



Leicester  
City Council

Minutes of the Meeting of the  
CABINET

Held: MONDAY, 16 JUNE 2003 at 5.00pm

P R E S E N T :

Councillor R. Blackmore - Chair  
Councillor Scuplak - Vice-Chair

Councillor Coles  
Councillor Coley  
Councillor Hunt

Councillor Johnson  
Councillor Metcalfe  
Councillor Mugglestone

Councillor Suleman

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**1. 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 Suleman declared a personal, prejudicial interest in Report L "Transforming Secondary Schools – Report Back From Council" as his wife was a member of staff at the Leicester Islamic Academy. He left the meeting for this item.

**2. DATES OF FUTURE MEETINGS 2003/04**

The Town Clerk reported proposed dates of meetings of the Cabinet for the municipal year 2003/2004, as detailed below.

|                   |                  |
|-------------------|------------------|
| 4 August 2003     | 12 January 2004  |
| 1 September 2003  | 2 February 2004  |
| 22 September 2003 | 23 February 2004 |
| 13 October 2003   | 15 March 2004    |
| 3 November 2003   | 5 April 2004     |
| 24 November 2003  | 26 April 2004    |
| 15 December 2003  | 17 May 2004      |

All meetings scheduled to start at 5.00pm and take place on Mondays. The Cabinet also requested that the Town Clerk make arrangements for a meeting in July if required.

RESOLVED:

- (1) that the proposed dates of meetings for the municipal year 2003/2004, be approved; and
- (2) that the Town Clerk make arrangements for a meeting of the Cabinet in July if required.

### **3. LEADER'S ANNOUNCEMENTS**

#### i) Community Cohesion

The Leader commented that it was the intention of the new administration to promote community cohesion in an open and even handed manner for the benefit of the whole community.

#### ii) Creative Partnerships Programme

The Leader announced that the Council had been successful in its application to the Department for Culture, Media and Sport and had received £2 million for a Creative Partnerships programme. The primary aim of the programme was to introduce new ways of working with creativity in schools and also developing long term partnerships between schools and local cultural organisations such as museums and theatres.

#### ii) Post Office Closures

The Leader also expressed the Cabinet's concern regarding Government proposals to close urban Post Offices. He felt this would have a detrimental effect on different parts of Leicester where the Post Office was an important part of the community. He intended to write to the Secretary of State for Trade and Industry, Rt. Hon. Patricia Hewitt MP to convey these concerns.

### **4. MINUTES OF PREVIOUS MEETING**

RESOLVED:

- that the minutes of the meeting held on 22 April 2003, having been circulated to Members, be taken as read and signed by the Chair as a correct record.

### **5. MATTERS REFERRED FROM SCRUTINY COMMITTEES**

The Cabinet received the following item from the Highways and Transportation Scrutiny Committee held on 16 April 2003.

#### MONITORING REPORT – KEY AND BEST VALUE PERFORMANCE INDICATORS

RESOLVED:

- that the Cabinet be requested to reinstate 100% of the

Department for Transport Capital Maintenance settlement notionally allocated to Highway Maintenance.

Councillor Hunt in response commented that this was part of a more general issue regarding hypothecation, the allocation of funds to the purpose for which they were notionally allocated by the Government. In this case Members believed that the Transport Capital Maintenance settlement be used for Highway Maintenance, not for other purposes.

Councillor Hunt stated he would ask his colleague Councillor Coley, Cabinet Link Member for Resources, Access and Diversity to work towards implementing this principle across the Council for all Government funding that was for an expressed purpose, including the specific issue raised by the Highways and Transportation Scrutiny Committee.

RESOLVED:

that the Cabinet Link Member for Resources, Access and Diversity be requested to work towards reinstating 100% of the Department for Transport Capital Maintenance settlement for the purposes of Highway Maintenance, and applying the principle of hypothecation in other areas when considering capital budgets.

## **6. LEICESTERSHIRE, LEICESTER AND RUTLAND STRUCTURE PLAN - CONSIDERATION OF OBJECTIONS TO PROPOSED MODIFICATIONS**

Councillor Hunt submitted a report which considered objections to Proposed Modifications to the Leicestershire, Leicester and Rutland Structure Plan and to agree the next steps. The minutes of the Strategic Planning and Regeneration Scrutiny Committee held on 12 June 2003 were circulated to the Cabinet.

Councillor Hunt noted that considerable work had been undertaken to progress the Structure Plan to this stage and it had been a good example of joint working with Leicestershire and Rutland County Councils and all the District Councils. He also noted that the target for providing 19,000 new homes was challenging but this was likely to be made possible by the efforts of the Leicester Regeneration Company in regenerating brownfield sites within the City.

RESOLVED:

That Cabinet recommends to Council:-

- (1) that the Statement of Decisions and Reasons on objections to the Proposed Modifications as set out in Appendix 1 of the report, be approved;
- (2) that late objections should be not accepted;
- (3) that the Plan, comprising the Written Statement and Key Diagram attached as Appendix 2 of the report, be

approved;

- (4) that, subject to the concurrent agreement by the partner authorities, to:
  - (a) give notice of the Council's intention to adopt the Plan after a period of 28 days and subsequently adopt the Plan; and
  - (b) authorise officers to agree the date of adoption and undertake all necessary actions as outlined in paragraph 1.13 of the Supporting Information report.

## **7. PFI - INTEGRATED WASTE MANAGEMENT CONTRACT - AWARD OF CONTRACT**

Councillor Hunt submitted a report providing the Cabinet with information on the key decision taken by the Corporate Director of Environment, Regeneration and Development in consultation with the former Cabinet Lead Member for Arts, Leisure and Environment to formally award the Private Finance Initiative (PFI) Integrated Waste Management Contract to Biffa.

It was noted that as a consequence of the contract, a Contract Liaison Committee needed to be established with 3 representatives each from the City Council and Biffa, with one of the City Council representatives as Chair. The Project Management Board had recommended that the City Council representatives should be elected Members. Councillor Hunt proposed that he would be the Chair with the two other City Councillors to be notified. It was agreed to delegate the appointment of the 2 other members to the Town Clerk in consultation with the party group whips.

Members of the Cabinet welcomed the fact that the level of recycling would increase significantly as a result of this contract.

RESOLVED:

- (1) that the key decision taken by the Corporate Director of Environment, Regeneration and Development, in consultation with the Former Cabinet Lead Member for Arts, Leisure and Environment, to award the PFI contract to Biffa using delegated powers, be noted; and
- (2) that Councillor Hunt be appointed Chair of the Contract Liaison Committee and the Town Clerk be authorised to appoint the other two Council representatives, in consultation with the party group whips.

## **8. ACCESS ISSUES - LITTLE THEATRE**

Councillor Mugglestone submitted a report seeking Members agreement to fund a contribution of £20,000 for access works at the Little Theatre.

RESOLVED:

- (1) that £20,000 be contributed towards access works at the Little Theatre; and
- (2) that the contribution be funded from savings in the existing capital programme provision for the Bursom Generator, and that the conditions detailed in the Supporting Information of the report at Section 5, Paragraphs 2-7 be imposed on the Little Theatre.

## **9. LEICESTER ENERGY AGENCY FUNDING**

Councillor Hunt submitted a report updating the Cabinet on the successful award of European Funded projects through the work of the Leicester Energy Agency and to report the successful application for national funding from the Energy Saving Trust's Innovation Programme.

Members of the Cabinet commented that they felt that making solar energy facilities available to the public at a reasonable cost was important and Officers confirmed that this report moved towards this and a further report would be submitted on this matter.

RESOLVED:

- (1) that the projects as detailed in the report, (EU SOL EXHIBITION, Asia Pro Eco and the Energy Saving Trust Innovation Programme), be adopted and the external funding for the programmes be accepted;
- (2) that the Leicester Energy Agency lead and supervise these projects and they be reported through the Leicester Energy Agency Board; and
- (3) that a press office release be prepared highlighting these new funded programmes in Leicester.

## **10. CHILDREN & FAMILIES SERVICE STRATEGY 2002 - 2005**

Councillor Coles submitted a report briefing the Cabinet on the Children and Family Services Strategy, "Developing Families' Strengths Keeping Children Safe, Looking After Children Well". The minutes of the Social Services and Personal Health Scrutiny Committee held on 23 April 2003 were attached to the report.

RESOLVED:

that the Children and Families Service Strategy 2002-2005 "Developing Families Strengths, Keeping Children Safe, Looking After Children Well", be approved.

## **11. BEST VALUE PERFORMANCE PLAN**

Councillor Blackmore submitted a report presenting Cabinet with the draft of the 2003/04 Best Value Performance Plan and to gain approval of the approach taken in producing the Performance Plan and the information it contained.

It was noted this report was being submitted to Council on 3 July, and that aspects of the plan may need to be reviewed in the coming year to reflect changing priorities.

RESOLVED:

- (1) that the Best Value Performance Plan 2003/04 be approved for publication, subject to approval at Council on 3 July 2003; and
- (2) that the approach taken in producing the plan be recommended to Council.

## **12. BRAUNSTONE LIBRARY & COMMUNITY RESOURCE CENTRE**

Councillor Johnson submitted a report outlining the progress to date on the plans to develop the Braunstone Library and Community Resource Centre. The report also sought approval to use an appropriate method of procurement to build the facility.

An addendum report on this matter was circulated to the Cabinet which gave further detail on the financial implications and including a risk assessment matrix.

The Cabinet sought reassurances that this project would be delivered to timetable. Officers confirmed that the Braunstone Community Association had given a commitment to this project to ensure it happened. Councillor Johnson also commented that a project manager had now been appointed and he would take action to ensure progress.

RESOLVED:

- (1) that the previous Cabinet approval to proceed with the project, be noted;
- (2) that the Corporate Director of Education and Lifelong Learning be authorised to use the most suitable method of procurement for this project from either the "Design Build and Construct" or the Traditional Tendering methods;
- (3) that the Corporate Director of Education and Lifelong Learning be authorised to invite and accept tenders;
- (4) that the Corporate Director of Education and Lifelong

Learning be authorised to negotiate any reduction in tender costs received, should they be above the available budget;

- (5) that the Town Clerk, in consultation with the Corporate Director of Education and Lifelong Learning, to enter into contract with the successful tenderer subject to Legal Services satisfactorily concluding agreement on the terms and conditions associated with the grant from the Braunstone Community Association; and
- (6) that the completion of stage 4 of the corporate project management regulations, be approved.

### **13. PROVISION OF PUBLIC CONVENIENCES**

Councillor Hunt submitted a report which advised the Cabinet of the options available to re-open public conveniences in the City. An addendum report on this matter was circulated to the Cabinet, which gave further detail on the financial implications.

The Corporate Director of Environment, Regeneration and Development clarified that a proposed charge of 20p for the Market Place and St. Margarets Bus Station toilet would generate an estimated income of £159,000. He also suggested amending recommendation 3.3 of the report to authorise himself in consultation with the Cabinet Link Member for Environment, Regeneration and Development to take the decision on which sites to re-open following consultation with the Arts, Leisure and Environment Scrutiny Committee.

RESOLVED:

- (1) that a charge of 20p for the two existing staffed public conveniences, (Market Place and St Margaret's Bus Station), be approved;
- (2) that a phased re-opening of public conveniences be approved, subject to the availability of resources;
- (3) that the Corporate Director of Environment, Regeneration and Development, in consultation with the Cabinet Link Member for Environment, Regeneration and Development, be authorised to decide which sites to re-open following consideration of the comments of the Arts, Leisure and Environment Scrutiny Committee on this matter.

### **14. LEICESTER WEST TRANSPORT SCHEME - REPORT BACK FROM COUNCIL**

Councillor Hunt submitted a report, which referred to the Council's recommendation at its meeting, held on 5 June 2003 in response to a 'call-in' of the decision taken by Cabinet on 22 April 2003 on the Leicester West

Transport Scheme. The Council resolution was as follows:-

“that the decisions of the Cabinet in relation to the Leicester West Transportation Scheme be referred back to Cabinet with a recommendation that Cabinet review the location of the Southern Park and Ride site”.

An addendum report was circulated to the Cabinet which outlined the options available to the Cabinet. Councillor Hunt reaffirmed that Park and Ride was an issue of high priority for the new Cabinet as it affected wider issues regarding investment, wealth and regeneration within the City. He stated that if the proposals for Park and Ride didn't go ahead then the City may be forced by the Government into some form of congestion charging which the Cabinet did not support.

Councillor Scuplak also commented that the new administration was open to ideas about the location of the sites. He confirmed he felt the choice of the proposed site in Aylestone was incorrect and he felt the City's site would have better been located in the north or west of the city where there was more open land. Councillor Hunt recommended that Option 2 contained within the addendum report be the option pursued to take the matter forward.

RESOLVED:

- (1) that the City Council, in partnership with the County Council, submit a bid for Major Scheme funding to the Department for Transport to fund the Leicester West Transport Scheme, based on the originally submitted report, but without reference to the site at Aylestone, as per Option 2 in the report, subject to resolution (3) below;
- (2) that the Highways and Transportation Scrutiny Committee be invited to comment on the report prior to its further consideration by Cabinet; and
- (3) that a further report be brought before Cabinet no later than 31 July 2003, confirming the final details of the bid, including resource implications and detailing the share of risk and benefits between the City and County Councils on the basis that no call-in may then be made due to technical reasons and timescales required as outlined in Section 11 of the report.

#### **15. MULTI DISCIPLINARY CENTRE - POCKLINGTONS WALK - REPORT BACK FROM COUNCIL**

Councillor Metcalfe submitted a report, which referred to the Council's recommendation at its meeting, held on 5 June 2003 in response to a 'call-in' of the decision taken by Cabinet on 22 April 2003 on the Multi Disciplinary Centre – Pocklington's Walk. The Council resolution was as follows:-

“that the decisions of the Cabinet in relation to the proposed Multi-Disciplinary



Centre in Pocklington's Walk be referred back to Cabinet with a recommendation that Cabinet reject the Pocklington's Walk site and review alternative sites which could be utilised for the provision of the proposed Multi-Disciplinary Centre".

An addendum report was circulated to the Cabinet which detailed the options available. Councillor Metcalfe moved a set of recommendations which were circulated to the Cabinet.

**RESOLVED:**

- (1) that the scheme for a Multi Disciplinary Centre (MDC) on Pocklington's Walk be rejected and the application to the government for Listed Building consent be withdrawn;
- (2) that other sites be identified and progressed by the Corporate Director of Housing in consultation with the Cabinet Link Member for the Housing Department;
- (3) that, in the context of (2) above, the best site, currently Conduit Street, should be urgently progressed to provide an improved facility for homeless people as soon as possible and to retain funding of £750,000 from the Rough Sleepers Unit;
- (4) that the scheme for a Multi Disciplinary Centre, with the same budget as previously approved by Cabinet on 22 April 2003, be added to the Housing Capital Programme 2003/04 and 2004/05;
- (5) that when the Multi Disciplinary Centre is complete the Nightshelter be closed and sold, with the capital receipt being used to offset the costs of the new Centre;
- (6) that the Corporate Director of Housing be authorised to:-
  - a) submit a planning application for an appropriate site,
  - b) appoint a Project Manager to implement the scheme,
  - c) agree and authorise capital expenditure for the scheme,
  - d) dispose of the Nightshelter upon completion of the scheme; and
- (7) that Town Clerk be authorised to sign any contracts in connection with the scheme.

**16. TRANSFORMING SECONDARY SCHOOLS - REPORT BACK FROM COUNCIL**

Councillor Johnson submitted a report, which referred to the Council's recommendation at its meeting, held on 5 June 2003 in response to a 'call-in' of

the decision taken by Cabinet on 22 April 2003 on Transforming Secondary Schools. The Council resolution was as follows:-

“that the decisions of the Cabinet in relation to the Transforming Secondary Schools Agenda be referred back to the Cabinet with the recommendation that the L.E.A. be instructed to proceed with the arrangements to make the Islamic Academy the first state-funded Islamic faith school, as agreed by the Education and Lifelong Learning Scrutiny Committee and, in relation to the remainder of the Transforming Secondary Schools Agenda, to consider, in the light of the Education and Lifelong Learning Scrutiny Committee’s comments to date whether it is appropriate to proceed with the remainder of the Transforming Secondary Schools Agenda or whether it needs to ask the Scrutiny Committee to give further detailed consideration to specific issues”.

An addendum report was circulated to the Cabinet which updated members on the current position regarding the Transforming Schools agenda. Councillor Johnson circulated a set of recommendations to the Cabinet. It was agreed to consult with the Education Partnership Board on proposals for a City Academy.

RESOLVED:

- (1) that Leicester Islamic Academy’s proposal to become a Voluntary Aided School, be approved in principle;
- (2) that further work be undertaken with the sponsors to enable the Leicester Islamic Academy to make an application to the Department for Education and Skills for Voluntary Aided status by the end of the calendar year;
- (3) that a further report be submitted to the Cabinet on the Leicester Islamic Academy when appropriate to comment on progress and implications;
- (4) that further work be undertaken with the potential sponsors of the City Academy to enable Members to consider whether they wish to support taking forward a submission to the Department for Education and Skills for the establishment of a City Academy school in the south of the city;
- (5) that a further report on the establishment of a City Academy be submitted, in the first instance to the Education and Lifelong Learning Scrutiny Committee and the Education Partnership Board, and which considers the implications for the City Council; and
- (6) that consultations are opened up with the Braunstone Community Association on education possibilities for that part of the City.

## **17. CLOSE OF MEETING**

The meeting closed at 6.04pm.