND

Councillor Getliffe submitted a report which outlined the aims, objectives and implications of the Children's Fund which had been launched by the Government on 15 November 2000, as part of the strategy to tackle child poverty and social exclusion.

RESOLVED:

- (1) that the strategic importance of the Children's Fund be noted and approval given to the submission of a bid to the Fund; and
- (2) that further reports be submitted with regard to the outline submission due 14 May 2001 and the final submission due 29 June 2001.

188. LOCAL TRANSPORT PLAN

Councillor Osman introduced a report seeking the Cabinet's approval to spend money on various transport schemes. The Cabinet was pleased to note that the City Council had received a substantial funding settlement for transport proposals and noted the proposals for spending.

The concerns raised by the Highways and Transportation Scrutiny Committee about the proposed workplace levy were noted and the Cabinet wished to stress that such a proposal would only be acceptable if the conditions set out in the Local Transport Plan were met. An amendment to the recommendations was therefore proposed with regard to this particular aspect of the plan.

RESOLVED:

- (1) that the variations to the 2000/2001 programme of works as set out in Appendix E to the report be approved and the Director of Environment, Development and Commercial Services be authorised to make further variations to the current year's programme and to make appropriate variations to future years' programmes within the terms of the Local Transport Plan settlement and the

Director's action be supported in spending the Transport Fund allocation as indicated;

- (2) that a further report be received on the A46/A47 overspend in due course, should this prove necessary;
- (3) that the transport settlement for next year be welcomed as well as the indicative funds for future years;
- (4) that the programme of works and expenditure for 2001/01 as detailed in Appendix F of the report be approved;
- (5) that further reports be received on the outcome of discussions with the Government about the Leicester West Public Transport Project and the Upperton Road Viaduct;
- (6) that the Director of Environment, Development and Commercial Services be authorised to proceed with the appointment of consultants to investigate and develop proposals relating to Work Place Parking Levy subject to:-
 - (a) the satisfactory outcome of discussions on the Leicester West Project and the subsequent significant investment in public transport and Park and Ride schemes;
 - (b) the effective enforcement of parking controls through the Decriminalisation of Parking Enforcement and Residents Parking Schemes;
 - (c) any scheme being developed with the local business community providing assistance with the introduction of travel plans in order to ensure a net benefit to that community;
- (7) that the Director of Environment, Development and Commercial Services be authorised to take steps to secure the design and construction of the schemes identified in the programme; and
- (8) that the Director be authorised to seek tenders under Standing Orders 82(a) and (e) for the supply of specialist services and laying of special surfacing, as detailed in Appendix G of the report.

189. ON STREET PARKING IN THE CITY CENTRE

Councillor Osman submitted a report that reviewed experience with the operation of on-street parking during the last year and recommending an increase in the level of fines for parking offences. The report also contained revised proposals for spending surplus income generated by the scheme. It

was noted that the Highways and Transportation Scrutiny Committee did not support the proposal to spend some of the additional income on night buses and a revised recommendation with regard to this was proposed.

RESOLVED:

- (1) that the increase in the level of the fine from £20 to £30 be approved;
- (2) that the proposals for spending the surplus income as detailed in Appendix A of the report be approved, with the exception of the funding of late night buses;
- (3) that the Director of Environment, Development and Commercial Services be authorised to vary the amount spent on the various items referred to in Appendix A, subject to funding being available; and
- (4) that the Director bring back a further report to the Cabinet on options relating to improving bus services focussing on services to outer estates and to elderly people as well as late night buses.

190. ABBEY MEADOWS DEPOT RELOCATION

Councillors Patel and Roberts reported on the issues surrounding the proposal to relocate the Abbey Meadows Depot. An addendum report on the financial implications of the proposal had been circulated to Members and the views of the Scrutiny Committees were also noted. In the light of all this information, a proposed resolution was circulated.

Further to the report the Director of Environment, Development and Commercial Services reported that the Environment Agency had, that afternoon indicated that they did not anticipate a flooding problem at the Abbey Meadows site.

RESOLVED:

- (1) that the proposal to relocate the Abbey Meadows Depot on the basis set out in the report, including the EMDA contributions, be approved;
- (2) that the costs involved for the City Council to allow the proposal to proceed as set out in the report be approved and the financial implications described in the addendum report, be noted;
- (3) that the Director of Environment, Development and Commercial Services be authorised, in consultation with the Leader, Deputy Leader and the lead Cabinet Member for Strategic Planning and Regeneration and the Chief Financial Officer, to agree the details of the terms of the land disposals to EMDA in the knowledge that these need to be concluded before 31 March 2001; to negotiate

further with EMDA; and to make any consequent changes to the detail of the proposals in the report where this is in the City Council's interest;

- (4) that the Head of Legal Services be authorised to enter into an agreement with EMDA to secure the EMDA funding of the depot relocation and complete the land disposals in accordance with the terms agreed;
- (5) that there be a 'level playing field' in which the Council's proposed use of Neighbourhood Renewal Fund (NRF) for the relocation of the depot be assessed against other potential uses of NRF and that the NRF not be used to relocate the depot if there are alternative proposals for expenditure in 2001/02 which better deliver the aims and objectives of the NRF;
- (6) that the targets for capital receipts required to fund the approved capital programme be amended as follows:-
 - (a) the investment property receipts target to be set at £4m for 2001/02, net of any receipts ringfenced for specific projects, and increased to the extent that net investment property sales in 2000/01 fall short of £1.817m;
 - (b) the operational property receipts target to be set at £3m for 2001/02 to 2002/03, net of any receipts ringfenced for specific projects, and increased to the extent that net operational property sales in 2000/01 fall short of £195,000;
 - (c) to permit the Corporate Property Officer to manage both these targets as a single target, together with any additional investment property receipts which might be required in 2002/03 to fund the capital programme which commences in that year;
- (7) that additional resources be made available to the corporate capital programme as follows:-
 - (a) £1m from uncommitted general reserves;
 - (b) £300,000 from the 2000/01 investment property budget;
 - (c) £500,000 from housing capital resources in 2000/01, such resources to be recognised as discharging the outstanding advance for document image processing;

- (8) that the following ringfenced capital receipts for general purposes (noting that such receipts will not count towards the targets identified above), be released:-
- Receipt of £100,000 from sale of Runcorn House;
 - Receipt of £175,000 from the sale of the Oaks
- (9) that the three following capital programme provisions be separately identified within a separate part of the programme, such funds not to be spent without a further report to Cabinet, which report shall include an assurance from the Chief Financial Officer that they will not be needed to fund the depot relocation:-
- (a) the full amount of the sum earmarked for regeneration, less sums earmarked in the approved 2001/02 budget;
 - (b) sum earmarked for street lighting spend to save consultancy - £300,000;
 - (c) education minor works - £350,000;
- (10) that the Chief Financial Officer be authorised to use such part of the resources or provisions identified in Resolutions 7, 8 or 9 above to finance the Council's cash contribution to the relocation of the depot (as described in the report) as he believes appropriate, with the provision for education minor works to be used only as a last resort;
- (11) that the consideration given by and comments of the Joint Strategic Planning and Regeneration and Finance, Resources and Equal Opportunities Scrutiny Committees be welcomed. Specifically:
- (a) to endorse the proposal of the Joint Scrutiny Committees that EMDA be urged to open up the Riverside frontage as much as possible and to include a local labour clause in any disposal of sites for development;
 - (b) that consideration be given to funding the relocation of design staff from the depot site through revenue sources as an alternative to using capital;
 - (c) to endorse the view of the joint scrutiny committee that education minor works provisions should be used as a last resort; and
 - (d) to note that the joint scrutiny committee did not consider NRF to be an appropriate source of

funding and to note that at this stage it is not necessary to finalise the arrangements for funding the relocation; to agree, however, that it is prudent and sensible for the Council to proceed as per recommendation 5 above.

191. THE HEALTH AND SOCIAL CARE BILL: KEY IMPLICATIONS FOR THE CITY COUNCIL

Councillor Getliffe submitted a report that identified those aspects of the Health and Social Care Bill that would have implications for the Council and proposing how the issues identified could be addressed when the legislation took effect.

RESOLVED:

- (1) that the provisions of the Health and Social Care Bill and the implications for the City Council be noted;
- (2) that a further report be received on proposals for how the new scrutiny powers for the Council in relation to the National Health Service might best be exercised;
- (3) that suitable representations be made to the Government in support of the Local Government Association and the Association of Directors of Social Services' proposal that Care Trusts should have joint governance arrangements and not be wholly NHS bodies; and
- (4) that a further report be submitted on the anticipated budget implications of the Long Term Care Funding changes 2001/2 and 2002/3.

192. MEMBERS' ALLOWANCE SCHEME

Councillor Patel submitted a report which asked the Cabinet to consider modifications to the Members' Allowance Scheme, prior to its consideration by the full Council. The modifications referred to allowances for scrutiny spokespersons, the inclusion of co-opted members and standing invitees within the scheme and the proposal to review the position of the Chair of Regulatory Committee at the next annual meeting of the Council.

RESOLVED:

that the proposed modifications to the Members' Allowance Scheme as detailed in the report be referred to full Council for determination.

193. EDUCATION CAPITAL PROGRAMME - RELOCATION OF STUDENT SUPPORT SERVICE

Councillor Subedar submitted a report seeking approval for capital expenditure of up to £70,000 for work to enable the urgent relocation of the Student Support Service, currently based at the Wycliffe Community College site. It

was noted that the relocation was urgent to allow demolition work to take place as part of the scheme to build the new leisure facility on the site.

RESOLVED:

that approval be given for expenditure of up to £70,000 for work at Queens Park Way, to be funded from the Education Minor Works Programme 2001/02, to enable the relocation of the Student Support Service from the Wycliffe Community College site.

194. EDUCATION CAPITAL PROGRAMME - EMILY FORTEY SCHOOL

Councillor Subedar submitted a report seeking approval for capital expenditure up to £150,000 for works to the toilets at Emily Fortey School.

RESOLVED:

that approval be given for expenditure of up to £150,000 for works at Emily Fortey School, as detailed in the report, to be funded from a Government Condition Focussed Capital Grant.

195. LEICESTER RESIDENTS SURVEY 2001

Councillor Willmott submitted a report seeking approval to carry out a residents' survey over the summer as done in previous years.

RESOLVED:

- (1) that the proposals for undertaking a residents' survey as detailed in the report be approved;
- (2) that approval be given for expenditure from the Chief Executive's Office budget, to fund the survey, to be met within existing resources;
- (3) that the Chief Executive be authorised to seek tenders for the project and accept the most advantageous tender; and
- (4) that the Head of Legal Services be authorised to conclude a formal contract.

196. LANESBOROUGH ROAD SITE DEVELOPMENT GUIDANCE

Councillor Roberts submitted a report that set out the planning and urban design requirements for the former allotment site to the rear of Lanesborough Road in the Rushey Mead area of North Leicester. Once adopted such guidance would become a material consideration in the determination of any planning applications relating to the site.

RESOLVED:

that the site development guidance for Lanesborough Road be adopted as supplementary planning guidance.

197. TREASURY STRATEGY 2001/2002

Councillor Patel submitted a report that recommended a Treasury Strategy for 2001/2002.

RESOLVED:

- (1) that the Strategy detailed in the report be adopted;
- (2) that the Council be recommended to adopt the borrowing limits detailed in paragraph 5.1 of the Strategy; and
- (3) that the proposed lending list attached at Appendix A to the Strategy, be adopted.

198. HUMAN RESOURCE STRATEGY

Councillor Patel submitted a report seeking approval to a human resource strategy for the Council.

RESOLVED:

that the draft Human Resource Strategy as detailed in the report be approved.

199. ELECTED MEMBER ABSENCE FROM MEETINGS

The Town Clerk submitted a report informing the Cabinet of the upcoming expiry of six months since the last attendance by Councillor Vaz at a Council, Committee or Sub-Committee meeting. The Cabinet was therefore asked to recommend to Council that, having regard to the extenuating circumstances, an extension of time be granted for Councillor Vaz and the position reviewed prior to the expiry of a further four months. It was noted that if Councillor Vaz did attend a meeting between this Cabinet and the Council meeting then the report could be withdrawn.

RESOLVED:

- (1) that having regard to the extenuating circumstances, Council be recommended to grant an extension of time for Councillor Vaz unless she attended an appropriate meeting before Council met; and
- (2) that if such an extension is granted, it be recommended that the position be reviewed prior to the expiry of a further four months.

200. CONSTITUTION OF THE LEICESTER, LEICESTERSHIRE AND RUTLAND COMBINED FIRE AUTHORITY

The Town Clerk submitted a report asking the Cabinet to consider whether or not to support a proposal to reduce the number of members on the Leicester, Leicestershire and Rutland Combined Fire Authority. The proposal was to reduce the overall membership of the Authority from 27 to 17. It was noted that a number of factors had influenced this proposal from the Combined Fire Authority:-

- (a) the modernisation of local government and move to Cabinet style governance;
- (b) the expanding workloads of elected members;
- (c) the Government's Best Value agenda;
- (d) a comparison with other fire authorities.

RESOLVED:

that the Chief Fire Officer be notified that the City Council supports the proposal to reduce the overall membership of the Leicestershire, Leicester and Rutland Combined Fire Authority from 27 to 17 for the reasons detailed in the report.

201. PRIVATE SESSION

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 involves the likely disclosure of exempt information, as defined in the paragraphs detailed below of Part 1 of Schedule 12A of the Act.

Paragraph 8

The amount or any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services.

Paragraph 9

Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services.

Rushey Mead School, Authority to Negotiate a Building Contract

**202. RUSHEY MEAD SCHOOL - AUTHORITY TO NEGOTIATE
A CONTRACT**

Councillor Subedar submitted a report seeking approval to waive standing orders to expedite building works at the above school.

RESOLVED:

- (1) that approval be given for a waiver of Standing Orders 84, 85.1 to 85.6 and 86 to allow a contract to be negotiated without competitive tenders, for the reasons detailed in the report;
- (2) that officers be authorised to negotiate with the current contractor for the next phase of work described in the report and their progress recorded contemporaneously in writing; and
- (3) that the Town Clerk be authorised to enter into a contract, subject to a satisfactory outcome to the negotiations and proposals being scrutinised by the Council's Internal Audit Team.

203. CLOSE OF MEETING

The meeting ended at 6.16pm.