



Leicester
City Council

Minutes of the Meeting of the
CABINET

Held: MONDAY, 24 FEBRUARY 2003 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

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196. DECLARATIONS OF INTEREST

Members were asked to declare any interests they may have in the business to be discussed and/or indicate the Section 106 of the Local Government Finance Act 1992 applied to them.

Councillors Draycott, Getliffe and Roberts declared a personal interest in Reports A 'Revenue Budget Strategy 2003/04 to 2005/06' and Report C 'Housing Programmed Maintenance – Expenditure 2003/04', as council house tenants or having relatives who were Council house tenants, but declared that this interest was not prejudicial.

Councillor Willmott declared a prejudicial interest in the Agenda Note, Loughborough Road Conservation Area (Shaftesbury Avenue) Article 4 (2) Direction and left the meeting while the matter was considered.

197. LEADER'S ANNOUNCEMENTS

There were no Leader's Announcements.

198. MINUTES OF PREVIOUS MEETING

RESOLVED:

that the minutes of the meeting held on 10 February 2003, having been circulated to Members, be taken as read and signed by the Chair as a correct record.

199. AGENDA NOTE: LOUGHBOROUGH ROAD CONSERVATION AREA (SHAFTESBURY AVENUE) ARTICLE 4(2) DIRECTION

COUNCILLOR PATEL TOOK THE CHAIR FOR THIS ITEM

Councillor Kavia reminded the Cabinet that at, its meeting on 27 January 2003, approval had been given for the making of an Article 4 (2) Direction for properties in Shaftesbury Avenue (Minute 173 refers). However, two properties worthy of inclusion in that Order were not referred to in the report and were therefore not included in the proposed Article 4 Direction. These properties were numbers 29 and 32 Shaftesbury Avenue and Members were now asked to approve the inclusion of these two properties in the Article 4 Direction.

RESOLVED:

that the Town Clerk be authorised to make and advertise an Article 4(2) Direction for Shaftesbury Avenue (numbers 4-32 evens and 1-29 odds) within the Loughborough Road Conservation Area and to confirm the direction in the event of no representations being received.

200. REVENUE BUDGET STRATEGY 2003/04 TO 2005/06

Councillor Patel submitted a report asking the Cabinet to consider a proposed Corporate Revenue Strategy and a proposed Departmental Revenue Strategy for each department up to 2005/06, as recommended by the relevant Cabinet Lead Member.

Further to the report which included the comments of Scrutiny Committees, the minutes of the Education and Lifelong Learning Scrutiny Committee on 17 February 2003 and the Finance, Resources and Equal Opportunities Scrutiny Committee on 19 February 2003, were circulated to the Cabinet, as both of these Committees had met since the Cabinet report was produced.

Councillor Patel referred to the comments made by the Finance, Resources and Equal Opportunities Scrutiny Committee on 19 February 2003. He shared their concerns about the 10% increase in Police precept for the forthcoming year. He stated the Councillor Draycott had been involved in negotiations to ensure that the lowest of three options was followed. He also noted the comments made about the funding of the Revitalising Neighbourhoods project. He felt there were robust financial systems in place which he had stated on previous occasions. He also agreed with the Committee that the level of the Council's insurance fund needed to be monitored.

Councillor Roberts noted there were favourable comments from the Education and Lifelong Learning Scrutiny Committee on 17 February 2003 who gave their support to the proposed Education and Lifelong Learning Departmental budget.

Councillor Willmott welcomed the comments of the Scrutiny Committees and the productive consultation process.

RESOLVED:

- (1) that the following be recommended to Council:-
 - (i) the proposed new Corporate Revenue Strategy up to 2005/06, attached at Appendix 1 to the report,
 - (ii) the Departmental Revenue Strategies proposed by Cabinet Lead Members, shown at Appendix 2 to the report,
 - (iii) the proposed one off support to Social Care and Health of £1.1m, to be funded from the Council Tax Collection Fund Surplus of £1.1m which was agreed by Council on 30 January 2003,
 - (iv) additional spending on Crime and Disorder of £71,400 per annum from 2003/04, on schemes identified in the supporting information of the report,
 - (v) the utilisation of £1.8m of general fund reserves, reducing the estimated balance of reserves to £4.4m as at 1 April 2003, such reserves being required to fund the proposed departmental revenue strategies,
 - (vi) the proposed repayment of £0.3m to general reserves from future savings made by Cultural Services and Neighbourhood Renewal, with at least £0.1m per annum to be repaid each year from 2004/05 to 2006/07,
 - (vii) a revised schedule of determinations under Financial Procedure Rules, at Appendix 3 (which reflects changes in departmental responsibilities), be approved;
- (2) to note that the budget involves use of reserves, taking them to a level of £4.4m, which is below the Chief Finance Officer's recommended minimum working balance;
- (3) to note that by the time of the budget's approval by Council, it is expected that the arbitrator will have assessed the Council's entitlement to compensation in respect of the Swan Bridge claim and to the extent that damages received are less than the £1.5m of expenditure which is unfunded, the difference would reduce reserves further;
- (4) that Corporate Directors be authorised to take any action

necessary to achieve budget proposals for 2004/05 and 2005/06, subject to the approval of the budget by Council on 5 March;

- (5) to agree that it will increase its contribution to the Fire Authority, subject to approval of Council on 5th March, if this is necessary because of increased pay costs which cannot be offset by modernisation savings; and
- (6) to request the Director of Social Care and Health to report in April with a detailed plan demonstrating how the department can achieve long term budget sustainability.

201. THE COUNCIL'S GENERAL FUND BUDGET 2003/2004

Councillor Patel submitted a report, which, following approval of the Departmental Revenue Strategies, proposed an overall budget for 2003/04, and sought approval of the report to Council.

RESOLVED:

- (1) that Cabinet recommend the following to Council for approval:-
 - (i) the General Fund Budget 2003/04 as summarised in the report,
 - (ii) the report to the Council on the Revenue Budget and proposed Council Tax for 2003/04, as described at Appendix A to the report, subject to the Chief Finance Officer inserting the final figures for the Police element of the Council,
 - (iii) the use of £1.804 million of corporate reserves to finance part of the 2003/04 budget.

202. HOUSING PROGRAMMED MAINTENANCE - EXPENDITURE 2003/04

Councillor Draycott submitted a report proposing a scheme of programmed maintenance for Council houses to be funded from the Capital and Revenue programmes for 2003/04.

The Cabinet received a presentation and video from Ian Marlow, Service Director, Housing Technical Services. This outlined the programme of works proposed for the forthcoming year and the programme for implementation of the kitchens and bathrooms programme over the next seven years. The video shown was specifically based on the bathroom programme and was to be distributed to tenants who were to receive the new bathrooms and for contractors and staff who were to be implementing the bathroom refurbishment programme.

RESOLVED:

- (1) that the list of intended Housing Revenue Account schemes listed in the booklet distributed to the Cabinet, subject to potential variations as detailed in the report, be approved;
- (2) that in accordance with the Council's Constitution which required schemes with a gross cost exceeding £1 million, approval be given to the following schemes from the Housing Capital Programme:-
 - (i) Disabled adaptations to Council dwellings
 - (ii) Re-roofing to Council dwellings
 - (iii) Replacement windows and doors to Council dwellings
 - (iv) Refurbishment of kitchens and bathrooms to Council dwellings
 - (v) Boiler replacement to Council dwellings
 - (vi) Mandatory disabled facilities grants
 - (vii) Renovation grants in renewal areas.

203. AREA STRATEGY GUIDANCE: ST PETER'S LANE

Councillor Kavia submitted a report proposing a Strategy Guidance for the St Peters Lane area as Supplementary Planning Guidance to the City of Leicester Local Plan. The guidance built on that which was approved in April 2000 as it responded to a number of factors, most notably to the Leicester Regeneration Company Masterplan and the Central Leicestershire Retail Study.

Councillor Kavia noted the comments of the Strategic Planning and Regeneration Scrutiny Committee on 14 January 2003 which were attached to the report. He stated he had discussed the issues raised with the Triumvirate and they were happy with the guidance proposed for approval.

RESOLVED:

that the St Peters Lane Area Strategy Guidance be approved as Supplementary Planning Guidance to the City of Leicester Local Plan.

204. 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 & Paragraph 9

Information relating to the financial or business affairs of any particular person other than the authority.

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 supply of goods or services

PFI AND WASTE MANAGEMENT – WAIVER TO CONTRACT PROCEDURE RULE 10.1(n)

Paragraph 1

Information relating to a particular employee, former employee or applicant to become an employee of, or a particular office-holder, former office-holder or applicant to become an office-holder under, the authority.

PFI CONTRACT – LOCAL GOVERNMENT (CONTRACTS) ACT 1997 – OFFICER INDEMNITY

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 supply of goods or services.

WAIVER OF CONTRACT PROCEDURE RULES FOR ESSENTIAL HEALTH AND SAFETY WORKS

PROCUREMENT OF A NEW OCCUPATIONAL HEALTH SERVICE FOR LEICESTER CITY COUNCIL

205. PRIVATE FINANCE INITIATIVE AND WASTE MANAGEMENT - WAIVER TO CONTRACT PROCEDURE RULE 10.1(n)

Councillor Holden submitted a report seeking approval for a waiver of Contract Procedure Rule 10.1(n) to facilitate the procurement of the new Waste Management Contract.

RESOLVED:

that Contract Procedure Rule 10.1(n) be waived in the case of the PFI Waste Management contract, for the reasons detailed in the report.

THE TOWN CLERK LEFT THE MEETING FOR CONSIDERATION OF THE NEXT ITEM

206. PRIVATE FINANCE INITIATIVE CONTRACT - LOCAL GOVERNMENT (CONTRACTS) ACT 1997 - OFFICER INDEMNITY

Councillor Patel submitted a report seeking approval to the giving of an indemnity to the Town Clerk and Director of Resources, Access and Diversity in respect of his execution of a certificate under the Local Government (Contracts) Act 1997.

RESOLVED:

that approval be given to the indemnity attached to the report at Annex B being given to the Town Clerk and Director of Resources, Access and Diversity for the purpose of signing a certificate under Section 2 of the Local Government (Contracts) Act 1997 for the contract with Biffa Limited for waste management services.

207. WAIVER OF CONTRACT PROCEDURE RULES FOR ESSENTIAL HEALTH AND SAFETY WORKS

Councillor Getliffe submitted a report regarding a decision taken by the Corporate Director of Social Care and Health to award a contract for urgent work to commence on health and safety grounds.

RESOLVED:

that the decision of the Corporate Director of Social Care and Health to award a contract for the supply of radiator covers in emergency situations without seeking tenders until approved contractors have been selected by ESPO, be noted.

208. PROCUREMENT OF A NEW OCCUPATIONAL HEALTH SERVICE FOR LEICESTER CITY COUNCIL

Councillor Patel submitted a report informing the Cabinet of the outcome of a tender evaluation and to obtain Cabinet support to award the contract in respect of Occupational Health Services.

RESOLVED:

- (1) that the award of the contract to provide the Council's Occupational Health service to National Britannia as set out in the report, be approved;
- (2) that the Service Director, Legal Services be authorised to finalise the associated contractual arrangements for contract commencement on 24 March 2003.

209. CLOSE OF MEETING

The meeting closed at 5.58pm.