



Leicester
City Council

Minutes of the Meeting of the
CABINET

Held: MONDAY, 18 NOVEMBER 2002 at 5.00pm

P R E S E N T :

Councillor Willmott - Chair
Councillor Patel - Vice-Chair

Councillor Bhatti	Councillor Holden
Councillor Draycott	Councillor Osman
Councillor Getliffe	Councillor Roberts
Councillor Westley	

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134. 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 Holden declared a non-prejudicial interest in Report D, 'The Homelessness Act' and Report J, 'Crime and Disorder Best Value Review: Interim Report', as a member of staff at the local prison.

Councillors Draycott and Westley declared non-prejudicial interests in Report B5, 'Freehold Sale of Part of the Former Granby Halls Site, Welford Road, Leicester', as Members of the Fire Authority.

Councillor Roberts declared a non-prejudicial interest in Report B5, 'Freehold Sale of Part of the Former Granby Halls Site, Welford Road, Leicester', as a season ticket holder of Leicester Football Club, The Tigers.

135. LEADER'S ANNOUNCEMENTS

Councillor Holden noted that a film about the ghost of Belgrave Hall had won an award at the Screemfest festival in Los Angeles in the best Horror Documentary category.

136. MINUTES OF PREVIOUS MEETING

RESOLVED:

that the minutes of the meeting held on 7 November 2002 having

been circulated to Members, be confirmed as a correct record and signed by the Chair as a correct record.

137. REVITALISING NEIGHBOURHOODS - GUIDELINES AND BOUNDARIES FOR NEIGHBOURHOOD FORUMS

Councillor Draycott submitted a report which detailed the consultations that had been undertaken on the previously agreed proposal to develop 10 neighbourhood forums, as part of the Revitalising Neighbourhoods Project. The report also recommended guidance and boundaries for the forums, which had been informed by the consultation. All those who took part in the consultation were thanked for their comments.

It was noted that the Organisations Working Party had considered the report at its meeting on Wednesday 13 November 2002 and Councillor Draycott circulated a summary of their comments to Members of the Cabinet.

The relevant minutes extract of the Organisations Working Party had also been circulated.

In particular it was noted that the Working Party had requested that further work be done on the roles and responsibilities of Area Forums and on eligibility for membership of forums. Although the Working Party supported the non-voting status of Councillors on the Forum, it was noted that some opposition members had specifically registered that they did not support this.

A resolution of the Finance, Resources and Equal Opportunities Scrutiny Committee held earlier in the afternoon was also circulated to Cabinet Members. The resolution stated:-

“The Scrutiny Committee is extremely concerned at the lack of detail available to it associated with the proposals on the Revitalising Neighbourhoods project being considered by the Cabinet this evening. This it sees as symptomatic of the disregard being paid to the legitimate role of the Scrutiny function and the contribution it can make to the operation of this Council.

It requires a further, more detailed report to be brought to its meeting on 19 December”

Cabinet Members commented that there had been a lengthy consultation process on which all members of the Council had been invited to comment. A number of consultation meetings / briefings had also taken place at which members of the Council were given the opportunity to be informed about the project. There had also been a number of meetings of the Organisations Working Party which included Councillors from all groups on the Council.

There were also large amounts of information and detail about the Revitalising Neighbourhoods Project, available to all Councillors in the Members Library.

Cabinet Members therefore expressed surprise that the Finance, Resources

and Equal Opportunities Scrutiny Committee felt it had not been sufficiently informed.

Councillor Willmott referred to his having attended the special Finance, Resources and Equal Opportunities Scrutiny Committee earlier in the afternoon, in order to answer questions about the project. He reiterated that the Cabinet were keen for Scrutiny to be involved and the Cabinet Lead Members and he were willing to attend to respond to questions as requested.

RESOLVED:

- (1) that the findings of the consultation on neighbourhood forums be noted;
- (2) that the 'Guidance for Neighbourhood Forums in Leicester' be approved, taking into account the discussions at the Organisations Working Party but recommending that Councillors be non-voting members of the forums;
- (3) that the boundaries for the 10 new forums, as shown at appendix B of the guidance be approved; and
- (4) that Council be recommended to amend part 3 of the Council's constitution to include the guidelines on objectives for neighbourhood forums, in line with Article 10.01 of the Council's constitution;
- (5) that the papers on Guidelines and Boundaries for Neighbourhood Forums be forwarded with a covering progress report to the Finance, Resources and Equal Opportunities Scrutiny Committee meeting on 19 December 2002.

138. FORUM FOR OLDER PEOPLE - OVERVIEW AND PROGRESS REPORT

Councillor Getliffe submitted a report that detailed the work of both the Forum for Older People Steering Group and Consultative Group since their inaugural meetings in August 2001.

Councillor Getliffe commented that as the Council's Older Persons 'Champion' he welcomed the achievements of the Forum, which included the 'Grey Matters' conference event at the Town Hall, the Cabinet decision to retain the full concessionary fares scheme and consideration given in the preparation in Committee / Cabinet reports to implications for Older People / People on Low Incomes.

RESOLVED:

- (1) to note that the Social Services and Personal Health Scrutiny Committee, at its meeting on 16 September, congratulated the Forum on its achievements to date and supported the formation of the Older People's Partnership

Board, if the Forum was supportive of it,

- (2) to note that the Social Services and Personal Health Scrutiny Committee also supported the requirement on Directorates to specifically address the needs of older people / people on low incomes in all aspects of policy and as part of the corporate report;
- (3) that the contents of the report be noted; and
- (4) that the Cabinet receive further reports on the achievements of the Forum for Older People.

139. SUPPORTING PEOPLE SHADOW STRATEGY AND ANNUAL PLAN 2003/04

Councillor Getliffe and Councillor Draycott submitted a joint report presenting the 2003/4 Supporting People Shadow Strategy, as agreed by the Supporting People Commissioning Body made up of the Local Authority, Leicestershire and Rutland Probation Service and both Leicester City Primary Care Trusts.

Councillor Getliffe thanked the Supporting People team for producing the Shadow Strategy. He noted that 'Supporting People' would bring together different services to promote independent living for various client groups such as the elderly and the disabled.

Members of the Cabinet queried whether there were safeguards in place to prevent people missing out on services as part of the transition to the new service. Officers stated in response that careful consideration was being given to the costs of services carried out at the moment, details of which would be provided to the Office of the Deputy Prime Minister to ensure that the new funding formula was correctly applied.

RESOLVED:

that the Supporting People Shadow Strategy be recommended to Council for approval.

140. THE HOMELESSNESS ACT 2002

Councillor Draycott submitted a report explaining the recent Homelessness Act 2002 and how it affected the Council's Allocation Policy and where policy decisions would be needed. The Homelessness Act gave more rights to homeless people and promoted choice in Council and Housing Association for all applicants.

It was noted in particular that the legislation provided an option not to have a housing register. However, the register would help those Councils who wanted to adopt a certain type of advertisement based system Leicester would still need a scheme for determining priorities and recording applications and it was therefore proposed that the Council continue to maintain a register. It was also

noted that reassurances had been given that the Council would be able to continue its current policies on Anti-Social behaviour by tenants.

It was noted that a seminar was to be held for all Councillors, in order for this significant piece of legislation and its implications to be explained.

Councillor Draycott moved a further recommendation requesting that a further report be submitted to Cabinet on the results of the consultation with the Housing Scrutiny Committee and stakeholders on a simplified allocation scheme and whether the Council should pursue a 'choice based' letting scheme.

RESOLVED:

- (1) that the Council continue to maintain a housing register;
- (2) that the new duties and powers outlined in the report be noted and minor changes made to the Housing Allocation Policy, to ensure compliance with the Act by January 2003, as detailed at Appendix 1 of the report;
- (3) that a simplified allocation scheme (as shown at Appendix 2, Model 1 of the report), be adopted, subject to consultation with the Housing Scrutiny Committee and Stakeholders;
- (4) that the Housing Scrutiny Committee and stakeholders be consulted on whether the Council should pursue a 'Choice Based' letting scheme; and
- (5) that a further report be submitted to Cabinet on the results of the above consultation.

141. PROVISION OF MORE AGE DESIGNATED ONE BEDROOM ACCOMMODATION

Councillor Draycott submitted a report which sought to extend the scheme for Age Designated one bedroom accommodation following the success of the current pilot schemes across the City.

An amended version of the report was circulated to Members of the Cabinet. The new version of the report included the Kerrial Gardens, New Parks West in the 'schemes to be retained' and there were minor amendments in the text relating to this.

Councillor Draycott also referred to a request of Councillor Holden that Andrews Close, Andrews Walk, Norfolk Street and Musgrove Close be considered for inclusion in the scheme.

RESOLVED:

- (1) that the Age Designated one bedroom accommodation

scheme be extended to the locations shown in Appendix A of the amended report;

- (2) that further consideration be given to the inclusion of Andrews Close, Andrews Walk, Norfolk Street and Musgrove Close in the scheme; and
- (3) that if there was no demand from applicants aged over 45 years, then the age limit be reduced in ten year bandings, until an application is found.

142. CITY COUNCIL CAPITAL PROGRAMME 2002/3 ENVIRONMENTAL AND HIGHWAY WORKS

Councillor Patel submitted a report seeking the Cabinet's approval for expenditure from the City Council's Capital Programme 2002/03 for environmental and highway works, as detailed in the report.

RESOLVED:

that the expenditure of £300, 000 on Local Environmental Works and £100,000 on Highway Maintenance from 2002/03 City Council Capital Programme, as detailed in the report, be approved.

143. LOCAL AIR QUALITY MANAGEMENT AND THE ADOPTION OF VEHICLE EMISSION CONTROL POWERS

Councillor Holden submitted a report updating the Cabinet on the direction of Local Air Quality Management, proposed controls on vehicle emissions and linked initiatives.

Councillor Holden commented that the Council would be taking an 'advisory' and education approach to enforcing the new controls. This would include free exhaust testing, publicity about the environmental effects of cars and informing drivers, when they are stopped at the side of the road about how they could alter their cars to avoid having to pay a fixed penalty fine, if the vehicle does not pass a roadside emissions test.

RESOLVED:

- (1) that the proposed arrangements for progressing the Air Quality Review and assessment, be approved; and
- (2) that the adoption of powers contained in the *Road Traffic (Vehicle Emissions) (Fixed Penalty)(England) Regulations 2002*, by application to the Department for Transport, and their delegation to the Corporate Director of Environment, Regeneration and Development, be approved.

144. REVIEW OF THE CONSTITUTION

Councillor Willmott submitted a report enabling the Cabinet to consider changes to its portfolios in the light of reorganisations which had taken place as a result of Revitalising Neighbourhoods.

It was noted that the Organisations Working Party had supported the changes.

RESOLVED:

that the changes to the Cabinet portfolios as shown at Appendix 1 to the report, be approved.

145. FREEDOM OF INFORMATION ACT 2000

Councillor Patel submitted a report on the Council's progress in meeting its legal obligations under the Freedom of Information Act 2000 and guidance was sought in key areas.

It was noted that the Organisations Working Party had considered the report at its meeting on 13 November 2002 and the relevant extract of the minutes had been circulated to the Cabinet.

Members of the Cabinet noted the Organisations Working Party supported the proposed recommendations with the addition of further comments being included in the response to the Office of the Deputy Prime Minister consultation document about the need for confidential briefings between Councillors and Senior Managers to be exempt. Members of the Cabinet also stated they were keen to be as open as was possible and noted that the Council had led the way in open ways of working.

RESOLVED:

- (1) that the proposed consultation programme be supported;
- (2) that the proposed method of charging be supported;
- (3) that proposed Best Practice Ideas be supported;
- (4) that the Draft Scheme for publication of information, be approved;
- (5) that the Town Clerk, in consultation with Political Group Leaders, be authorised to finalise the Publication Scheme for submission to the Information Commissioner by no later than 31 December 2002; and
- (6) that the proposed response to the Office of the Deputy Prime Minister consultation paper be supported, subject to the inclusion of comments regarding the need for papers relating to confidential briefings between Councillors and Senior Managers to be granted an exemption.

146. CRIME AND DISORDER BEST VALUE REVIEW: INTERIM REPORT

Councillor Westley submitted a report summarising the interim findings of the Best Value Review of Crime and Disorder services. The report also recommended a way forward to the next stage of the Review.

RESOLVED:

- (1) that the recommendation of Corporate Directors Board that the Performance Management route was the appropriate way forward for the review of services that contribute to a reduction in Domestic Burglaries and Anti-Social Behaviour, be approved;
- (2) that the recommendation of Corporate Directors Board that the internal co-ordination of the City Council's crime and disorder services, the conduct of the Council's responsibilities under Section 7 of the Crime and Disorder Act, and the future role of the corporate Community Safety Team be subject to a detailed Service Assessment, be approved;
- (3) that the findings of the Interim Report on crime and disorder services, and in particular concerns about the present reliance on time-limited external funding to resource important aspects of these services, be noted.

147. FORMER JOHN ELLIS COMMUNITY COLLEGE - UPDATE

Councillor Patel submitted a report advising the Cabinet on the outcome of the public consultation undertaken as a requirement of the Department for Education and Skills for the disposal of the site following the closure of the community college last year.

RESOLVED:

- (1) that the outcome of the public consultation be noted; and
- (2) that the site be marketed in 2003 once the Site Development Guidance was completed and Department for Education and Skills approval obtained for disposing of the site.

148. PRIVATE SESSION

RESOLVED:

that the press and public be excluded during consideration of the following reports in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because they involve the likely disclosure of 'exempt' information, as defined in the Paragraphs detailed below of Part 1 of Schedule 12A of the Act."

Paragraph 7

- Information relating to the financial or business affairs of any person (other than the authority).

Paragraph 8

- The amount of 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.

THE EMPTY HOMES STRATEGY COMPULSORY PURCHASE OF VARIOUS HOUSES (REPORT NUMBER 2)

CULTURAL QUARTER – ESTABLISHING A DEVELOPMENT PARTNERSHIP FOR THE DELIVERY OF THE PROJECT

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.

TENDER FOR PROVISION OF BUS SHELTERS AND OTHER STREET FURNITURE

PROPOSED LONG LEASEHOLD DISPOSAL OF WESTERN PARK HOUSE AND PAVILION, WESTERN PARK, LEICESTER

FREEHOLD SALE OF PART OF THE FORMER GRANBY HALLS SITE, WELFORD ROAD, LEICESTER

SALE OF LAND, BURSOM BUSINESS PARK, LEICESTER

SALE OF LEICESTER PROPERTY DEVELOPMENT COMPANY

149. THE EMPTY HOMES STRATEGY COMPULSORY PURCHASE OF VARIOUS HOUSES (REPORT NUMBER 2)

Councillor Draycott submitted a report proposing that Compulsory Purchase Orders be sought under the Empty Homes Strategy, on three long term vacant properties in areas of priority housing need.

RESOLVED:

that the land and dwellings outlined in the report be the subject of Compulsory Purchase Orders under sections 9 and 17 of the Housing Act 1985, Section 93 of the Local Government and Housing Act 1989 and the Acquisition of Land Act 1981, in order to secure their improvement, proper management and occupation

as residential dwellings.

150. CULTURAL QUARTER - ESTABLISHING A DEVELOPMENT PARTNERSHIP FOR THE DELIVERY OF THE PROJECT

Councillor Holden submitted a report suggesting a way forward for establishing an appropriate structure and financial mechanism for the delivery of the Cultural Quarter project.

RESOLVED:

that the Corporate Director of Cultural Services and Neighbourhood Renewal, in consultation with the Cabinet Members Working Group for Major Projects, be authorised to:-

- (i) establish a Development Partnership which meets the Council's objectives and requirements, as detailed in the report;
- (ii) commission further financial and legal work, as required;
- (iii) give any public notices that may be necessary or consequential from the above decisions;
- (iv) negotiate with existing potential funders to secure their approval to the decision to establish a Development Partnership and to negotiate any consequential or incidental terms as the funders may require, provided that these are not unduly onerous or commit the Council to expenditure beyond that allocated to the projects;
- (v) commission valuations of appropriate land and buildings which could be utilised within the arrangement.

151. TENDER FOR PROVISION OF BUS SHELTERS AND OTHER STREET FURNITURE

Councillor Bhatti submitted a report seeking approval to award a new contract for the supply of new street furniture, including bus shelters.

It was noted that the matter had been considered by the Highways and Transportation Scrutiny Committee and Strategic Planning and Regeneration Scrutiny Committee whose comments were included in the report.

Cabinet Members took the comments of the Highways and Transportation Scrutiny Committee and the Strategic Planning and Regeneration Scrutiny Committee into account in considering the awarding of the contract.

RESOLVED:

that the contract for the supply of new street furniture including bus shelters, plus an income stream, funded by advertising, be

awarded to J C Decaux for a period of 15 years.

152. PROPOSED LONG LEASHOLD DISPOSAL OF WESTERN PARK HOUSE AND PAVILION, WESTERN PARK, LEICESTER

Councillor Patel submitted a report detailing the outcome of a marketing exercise in respect of the above property.

RESOLVED:

- (1) that the property be sold as recommended in the report for full residential use for a 125 year lease of the building and the proposed area of land surrounding the building, subject to undertaking the necessary procedures concerning the disposal of Public Open Space, be approved;
- (2) that the Corporate Director of Resources, Access and Diversity in consultation with the Lead Members for Finance and Resources and Cultural Services and Neighbourhood Renewal, be authorised to:-
 - (i) complete a 125 year lease of the Property with a separate legal entity to be formed by the successful bidder to hold the Head Lease and to agree any departures, or any other issues, arising from the above recommendation; this could include the possible re-marketing of the property if the disposal does not proceed,
 - (ii) to consider any objections to the sale of the existing Public Open Space as shown hatched black on attached Bid Plan 1 prior to completing any long leasehold sale of the Property; and
- (3) that the Head of Legal Services be authorised to enter into the formal documentation necessary to complete the disposal of the building and an area of currently Public Open Space surrounding the building.

153. FREEHOLD SALE OF PART OF THE FORMER GRANBY HALLS SITE, WELFORD ROAD, LEICESTER

Councillor Patel submitted a report on the outcome of a marketing exercise for the above site. An addendum report had also been circulated to the Cabinet as well as a letter from the Chief Executive of Leicester Tigers and a letter from the Managing Director of Leicester Tigers.

Members were disappointed that the Tigers bid could not be considered further. They accepted the advice that the quality of the five highest bids provided no discretion for Members on this. Further discussion with the Tigers was requested to explore their options on the adjoining land.

RESOLVED:

- (1) that the City Council evaluates in more detail the 5 highest bids received, as referred to in the report and that a further report be presented to Cabinet at its meeting on 27 January 2003 (or earlier if a special Cabinet meeting can be arranged); and
- (2) that consideration be given to accepting the highest bid which incorporates both or either of the Fire and Ambulance Service requirements.
- (3) that the recommendations as detailed at Paragraph 4.1 (3) to (6) of the report, be approved.

The full decision is recorded in the private section of the Minutes as it contains exempt information as defined in Paragraph 9 of Schedule 12 of the Local Government (Access to Information) Act 1990, that is, 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.

154. SALE OF LAND, BURSOM BUSINESS PARK, LEICESTER

Councillor Patel submitted a report.

RESOLVED:

- that recommendations as detailed in the report, be approved.

The full decision is recorded in the private section of the Minutes as it contains exempt information as defined in Paragraph 9 of Schedule 12 of the Local Government (Access to Information) Act 1990, that is, 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.

155. SALE OF LEICESTER PROPERTY DEVELOPMENT COMPANY

Councillor Patel submitted a report seeking confirmation of the sale of the Council's interest in the above company. An addendum report had also been circulated to the Cabinet.

RESOLVED:

- (1) that the proposal by Leicester Property Development Company Ltd to sell the entire share capital of the Leicester Property Development Company Ltd, or alternatively the Company's property holdings, to Kia Holdings Ltd or another suitable purchaser for the sum as detailed in the report be approved and for the balance,

after clearing a mortgage to the HSBC bank, and the payment of legal and other fees, to be distributed to the shareholders; and

- (2) that the Town Clerk be authorised, in consultation with the Chief Finance Officer, to negotiate and sign an agreement for the sale, and any related agreements.

156. CLOSE OF MEETING

The meeting closed at 6.28pm.