



Leicester
City Council

Minutes of the Meeting of the
CABINET

Held: MONDAY 11 MARCH 2002 at 5.00pm

P R E S E N T :

Councillor Willmott - Chair
Councillor Patel - Vice-Chair

Councillor Draycott
Councillor Getliffe
Councillor Holden
Councillor Kavia

Councillor Osman
Councillor Roberts
Councillor Subedar
Councillor Westley

* * * * *

229. DECLARATIONS OF INTEREST

Members were 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 applied to them.

Councillor Draycott declared a personal interest in Report I "Programmed Maintenance Expenditure 2002/03", as her mother was a Council House Tenant, but declared that she considered this to be non prejudicial.

Councillor Getliffe declared a personal interest in Report I "Programmed Maintenance Expenditure 2002/03", as a Council House Tenant but declared that his interest was not prejudicial and that he also considered the interests of his daughter to also be non-prejudicial as a Council House Tenant.

Councillor Roberts declared a personal interest in Report I "Programmed Maintenance Expenditure 2002/03", as a Council House Tenant but declared that his interest was not prejudicial and that he also considered the interests of his son and daughter to also be non-prejudicial as a Council House Tenant.

Councillor Westley declared a personal interest in Report I "Programmed Maintenance Expenditure 2002/03", as his daughter and niece were Council House Tenants, but declared that she considered this to be non prejudicial.

230. MINUTES OF PREVIOUS MEETING

RESOLVED:

that the Minutes of the meeting of the Cabinet held on 25 February 2001, having been circulated to Members, be confirmed and signed by the Chair as a correct record.

231. LEADER'S ANNOUNCEMENTS

Koelz Exhibition

Councillor Willmott noted that the Koelz exhibition at the New Walk Museum had won a 'commended' award in the Best Visitor Experience category at the Leicestershire Tourism Awards 2001/02. He congratulated the Museum for their good work. Councillor Holden also noted that this exhibition had won the Best Art Award at the Leicester Mercury 2001 Awards.

Homelessness Section – Housing Department

Councillor Willmott referred to the Homelessness Section in the Housing Department achieving a two star rating from the Best Value Inspectorate. He also stated the inspectorate found that there were still improvements being undertaken and it was anticipated they would achieve the maximum three star rating in the future.

Council Tax Bills and Housing Benefit

Councillor Draycott referred to the possibility of incorrect Council Tax bills to persons who had made Housing Benefit applications. This was due to the computer problems which delayed the processing of these applications. She urged people who had concerns about their bill to contact the Council's Housing Department as soon as possible. She also apologised for any inconvenience caused.

232. YOUTH JUSTICE PLAN 2002/03 - 2004/05

Councillor Draycott submitted a report that presented the Youth Justice Plan 2002/03 – 2004/05. The Plan was a requirement of the Crime and Disorder Act 1998 and it set out how Youth Justice Services would be provided in each area and how they were to be funded.

RESOLVED:

- (1) that the plan, be noted; and
- (2) that the submission of the plan to the Youth Justice Board, be endorsed.

233. TREASURY STRATEGY 2002/2003

Councillor Patel submitted a report recommending a Treasury Strategy for 2002/2003. The Treasury Strategy governed the way the Council managed it's

debt and it's investments.

The minutes of the Finance, Resources and Equal Opportunities Scrutiny Committee held on February 28 2002 had been circulated to the meeting.

RESOLVED:

- (1) that the Treasury Strategy as detailed in the report, be adopted;
- (2) that the Council be recommended to adopt the borrowing limits for 2002/2003, as detailed in Paragraph 5.1 of the strategy; and
- (3) that the proposed lending list as detailed in Appendix B to the strategy, be adopted.

234. LEICESTER'S PUBLIC SERVICE AGREEMENT

Councillor Patel submitted a report which asked the Cabinet to note the 14 targets which formed the starting point for the Council's Public Service Agreement (PSA) negotiations with the Government. Approval was also sought to refer the report to Council as variations to some targets contained in key strategies and plans which make up the Policy Framework may be required.

RESOLVED:

- (1) that the stretch target as detailed in the report, for each of the 14 targets, be confirmed;
- (2) that the indicative allocation of pump priming monies as detailed in the report, be noted;
- (3) that the freedoms and flexibilities requested by officers as the starting point for negotiation with the Government, be confirmed; and
- (4) that Council be asked to give authority to the Cabinet to vary the Policy Framework within the parameters of these targets, to enable the Public Service Agreement to be finalised by the Government's deadline.

235. PROPOSED DECLARATION OF ST SAVIOURS NON STATUTORY RENEWAL AREA

Councillor Draycott submitted a report outlining plans to declare St Saviours a non-statutory Renewal Area, subject to consultation. It was noted that Non-Statutory Renewal Areas were declared by the Council to improve private sector housing conditions for areas of greatest need. The aim was to improve living conditions and the appearance and durability of older properties and the report detailed the means by which this was achieved.

RESOLVED:

- (1) that St Saviours Improvement Zone be declared a non-statutory renewal area, with phased implementation, as detailed in the report; and
- (2) that authority be delegated to the Director of Housing to implement action in the area, subject to a positive response to public consultation.

236. PROPOSED STREET DRINKING BAN

Councillor Draycott submitted a report which detailed the powers the Council had under Sections 12-16 of the Criminal Justice and Police Act 2001 and the proposal to impose a street drinking ban in designated areas of the City Centre and its environs.

It was noted that under the powers contained in the Act, the Council had to be specific about the streets to which the ban would apply and also had to have received complaints about drinking in these streets.

RESOLVED:

- (1) that Council be recommended to adopt the powers contained in the Criminal Justice and Police Act 2001 and impose a Street Drinking Ban in accordance with the timescale prescribed by the Act on the designated streets in Beat areas 4, 6, 1, 7 and 9, as detailed in Appendix 1 of the report;
- (2) that any minor changes to the above be delegated to the Director of Environment , Development and Commercial Services, in consultation with the Cabinet Lead Member for Housing and Neighbourhood Renewal;
- (3) that a review of the scheme be carried out after six months of operation with a view to possibly extending the ban to other designated areas;
- (4) that the design of signs be approved by the Director of Environment, Development and Commercial Services, in consultation with the Cabinet Lead Member for Housing and Neighbourhood Renewal; and
- (5) that during a public event taking place in any or all of the designated streets, the Director of Environment, Development and Commercial Services be authorised not to enforce the ban, in consultation with the Cabinet Lead Member for Housing and Neighbourhood Renewal and Leicestershire Constabulary.

237. REVIEW OF ANTI SOCIAL BEHAVIOUR AND HARASSMENT POLICY

Councillor Draycott submitted a report setting out proposals to enhance the current Anti Social Behaviour and Harassment Policy arising from the review of the policy undertaken to ensure the aims and objectives of the Leicester Partnership Against Crime and Disorder and the Stephen Lawrence Enquiry were adopted as part of the policy.

Some Members queried the process with regard to relatively minor offences that were nonetheless repeated at intervals after the original case was closed. In response Officers stated that each individual case of anti social behaviour would be recorded as part of a database and past behaviour would be taken in to consideration when dealing with any persistent offenders.

Members also noted the success of the SRB5 Anti Social Behaviour Team that was set up in Beaumont Leys particularly in respect of their work with witnesses. It was noted this was to be the model for which teams would be set up City wide.

RESOLVED:

- (1) that the introduction of a Citywide Anti-Social Behaviour Team including a legal officer, be approved;
- (2) that the usage of Acceptable Behaviour Contracts (ABCs), be adopted; and
- (3) that a comprehensive mechanism for recording cases of Anti-Social Behaviour including categories to reflect major/minor breaches, Domestic Violence and Racial Harassment, be adopted.

238. ROAD AND BRIDGE WORKS AFFECTING MAJOR ROADS IN THE CITY

Councillor Subedar submitted a report describing the necessity for major road works in the City over the next five years as part of the Local Transport Plan and detailing how disruption caused by the works can be minimised.

The Cabinet received a presentation from Alistair Reid, Assistant Director Environment and Development Department (City Development). He outlined the different types of bridge and road works that were undertaken and the measures currently being undertaken to minimise disruption caused by the work. These included a quarterly meeting with all statutory undertakers to try co-ordinate road works in the City and a moratorium on road works in the City Centre during December and January. It was noted that this year several major road and bridge maintenance and improvement works were to be carried out and the scale of such works would increase in future years as the Government's decision to increase investment in local transport started to take effect. In the light of this a draft protocol had been sent to various parties for their comments. A copy of this was included with the report. The draft protocol

included possible future measures for reducing disruption and for providing better information for members, residents, the travelling public and the press.

Members welcomed the report and queried what methods would be used to inform the public about road works other than the Leicester Mercury and local radio.

Officers in reply stated that details of the road works would also be published in the Link magazine and it was felt that the best method of getting information across was in better signage. Advice was currently being taken regarding what information could usefully be supplied on signs in the area where works were to be undertaken.

The Cabinet Lead Member for Highways and Transportation also commented that a Working Party was being set up with a view to rationalising road schemes and this would report to Cabinet on a regular basis.

RESOLVED:

- (1) that the Cabinet give their support to the necessity of the major road and bridge works and new traffic schemes in the City; and
- (2) that that the draft protocol produced to improve the information flow to Members, residents, the travelling public and the press, be endorsed for consultation.

239. ADVANCE DIRECTION SIGN, LUTTERWORTH ROAD

RESOLVED:

that the report be deferred to a future meeting.

240. PROGRAMMED MAINTENANCE EXPENDITURE 2002/03

Councillor Draycott submitted a report proposing schemes of programmed maintenance for Council Houses to be funded by Capital and Revenue Programmes for 2002/2003 that were approved by Cabinet on 28 January 2002.

Ian Marlow, Assistant Director, Housing Department, Technical Services, gave a presentation which outlined all the different types of work being undertaken and the numbers of each type.

Councillor Draycott also noted that the planned programme of maintenance would be considered by the various tenant associations across the City.

RESOLVED:

- (1) that the draft list of Housing Revenue Account schemes listed in the booklet circulated to Members, be approved; and

- (2) that the following schemes from the Housing Capital Programme, be approved:-
 1. Disabled adaptations to Council dwellings
 2. Re-roofing to Council dwellings
 3. Replacement windows and doors to Council dwellings
 4. Refurbishment of kitchens and doors to Council dwellings
 5. Boiler replacement to Council dwellings
 6. Mandatory disabled facilities grants
 7. Renovation grants in renewal areas.

241. ANNUAL AUDIT LETTER 2000/2001

Councillor Patel submitted a report advising Members of the key messages arising from the Annual Audit Letter for 2000/2001 and the main actions taken or proposed as a result.

Councillor Patel also referred to the comments made by the Finance, Resources and Equal Opportunities Scrutiny Committee at its meeting on February 28 2002, about no reference being made to equal opportunities in the annual audit letter. He and the Cabinet Lead Member for Human Resources and Equal Opportunities gave assurances that targets that the Council had been set with regard to Equal Opportunities were being worked towards.

RESOLVED:

- (1) that the actions taken by the Chief Executive as a result of the Annual Audit Letter 2000/01, as detailed in the report, be noted;
- (2) that the action plan be referred to the Finance Resources and Equal Opportunities Scrutiny Committee to monitor implementation; and
- (3) that the view of the Finance, Resources and Equal Opportunities Scrutiny Committee to require the Chief Financial Officer to put into place actions to ensure outstanding actions arising from the District Audit Management Letter 1999/00 are completed, be endorsed.

242. IMPLEMENTATION OF CARERS & DISABLED CHILDREN ACT 2000

Councillor Getliffe submitted a report highlighting the requirements of the Carers and Disabled Childrens Act 2000 and outlining the statutory responsibilities and resource implications.

RESOLVED:

- (1) that the statutory requirements, to offer carers an assessment of their ability to provide and continue to provide care are implemented in accordance with the

eligibility criteria, until further resources are made available from the Government or identified through other funding streams.

- (2) that the Act be implemented in Leicester as follows:-
- the practice guidance for members of staff to foster best practice in identification, referral and assessment of carers is revised and implemented from June 2002;
 - additional services to give carers a break will continue to be provided through the Carers Special Grant from Department of Health;
 - that opportunities to secure funding from other streams be explored, for additional resources required to fully implement 'carer centred' assessments and to test the feasibility of providing flexible support services to carers, including use of vouchers and direct payments.

243. NON-RECURRENT PARTNERSHIP GRANTS AND SOCIAL SERVICES DEPARTMENT SMALL GRANTS SCHEME

Councillor Getliffe submits a report informing the Cabinet of the proposal to merge the Leicester Social Services, Leicestershire County Council Social Services and Rutland Social Services Small Grants Schemes with some of the functions of the Non-Recurrent Partnership Grant Scheme led by Leicestershire Health Authority under the Health Act Flexibility Regulations and to inform Members of the similarities of the schemes.

RESOLVED:

- (1) that the transferring of a contribution of £9,000 from the existing Small Grants Scheme Budget to a pooled budget under Health Act Flexibilities, subject to completion of necessary financial and legal agreements, be approved;
- (2) that the continuation of the Small Grants Scheme process at its reduced capacity, be approved.

244. BEST VALUE REVIEW - YEAR THREE INFORMATION AND COMMUNICATIONS TECHNOLOGY AND ELECTRONIC GOVERNMENT SCOPING EXERCISE

Councillor Westley submitted a report seeking approval to the scope of the ICT and E-Government Best Value review, the main focus of which was to consider whether ICT is supporting the Council's strategic agenda.

RESOLVED:

- (1) that the work carried out in order to inform the scoping recommendations, be endorsed; and
- (2) that the scoping recommendations be approved.

245. BEST VALUE REVIEW - YEAR THREE HERITAGE SERVICES SCOPING EXERCISE

Councillor Westley submitted a report seeking the Cabinet's approval of the draft scope of the Heritage Services Best Value Review.

RESOLVED:

- (1) that the work carried out in order to inform the scoping recommendations, be endorsed; and
- (2) that the scoping recommendations be approved.

246. BEST VALUE REVIEW - YEAR THREE ENVIRONMENTAL SERVICES (WASTE MANAGEMENT, STREET CLEANSING AND GROUNDS MAINTENANCE) SCOPING EXERCISE

Councillor Westley submitted a report seeking approval of the draft scope of the Environmental Services Best Value Review.

RESOLVED:

- (1) that the work carried out in order to inform the scoping recommendations, be endorsed; and
- (2) that the scoping recommendations be approved.
- (3) that the Director of Environment, Development and Commercial Services arrange a replacement Lead Assistant Director for the review in consultation with the Acting Director of Arts and Leisure.

247. BEST VALUE REVIEW YEAR THREE OPERATION FINANCE - SCOPE

Councillor Westley submitted a report seeking the Cabinet's approval of the draft scope of the Best Value Review of Operational Finance.

RESOLVED:

- (1) that the work carried out in order to inform the scoping recommendations, be endorsed; and
- (2) that the scoping recommendations be approved.

248. 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 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.

LAND DISPOSAL AT SECOND BRIDGE CROSSING BEDE ISLAND SOUTH – DELEGATED AUTHORITY

249. LAND DISPOSAL SECOND BRIDGE - BEDE ISLAND SOUTH DELEGATED AUTHORITY

Councillor Patel submitted a report seeking delegated authority for the Director of Environment, Development and Commercial Services to dispose of land owned by the City Council that is required to facilitate a second bridge access to enable regeneration of land at Bede Island South for residential development.

Members noted the main safeguards which would be necessary in the event that the need to regenerate the site warranted granting possession prior to the completion of negotiations (agreement to a timetable and terms of reference for negotiation and any arbitration).

RESOLVED:

- (1) that the disposal of that area of the Council's land agreed with the developer (or its successors in title) as necessary for the construction of the second bridge access onto Eastern Boulevard, be approved;
- (2) that authority be delegated to the Director of Environment, Development & Commercial Services, in consultation with the Lead Cabinet Member for Finance and Resources and the Leader,
 - a) to agree the detailed terms for the disposal of the land required including the apportionment of the receipt between BWB and the City Council
 - b) in the event that agreement cannot be reached and the matter is referred to arbitration, then to agree the framework of the valuation and the detailed arbitration procedure
 - c) in the event that the developer requires possession of the site before the outcome of the negotiations/arbitration process, the Director to allow possession of the site, subject to the Head of

Legal Services being satisfied that appropriate safeguards are in place to protect, as far as possible, the Council's interests; and

- (3) that the Head of Legal Services be authorised to enter into the necessary contracts and agreements arising out of this disposal process.

250. CLOSE OF MEETING

The meeting closed at 6.15pm.