



Leicester
City Council

MEETING OF THE CABINET

DATE: MONDAY, 13 OCTOBER 2003

TIME: 5:00 pm

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

Members of the Committee

Councillor Roger Blackmore (Chair)
Councillor Scuplak (Vice-Chair)

Councillors Coles, Coley, Hunt, Johnson, Metcalfe, Mugglestone and
Suleman

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
New Walk Centre, Welford Place, Leicester LE1 6ZG
(Tel: 0116 252 6028 / 6022 Fax: 0116 247 1181)*

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/Matthew Reeves, Committee Services on (0116) 252 6028/22 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 held on 22 September 2003 have been circulated to Members and the Cabinet is asked to approve them as a correct record, subject to the inclusion in minute 80 of the following further resolution, which was omitted from the draft circulated:-

“3 that, to ensure the Government receives a clear message that the Council will be undertaking a Stock Options Appraisal, before final funding decisions were made by the Government, in accordance with Cabinet procedure rule 12 (d), the decision be regarded as urgent and that, in consequence, no call in of the decision be allowed.”

4. MATTERS REFERRED FROM SCRUTINY COMMITTEES

5. MULTI DISCIPLINARY CENTRE

Appendix A

Councillor Metcalfe submits a report seeking approval for a scheme to locate a multi disciplinary centre for homeless people in Conduit Street. The Cabinet is asked to approved the revised scheme and that the capital programme provision is increased to £3.95 million. Approval is also sought to a bid for £800,000 being made to the Neighbourhood Renewal Fund.

The relevant minute extract of the Housing Scrutiny Committee on 9 October will be circulated when available.

6. INVESTIGATION OF ALTERNATIVE MANAGEMENT OPTIONS FOR CULTURAL SERVICES

Appendix B

Councillor Mugglestone submits a report informing the Cabinet of the work to be undertaken to produce a cost benefit analysis of options for alternative management arrangements for a number of cultural services. The Cabinet is asked to note the work to be carried out to produce alternative management options for consideration at a future Cabinet meeting, note the importance of reducing the Council's asset base prior to any transfer of services to any

alternative management arrangement in order to ensure the viability of such and consider setting up and membership of an Alternative Management Cabinet Sub-Group.

7. REVIEW OF ENVIRONMENT, REGENERATION AND DEVELOPMENT DEPARTMENT AND CULTURAL SERVICES AND NEIGHBOURHOOD RENEWAL DEPARTMENT **Appendix C**

Councillor Suleman submits a report arising from the first phase of the Review of the Environment, Regeneration and Development Department and the Cultural Services and Neighbourhood Renewal Department. The report seeks approval from the Cabinet for the proposed Senior Management structure and location of service functions within divisions of the new department.

8. TREE PROTECTION: SUPPLEMENTARY PLANNING GUIDANCE **Appendix D**

Councillor Hunt submits a report seeking the Cabinet's approval to adopt 'Tree Protection' as Supplementary Planning Guidance to the City of Leicester Local Plan.

The full Supplementary Planning Guidance document is attached for Members of the Cabinet only. Copies of this document can be obtained either from the Council's website www.cabinet.leicester.gov.uk or by phoning Committee Services on (0116) 252 6022.

9. BIODIVERSITY IN LEICESTER: SUPPLEMENTARY PLANNING GUIDANCE **Appendix E**

Councillor Hunt submits a report seeking approval to adopt 'Biodiversity in Leicester' as Supplementary Planning Guidance to the City of Leicester Local Plan.

The full Supplementary Planning Guidance document is attached for Members of the Cabinet only. Copies of this document can be obtained either from the Council's website www.cabinet.leicester.gov.uk or by phoning Committee Services on (0116) 252 6022.

10. AFFORDABLE HOUSING **Appendix F**

Councillor Metcalfe submits a report which asks the Cabinet to consider the recommendation of Council on 25 September that the existing moratorium on affordable housing should cease with effect from the Cabinet meeting. The report had been referred to Council for consideration by the Cabinet at its meeting on 1 September, following recommendations by both the Housing Scrutiny Committee and the Strategic Planning and Regeneration Scrutiny Committee.

11. DEVELOPER CONTRIBUTIONS AND THE PLANNING PROCESS Appendix G

Councillor Hunt submits a report that seeks to clarify the process and framework for negotiating developer contributions that can be sought as a result of development in the city. The report also addresses issues arising from a previous Cabinet report, 'Affordable Housing and the Planning Process' from 27 January 2003. The Cabinet is asked to approve the protocol as set out at Appendix A of the report, note the funding options for the 'Developer Contributions Post', agree that a members advisory panel is not set up, endorse the involvement of ward councillors in the developer contributions process and confirm that developer contributions should be sought for public art.

The relevant minutes extracts from the Arts, Leisure and Environment Scrutiny Committee on 13 August, the Highways and Transportation Scrutiny Committee on 13 August, the Housing Scrutiny Committee on 21 August, the Strategic Planning and Regeneration Scrutiny Committee on 10 September and the Development Control Committee on 16 September are attached to the report.

12. LEICESTER CITY COUNCIL'S SERVICE PLAN FOR FOOD ENFORCEMENT Appendix H

Councillor Hunt submits a report asking Cabinet to endorse the Service Plan for Food Enforcement 2003/04 for submission to Council for approval.

The full Service Plan is attached for Members of the Cabinet only. Copies of this document can be obtained either from the Council's website www.cabinet.leicester.gov.uk or by phoning Committee Services on (0116) 252 6022.

13. SUPPORTING PEOPLE STEADY STATE CONTRACT ARRANGEMENTS Appendix I

Councillor Coles submits a report seeking approval for the Supporting People (SP) Steady State Contract arrangements. The Cabinet is asked to approve the Supporting People Steady State Contract arrangements, to waive contract procedure rules 5, 6, 8.2, 10, & 11.5 as described in Appendix A (2) of the report and the Corporate Director of Housing be given delegated authority as detailed in Appendix A pertaining to 2. (a).

14. CAPITAL PROGRAMME MONITORING 2003-04 - PERIOD 4 Appendix J

Councillor Coley submits a report updating the Cabinet on progress of the capital programme for 2003/04 up to the end of July. The Cabinet is asked to approve a revised level of programmed expenditure of £71.795 million, note the level of expenditure to the end of July 2003 of £14.89 million, note the position relating to capital receipts, approve additions to the capital programme and

approve an additional target relating to capital programme performance of actual expenditure being 90% of the period 4 forecast in 2003/04 and of the original forecast in 2004/05 and later years.

15. REVENUE BUDGET MONITORING 2003-04 - PERIOD 4 Appendix K

Councillor Coley submits a report which shows the summary position comparing spending with the budget for all General Fund services. The Cabinet is asked to approve several recommendations with regard to the Revenue Budget.

16. FRAMEWORK FOR THE DISPOSAL OF PROPERTY Appendix L

Councillor Coley submits a report seeking amendments to the Framework for the Disposal of Property following the recommendation from Council on 25 September that the policy be clarified and where necessary improved. The report had been considered at Council following a call-in of the decision of Cabinet on 21 July.

17. FINDINGS OF MALADMINISTRATION BY THE LOCAL GOVERNMENT OMBUDSMAN (OMBUDSMAN REPORTS 01/0666/01 AND 02/1168/13 Appendix M

Councillor Johnson submits a report which sets out the findings made by the Local Government Ombudsman following the investigations into two complaints concerning provision of education for children with special educational needs. The report also sets out the remedies that the Ombudsman is recommending that the Council implement to provide just satisfaction to the complainants. Cabinet is asked to recommend to Council that the Ombudsman's recommendations be accepted, with the investment payment released on receipt from the parents of an appropriate plan of investment dedicated specifically to the education of the children concerned and, subject to the Council's acceptance of this recommendation, the resulting executive action be taken.

18. ANY OTHER URGENT BUSINESS

The Chair has agreed for an item of Urgent Business to be admitted to the agenda as follows:-

Transforming City Schools

The report addresses the strategy for transforming City Schools

Due to the computer virus that affected the City Council, there has been an unavoidable delay in producing the report which is why it is not available with the Cabinet agenda. However it is urgent that it is considered at the meeting on 13 October as the report considers a bid to the DFES, which needs to be submitted by 31 October.

The report will be circulated early next week.

19. PRIVATE SESSION

AGENDA

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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 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 (4)

20. THE EMPTY HOMES STRATEGY COMPULSORY PURCHASE OF VARIOUS HOUSES 2003 (4)

APPENDIX B1

Councillor Metcalfe submits a report.