



Leicester
City Council

MEETING OF THE CABINET

DATE: MONDAY, 27 JANUARY 2003

TIME: 5:00 pm

**PLACE: COMMITTEE ROOMS 2 & 3, 'B' BLOCK, NEW WALK
CENTRE, KING STREET, LEICESTER**

Members of the Committee

Councillor Willmott (Chair)

Councillor Patel (Vice-Chair)

Councillors Bhatti, Draycott, Getliffe, Holden, Kavia, Osman, Roberts
and Westley.

Members of the Cabinet are invited to attend the above meeting to
consider the items of business listed overleaf.

for Town Clerk

MEMBERS OF THE PUBLIC:

**YOU ARE VERY WELCOME TO ATTEND TO OBSERVE THE PROCEEDINGS.
HOWEVER, PLEASE NOTE THAT YOU ARE NOT ABLE TO PARTICIPATE IN
THE MEETING.**

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Leicester City Council
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INFORMATION FOR MEMBERS OF THE PUBLIC

ACCESS TO INFORMATION AND MEETINGS

You have the right to attend Cabinet to hear decisions being made. You can also attend Scrutiny Committees, as well as meetings of the full Council. You can ask questions and make representations to Scrutiny Committees and Council. You also have the right to see copies of agendas and minutes. Dates of meetings are available at the Customer Service Centre. There are, however, certain occasions when the Council's meetings may need to discuss issues in private session. The reasons for dealing with matters in private session are set down in law.

WHEELCHAIR ACCESS

The Committee Rooms at New Walk Centre are all accessible to wheelchair users. If wheelchair access is required for Council meetings, which are held at the Town Hall, please contact Charles Poole on 252 7015 or call in at the Customer Service Centre.

BRAILLE/AUDIO TAPE

If there are any particular reports that you would like translating into Braille or providing on audio tape, the Committee Administrator can provide this for you (production times will depend upon equipment/facility availability).

General Enquiries - if you have any queries about any of the above or the business to be discussed, please contact Frances Wake, Committee Administrator on (0116) 252 6028 or call in at the Customer Service Centre.

Press Enquiries - please phone the Communications Unit on 252 6081

PUBLIC SESSION

AGENDA

1. DECLARATIONS OF INTEREST

Members are 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 applies to them.

2. LEADER'S ANNOUNCEMENTS

3. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Cabinet held on 18 November 2002, have been circulated to Members and the Cabinet is asked to approve them as a correct record.

4. ITEMS REFERRED FROM SCRUTINY COMMITTEES Appendix A

FINANCE, RESOURCES AND EQUAL OPPORTUNITIES SCRUTINY COMMITTEE- 19 DECEMBER 2002

REVITALISING NEIGHBOURHOODS: UPDATE ON PROGRESS

The full minute and a written response to the matter referred is attached at Appendix A.

RESOLVED:

- (1) that the Committee express its concern to Cabinet regarding the level of funding for Revitalising Neighbourhoods;
- (2) that the Committee express to Cabinet its concern at the lack of significant capital provision for the development of the project;
- (3) that the Committee express to Cabinet its concern that no method of choosing the forum members has been agreed; and
- (4) that the Committee express to Cabinet its concern that the proposed neighbourhood areas are insufficiently related to local communities.

Councillors Patel and Draycott to respond.

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

Attached is the minute extract from the Finance, Resources and Equal Opportunities Scrutiny Committee held on 23 January 2003. The following resolutions were made for Cabinet's consideration:-

- (1) That whilst the Committee obviously welcomes the capital receipt that this lease will bring for the Council and the fact that the building involved will have significant refurbishment work done to it, Members nevertheless are concerned at the loss of public open land resulting from this arrangement and it recommends that steps are taken in an effort to make good this loss,
- (2) that the Committee is also concerned at the length of lease and recommends that, where possible, shorter leases are negotiated and restrictions on future development should be insisted on when granting leases of this kind in land adjacent to public open space, and
- (3) that the Committee recommends in future decisions likely to result in a loss of public open space be referred to this Scrutiny Committee for comment at the earliest opportunity and before any marketing is undertaken.

Councillor Patel to respond.

5. BELGRAVE BAHENO PEEPUL CENTRE - REQUEST FOR FUNDING Appendix B

Councillor Roberts submits a report asking the Cabinet to consider the request for a capital grant of £260,000 towards the construction of the Peepul Centre, a purpose built community centre to be run by an established voluntary organisation, Belgrave Baheno. If such a grant is agreed, the Cabinet is recommended that this should be subject to 90% of the capital funding being secured. If the grant is agreed, the Cabinet is also asked to authorise the Corporate Director of Education and Lifelong Learning to be the lead director for the project and to impose any conditions he considers necessary to protect the Council's money and to confirm that there be no commitment or inference of a commitment for the Council to make revenue contributions to the Peepul Centre, and the Peepul Centre be advised that £260,000 is an absolute maximum.

6. 2002 ASSESSMENT OF LEICESTER'S HOUSING NEEDS Appendix C

Councillor Draycott submits a report outlining the findings of the 2002 Assessment of Leicester's Housing Needs Survey. The Housing Needs Survey is a large scale assessment undertaken approximately every four years to

consider housing need and deficiencies which can be used as the basis for wider consultation on appropriate policies for the provision of future 'affordable housing' and to feed into other policy reviews. The Cabinet is recommended to note the findings of the 2002 Housing Needs Survey.

The relevant minutes extract from the Housing Scrutiny Committee held on 10 October 2002 and the Strategic Planning and Regeneration Scrutiny Committee held on 17 October 2002 on this issue are included with the next report on the agenda.

7. 'AFFORDABLE HOUSING' AND THE PLANNING PROCESS **Appendix D**

Councillor Draycott submits a report that considers the contribution that planning policies have and can make towards the provision of affordable housing in Leicester. The Cabinet is asked to approve the proposed affordable housing policy as set out in the report, approve that a post be created in the Environment, Regeneration and Development Department to co-ordinate work on planning gain, including the securing of affordable housing through the planning process, to note the decision taken by officers in conjunction with Cabinet Members to extend the current moratorium on affordable housing in parts of the City and agree that proposals for a framework and process for securing developers contributions be brought to a future Cabinet meeting.

The relevant minutes extract from the Housing Scrutiny Committee held on 10 October 2002 and the Strategic Planning and Regeneration Scrutiny Committee held on 17 October 2002 on this issue are attached to the report.

8. HOUSING CAPITAL PROGRAMME 2002-03 AND 2003-04 **Appendix E**

Councillor Draycott submits a report which reviews the current year's approved Housing Capital Programme and following receipt of the Single Capital Pot, recommends a programme for 2003/2004. The Cabinet is asked to recommend to Council, the revised capital programme for 2002/03 at appendix A of the report, additional resources to support the Capital Programme, the Housing Capital Programme for 2003/04 and to authorise the Corporate Director of Housing in consultation with the Cabinet Lead Member for Housing and Neighbourhood Renewal to approve bids from Community Associations under the Capital Receipts Initiative allocation.

The relevant minutes extract from the Housing Scrutiny Committee held on 9 January 2003 are attached to the report.

9. HOUSING REVENUE ACCOUNT - BUDGET 2003/04 **Appendix F**

Councillor Draycott submits a report summarising the financial position of the Housing Revenue Account for 2002/03 and 2003/04 and setting out the options for the Cabinet for recommending the 2003/04 rent level. The Cabinet is asked to note the estimated working balance of £3.083m at the start of 2003/04, and

the base budget for 2003/04 as detailed in Appendix A, consider the issues outlined in the Supporting Information of the report in particular the comments of the Housing Scrutiny Committee and Housing Management Board, decide the level of rents to be recommended to Council for 2003/04 and decide on the revised level of miscellaneous payments and charges to be recommended to Council to be applied in 2003/04 as detailed in Appendix B of the report.

The relevant minutes extract from the Housing Scrutiny Committee held on 12 December 2002 is attached to the report.

10. BEST VALUE REVIEW OF ENVIRONMENTAL SERVICES - EXECUTIVE SUMMARY AND IMPROVEMENT PLANS **Appendix G**

Councillor Westley submits a report asking the Cabinet to formally approve the Best Value Review of Local Environmental Services, to note the Comments of the Arts, Leisure and Environment Scrutiny Committee and to authorise the necessary Reviews under the Council's Protocol for Organisation and Staffing Change.

The relevant minutes extract from the Arts Leisure and Environment Scrutiny Committee held on 8 January 2003 are attached to the report.

Copies of the Executive Summary and Improvement Plan have been attached for Members of the Cabinet only. Copies of this document can be obtained from the Council's Website (www.leicester.gov.uk) following the link to Council meetings or by phoning Committee Services on (0116) 252 6022.

11. BEST VALUE REVIEW OF PAYROLL **Appendix H**

Councillor Westley submits a report advising the Cabinet of the findings of the Best Value Review of Payroll. The review has previously been considered by the Finance, Resources and Equal Opportunities Scrutiny Committee and the Best Value Working Group which gave their support to the review. The Cabinet is asked to endorse the findings of the review and improvement plan, approve the seeking of an "applications service provider" to provide an integrated payroll/HR system, require officers to safeguard the Council's interests in the event of an Applications Service Provider ceasing to exist, authorise capital expenditure of £0.7m for the implementation of the new system, to be funded from an unsupported credit approval awarded for the purpose, authorise the Town Clerk in consultation with the Cabinet Lead Member for Resources to select a provider, after a procurement exercise using the EC negotiated procedure and to authorise the Head of Legal Services to enter into appropriate contracts.

The relevant minutes extract from the Finance, Resources and Equal Opportunities Scrutiny Committee held on 19 December 2002 are attached to the report.

Copies of the Best Value Review of Operational Finance, Phase 1 – Payroll document have been attached for Members of the Cabinet only. Copies of this document can be obtained from the Council's Website (www.leicester.gov.uk) following the link to Council meetings or by phoning Committee Services on (0116) 252 6022.

12. BEST VALUE REVIEW OF ICT AND E-GOVERNMENT Appendix I

Councillor Westley submits a report presenting the Final Report and Improvement Plan from the first phase of the Best Value Review of ICT and E-Government. The Cabinet is asked to note the findings and conclusions of the review and the improvement plans proposed.

The relevant minutes extract from the Finance, Resources and Equal Opportunities Scrutiny Committee held on 23 January 2003 will be circulated as soon as they are available.

Copies of the Final Report and Improvement Plan have been attached for Members of the Cabinet only. Copies of this document can be obtained from the Council's Website (www.leicester.gov.uk) following the link to Council meetings or by phoning Committee Services on (0116) 252 6022.

13. POLICY ON LICENSING OF SEX SHOPS Appendix J

Councillor Holden submits a report setting out proposals for a new policy on licensing Sex Shops. The Cabinet is recommended to adopt the policy on the licensing of Sex Shops shown in Appendix 1 of the report with immediate effect and it is recommended that the implementation policy shown in Appendix 2 is also adopted.

14. ANTI SOCIAL USE OF FIREWORKS Appendix K

Councillor Holden submits a report informing the Cabinet of the outcome of the recent publicity campaign and to seek support for the introduction of new legislative controls over the sale and use of fireworks. The Cabinet is asked to endorse the work undertaken in the 'Bang' campaign, that information and public support be forwarded to the Department for Trade and Industry and the City's three M.P.s and is asked to support the private members Bill currently progressing through parliament, consider in the event of such legislation not coming in to force, to apply for local bylaws to tackle the problem and to continue working with the Police and other agencies to use every power available to tackle problems arising from the anti social use of fireworks.

15. ANNUAL LIBRARY PLAN Appendix L

Councillor Roberts submits a report seeking the Cabinet's approval of the draft Annual Library Plan for Leicester 2002. Annual Library Plans are the means by which Local Authorities make publicly accessible their plans for the development of the Library Service and also by which Government ensures national objectives are met. The Cabinet is asked to recommend the Annual

Library Plan 2002 to Council for approval.

The relevant minutes extract from the Education and Lifelong Learning Scrutiny Committee held on 22 January will be circulated as soon as they are available.

Copies of the Annual Library Plan 2002 have been circulated to all members of the Council, they are also available to view in all libraries and on the Council's Internet site at www.leicester.gov.uk/libraries. Copies can also be obtained by phoning (0116) 252 6022.

16. CORPORATE CAPITAL PROGRAMME 2003/04 TO 2004/05 **Appendix M**

Councillor Patel submits a report presenting the updated corporate capital programme. The Council has had a 3 year 'corporate' capital programme since 1998/9. This report updates the corporate capital programme for the period 2002/03 to 2004/05. The report also updates the Council's existing Capital Strategy to bring it into line with the Capital Strategy 'Statement' submitted to the Government in July 2002. The Cabinet is asked to recommend to Council for consideration a number of matters regarding the Corporate Capital Programme.

17. LOUGHBOROUGH ROAD CONSERVATION AREA (SHAFTESBURY AVENUE) ARTICLE 4 (2) DIRECTION **Appendix N**

Councillor Kavia submits a report seeking approval to serve an Article 4(2) Direction on properties on Shaftesbury Avenue, within the Loughborough Road Conservation Area. The Cabinet is asked to authorise the Town Clerk to make and advertise an Article 4(2) Direction for Shaftesbury Avenue (numbers 4-30 (evens) and 1-27 (odds) within the Loughborough Road Conservation Area as specified in the 'Supporting Information' and to delegate authority to the Town Clerk to confirm the direction in the event of no representations being received.

18. GENERAL AGREEMENT ON TRADE IN SERVICES: POSSIBLE IMPLICATIONS FOR LOCAL GOVERNMENT **Appendix O**

Councillor Patel submits a report which fulfils a commitment made, as a consequence of a Council question in May, to voice concerns of the Council and to request clarification from the Government of the impact of the World Trade Organisation General Agreement on Trade in Services (GATS). The Cabinet is recommended to express its concern to the Government about the possible implications of GATS, requesting assurances that further negotiations on GATS be carried out in consultation with Local Authorities.

19. DRAFT SCHOOLS BUDGET 2003/04 **Appendix P**

Councillor Roberts submits a report seeking approval of the draft 'schools budget' for submission to the Secretary of State for Education by 31 January 2003. This is a requirement under the Education Act 2002. The Cabinet is

asked to agree the draft 'schools budget' for 2003/04 of £194,804,000 and to recommend that this figure be communicated to the Department for Education and Skills.

20. COUNCIL TAX-TAXBASE

Appendix Q

Councillor Patel submits a report outlining the Councils requirement to set a 'taxbase' by 31 January 2003 for the purpose of setting its Council Tax, and to enable the police authority to set its precept. The Cabinet is requested to endorse the report and propose a taxbase to Council.

21. COLLECTION FUND SURPLUSES 2003/04

Appendix R

Councillor Patel submits a report identifying the estimated financial position of the Collection Fund Account as at 31 March 2003. Calculating the estimated surplus or deficit for this account is a statutory requirement, as the figure needs to be taken into account during the Council Tax setting process. The Cabinet is asked to approve the estimated collection fund surplus figure and approve the estimated shares payable to the Police Authority and the City Council as detailed in the report.

22. BUDGET 2003/04 - COMBINED FIRE AUTHORITY

Appendix S

Councillor Patel submits a report noting that the Combined Fire Authority is currently in the process of setting its budget and contained within that is a 4% provision for the cost of the fire fighters pay award. The Cabinet is asked to agree that when it recommends a budget to Council in March, it will include a commitment to make a further contribution if the outcome of the fire dispute cannot be contained within the Fire Authorities budget and to advise the Fire Authority that it would wish efforts be made to contain the cost of any pay increase in excess of budgetary provision and to maximise any savings arising from service modernisation.

23. ANY OTHER URGENT BUSINESS

24. PRIVATE SESSION

AGENDA

MEMBERS OF THE PUBLIC TO NOTE

Under the law, the Cabinet is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

The Cabinet is recommended to consider the following reports in private on the grounds that they contain 'exempt' information as defined by the Local Government (Access to Information) Act 1985, and consequently that the

Cabinet makes the following resolution:-

“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 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.

BRAUNSTONE HEALTH AND SOCIAL CARE CENTRE

VICTORIA ROAD EAST EXTENSION

SHIRES WEST DEVELOPMENT – DELEGATED AUTHORITY

25. BRAUNSTONE HEALTH AND SOCIAL CARE CENTRE

Councillor Getliffe submits a report.

26. VICTORIA ROAD EAST EXTENSION

Councillor Patel submits a report.

27. SHIRES WEST DEVELOPMENT - DELEGATED AUTHORITY

Councillor Patel submits a report.