



Leicester
City Council

Minutes of the Meeting of the
CABINET

Held: MONDAY, 22 SEPTEMBER 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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73. 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 Act applied to them.

Councillor Coles declared a personal non-prejudicial interest in Reports F 'Overview and Scrutiny of Health' and I 'Developing Health and Social Care Centres Through 'LIFT' and New Deal for Communities' as he was a Board Member of the Eastern Leicester Primary Care Trust.

74. LEADER'S ANNOUNCEMENTS

Civil Service Relocation

The Leader informed the Cabinet he had written to John Prescott, the Deputy Prime Minister suggesting that some Government Departments be relocated outside of London. In the letter he stated that Leicester was well able to accommodate a Government Department. He also felt there would be considerable regeneration benefits and it would go some way to relieving pressure on housing in London and the South East.

75. MINUTES OF PREVIOUS MEETING

RESOLVED:

that the minutes of the meeting held on 1 September 2003, having been circulated to Members, be taken as read and signed by the Chair as a correct record.

76. INTERNAL PERFORMANCE REPORT 2002/03

Councillor Coley submitted a report reviewing the Council's overall performance in 2002/03. The report outlined areas where the Council was performing well and areas for improvement. The areas for improvement would receive focus and support to ensure they improved.

Members of the Cabinet discussed the performance of housing benefits, which they noted was still poor. The Cabinet Link Member for Housing agreed current performance targets were not being met. However a new computer system was recently put in place and he expected this to mean rapid improvement of performance. The Corporate Director of Housing also reported that this matter had been discussed in depth at the Housing Scrutiny Committee and a report arising from this meeting would be produced. He also expected that performance results would show a dramatic improvement next year.

RESOLVED:

- (1) that the following be noted:-
 - i) that Corporate Directors will continue to take corrective action on areas of declining performance;
 - ii) the Chief Executive will review the detailed performance with each Corporate Director including plans for improvement and progress to date;
 - iii) the areas of concern shown on page 11 of the report will be incorporated into next years Improvement Plan;
 - iv) action will be taken to complete next year's review of performance by July;
- (2) that the report be referred to the Finance, Resources and Equal Opportunities Scrutiny Committee and that Service Directors report individual service performance to their respective scrutiny committees; and
- (3) that a further report be submitted to Cabinet incorporating any comments from the Scrutiny Committees for consideration as part of next years Improvement Plan and best value review programme.

77. MILTON KEYNES AND SOUTH MIDLANDS SUB-REGIONAL SPATIAL STRATEGY

Councillor Hunt submitted a report informing the Cabinet of the proposals contained within the Milton Keynes and South Midlands draft consultation Sub-

Regional Spatial Strategy, setting out the implications of the strategy for the Three Cities Sub-Region and to agree a form of response.

Councillor Hunt noted that this strategy, which included proposals for the creation of large numbers of jobs and new houses, could have serious implications for Leicester. It would mean lower levels of investment in both these areas.

The relevant minutes extract of the Strategic Planning and Regeneration Scrutiny Committee held on 10 September 2003 was circulated to the Cabinet. He noted the comments of the Scrutiny Committee would also be forwarded as part of the Council's response.

RESOLVED:

- (1) that the proposals for the Milton Keynes and South Midlands sub-region, and in particular, the proposals for Northamptonshire, within the East Midlands region, be noted; and
- (2) that the comments contained within the report in bold, form the basis of the City Council's response to the consultation exercise.

78. REVIEW OF LOW DEMAND SHELTERED ACCOMMODATION

Councillor Metcalfe submitted a report which considered different potential courses of action in view of the reduction in demand for the Council's Sheltered Accommodation. The report also responded to a petition regarding the future of William Smith House in Beaumont Leys.

Councillor Metcalfe noted that there was support for the closure of Lily Marriott House. He also noted the petition against the closure of William Smith House.

The relevant minutes extract from the Housing Scrutiny Committee held on 21 August 2003 was attached to the report.

RESOLVED:

- (1) that the Lily Marriott Sheltered Accommodation Scheme be closed, that residents receive highest priority for re-housing and be paid statutory homelessness payment, their removal expenses and given practical assistance with moving and that a further report be brought to the Housing Scrutiny Committee on the future uses of Lily Marriott House; and
- (2) that William Smith House be closed, that residents receive highest priority for re-housing and be paid statutory homelessness payment, their removal expenses and given practical assistance with moving and that William Smith House should be made available for letting to people with

Learning Disabilities.

79. WINDOW REPLACEMENT - PRIORITISATION

Councillor Metcalfe submitted a report presenting options for the future prioritisation of the Window Replacement Programme.

It was noted that, at present, priority was based on a 'worst first' basis. It was proposed that greater priority be given to bungalows or properties tenanted by Senior Citizens, based on the recommendations of the Housing Scrutiny Committee.

Members of the Cabinet explained they felt it was important to make elderly people a priority, which was why they decided to change the prioritisation of the window programme.

The relevant minutes extract from the Housing Scrutiny Committee held on 21 August 2003 was attached to the report.

RESOLVED:

that the recommendations put forward by the Housing Scrutiny Committee on 21 August 2003 as listed below, be approved:-

- i) priority be given to the remaining bungalows listed in Programme One of the report, subject to finance;
- ii) priority be given to the remaining bungalows listed in Programme Two, subject to finance; and
- iii) the investment strategy previously approved by the Council, in Programme Three, be maintained.

80. STOCK OPTIONS APPRAISAL

Councillor Metcalfe submitted a report which sought agreement to undertake a stock options appraisal and outlined a process for Tenants to play a key role in the appraisal.

Members of the Cabinet noted that they were bringing this report forward reluctantly. They felt they were being forced into undertaking the appraisal. It was explained that the Government would provide fewer resources in future years unless this was undertaken.

Councillor Metcalfe noted that wide consultation had been undertaken on this matter and it had been fully explained to Tenants associations, the reasons why this action was being taken.

The relevant minutes extract from the Housing Scrutiny Committee held on 21 August 2003 was attached to the report.

RESOLVED:

- (1) that the requirement by Central Government to undertake a stock options appraisal be noted and the Corporate Director of Housing, in consultation with the Cabinet Link for Housing and the Steering Group engage consultants to undertake the work; and
- (2) that the process be managed by a steering group comprising 12 tenants, 6 of whom to be voting members, 5 trade union representatives, 3 of whom to be voting members, Housing triumvirate, the Cabinet Link for Housing and the Chair of the Leicester Federation of Tenants Associations, who will chair the meetings, the Steering Group to be advised by Council officers, the consultant and a tenants friend.

81. OVERVIEW AND SCRUTINY OF HEALTH

Councillor Coles submitted a report proposing how the Council should exercise the new responsibility given to Council's to establish a new Committee for the Overview and Scrutiny of Health.

Councillor Coles commented that the Cabinet's view for Overview and Scrutiny of Health arrangements was that the City Council establish an independent Scrutiny Committee for the City Primary Care Trusts with a collaborative arrangement with Leicestershire and Rutland County Council for the scrutiny of health organisations which covered the City, County and Rutland areas. It was noted that any collaborative arrangement must ensure equality of all 3 partners.

RESOLVED:

- (1) that the Procedures Working Party be advised of the Cabinet's preference for the Council to establish its own independent Overview and Scrutiny Committee with regard to the City's interests in the City Primary Care Trusts and work to achieve a joint collaborative basis with the two County Councils of Leicestershire and Rutland with regard to the scrutiny of all health organisations which cover this area;
- (2) that the financial implications of the proposal be noted and taken into account in respect of the budget proposals of the Council; and
- (3) that a further report be submitted to the Procedures Working Party and Council, for consideration as soon as is practical, with proposals for the constitution, terms of reference and membership of the City Committee and arrangements for a Joint Committee with the Leicestershire and the Rutland Scrutiny Committees.

82. SOCIAL SERVICES INSPECTION OF CHILDREN'S SERVICES

Councillor Coles submitted a report providing a brief introduction to the presentation by lead Social Services Inspectorate (SSI) Inspector, Ben Irons, of his report on the findings of the Inspection of Children's Social Services in Leicester which took place between 13 May and 27 May 2003.

The relevant minutes extract from the Social Services and Personal Health Scrutiny Committee held on 17 September 2003 were circulated to the Cabinet. Councillor Coles noted the Committee had given its congratulations to the Department for its performance. He recommended that Cabinet resolve to do the same, which was agreed.

RESOLVED:

- (1) that the action plan, as attached to the report, be endorsed; and
- (2) that the Cabinet congratulates all the staff involved for a positive inspection and thanks them for all their hard work.

83. DEPARTMENT OF HEALTH: SOCIAL CARE AND HEALTH ANNUAL REVIEW OF PERFORMANCE 2002/2003

Councillor Coles submitted a report providing the Cabinet with the results of the Department of Health Annual Review of the Social Care and Health Department's performance for 2002/2003.

Councillor Coles commented that overall the Department was serving most people well and that the capacity for improvement was promising. He also felt this report should mean an increased star rating to two stars.

The relevant minutes extract from the Social Services and Personal Health Scrutiny Committee held on 17 September 2003, were attached to the report. Councillor Coles noted that the Committee had given its praise to the department and suggested that the Cabinet do the same, which was agreed.

RESOLVED:

- (1) that the results of the Department of Health Annual Review of the Social Care and Health's Department 2002/2003 performance, be noted;
- (2) that the Corporate Director address the areas for improvement through the business planning process for 2003/2005; and
- (3) that the Cabinet commends all staff in the Social Care and Health Department for contributing to a positive annual review and for making good progress over the past year.

84. DEVELOPING HEALTH AND SOCIAL CARE CENTRES THROUGH 'LIFT' AND NEW DEAL FOR COMMUNITIES

Councillor Coles submitted a report seeking further approvals to progress the next stages of the Council's involvement in the Leicester LIFT (Local Improvement Finance Trust) Initiative. The report also described progress with the Braunstone Health and Social Care Centre.

The Corporate Director of Health and Social Care clarified the reasons for the urgency of the decision. He stated this was the need for the Primary Care Trusts to conclude negotiations with ExcellCare Ltd as soon as possible to ensure an advantageous contract was agreed.

RESOLVED:

- (1) that the progress of the Braunstone Health & Social Care Centre be noted;
- (2) that involvement only in the first phase of the Local Improvement Finance Trust schemes be supported at this stage;
- (3) that the disposal of approximately 2,248 sq. metres of land at Charnwood Children and Family Centre as identified edged on plan no. Cttee 77, and approximately 959 sq. metres of land at St. Peter's as identified edged on plan no. Cttee 78, by way of freehold sale or long lease to LIFTCo or Leicester City West PCT (depending on the status of LIFTCo at the time when the sale is required), subject to any necessary consents being received;
- (4) that the Town Clerk be authorised to approve the detailed terms agreed under delegated powers in consultation with the Cabinet Link Member;
- (5) that the Council become a member of the LIFT Strategic Partnering Board, and that it be represented by the Corporate Director of Social Care and Health, with reports to Cabinet on policy and financial matters as required;
- (6) that the Council not become a shareholder in Leicester LIFTCo;
- (7) that a report on the affordability of involvement in future phases of the LIFT development be submitted when the national and local funding position is clearer;
- (8) that no 'call-in' be made in respect of the LIFT decisions arising from this report in view of the urgent need to progress Stage 1 of the Council's involvement with the development.

85. BASE BUDGET PREPARATION 2004/05

Councillor Coley submitted a report explaining the process by which the Council's 2004/05 base budget was being prepared, and summarised the principles supporting the process.

RESOLVED:

- (1) that the framework for the base budget preparation, be endorsed; and
- (2) that the cash limits for each department be approved.

86. HIGHWAYS CAPITAL SPEND 2003/04

Councillor Hunt submitted a report seeking approval for expenditure of £300,000 on Local Environmental Works and £100,000 on Highway Maintenance from the City Council Capital Budget 2003/2004.

RESOLVED:

that the expenditure of £300,000 on Local Environmental Works and £100,000 on Highway Maintenance from the City Council's 2003/04 Capital Budget, be approved.

87. STATUTORY STATEMENT OF ACCOUNTS 2002/2003

Councillor Coley submitted a report presenting the Statutory Statement of Accounts 2002/2003 prior to audit, as required by Accounts and Audit regulations.

RESOLVED:

that the Statement of Accounts for 2002/2003 be noted and they be submitted to Council for approval.

88. PRIVATE SESSION

Members of the Cabinet discussed the ways in which reports relating to the Empty Homes Strategy Compulsory Purchase Orders could be discussed in public session in order to be more assertive in bringing empty properties into occupation. It was requested that a report be submitted to the Cabinet to consider the implications and of possible means by which such discussions could be held in public session.

RESOLVED:

- (1) that the Corporate Director of Housing, in consultation with the Town Clerk, submit a report to Cabinet which considers ways in which discussion of Empty Homes Strategy Compulsory Purchase Orders could be done in public session; and

- (2) 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 Pat 1 of Schedule 12A of the Act:-

Paragraph 7

Information relating to the financial or business affairs of any particular 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 2003 (3)

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.

Approval for Property Disposals

89. THE EMPTY HOMES STRATEGY COMPULSORY PURCHASE OF VARIOUS HOUSES 2003 (3)

Councillor Metcalfe submitted a report seeking approval to undertake Compulsory Purchase Orders on seven long term privately owned vacant properties.

RESOLVED:

- (1) that the land and dwellings, as outlined in Appendix A attached to the report, be the subject of individual Compulsory Purchase Orders, in order to secure their improvement, proper management and occupation as residential dwellings;
- (2) that the necessary capital expenditure be approved from the Empty Homes Strategy line in the agreed Capital Programme.

90. APPROVAL FOR PROPERTY DISPOSALS

Councillor Coley submitted a report seeking approval to the disposal of four properties as follows:-

- (i) 8 Bowling Green Street / 45-49 Belvoir Street
- (ii) 62/64 New Walk / 83-87 Wellington Street
- (iii) Haymarket Shopping Centre Car Park
- (iv) 2.8 acres of land at Uxbridge Road.

RESOLVED:

- (1) that the disposal of the properties (i), (ii) and (iv) above, as described in the report, be approved; and
- (2) that the Head of Legal Services be authorised to exchange contracts (if not sold at auction) and to complete the sale of the properties as outlined in (1) above;
- (3) that the disposal of (iii), Haymarket Shopping Centre Car Park, be the subject of a further report considering revenue and capital implications for the Council.

91. CLOSE OF MEETING

The meeting closed at 6.05pm.