



Leicester
City Council

Minutes of the Meeting of the
CABINET

Held: MONDAY, 24 NOVEMBER 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

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128. 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.

129. LEADER'S ANNOUNCEMENTS

England Rugby World Cup

On behalf of the Council and Cabinet the Leader gave congratulations to the winning England World Cup Rugby Team. In particular, congratulations were passed to the Leicester Tigers players who were members of the team. It was explained that discussions were taking place to identify ways in which the City can show its appreciation to the team when the World Cup is possibly brought to Leicester.

Social Care and Health Department Star Rating

It was announced that the Social Care and Health Department had achieved a two star rating from the Social Services Inspectorate, taking the department into the top 35 in the Country. Congratulations were passed to all staff in the Department whose hard work had made this possible.

130. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 3 November 2003 2003, having been circulated to Members, be taken as read and signed by the Chair as a correct record.

131. REVIEW OF REVITALISING NEIGHBOURHOODS: OUTLINE DECISIONS ON AREA COMMITTEES

Councillor Blackmore submitted a report advising Cabinet of the outcome of the review of Revitalising Neighbourhoods that had been undertaken by the Procedures Working Party. In particular the report put forward a number of recommendations regarding the setting up of Area Committees. The relevant minutes extract from the Finance, Resources and Equal Opportunities Scrutiny Committee on 4 September was attached to the report and the Committee was thanked for its input into the review and consultation process. The Procedures Working Party was also thanked for its contribution. Cabinet members welcomed the refocusing of Revitalising Neighbourhoods on elected members. All those involved in the review were thanked for their hard work.

RESOLVED:

- (1) That with regard to section 2.9 of the report to not employ Neighbourhood Co-ordinators but consider, with the functions identified in appendix J, the roles which can be undertaken by other means, principally to enable the effective running of Area Committees and in the case of the city centre, the Area Forum;
- (2) that the resource issues in setting up Area Committees be noted; and
- (3) that the following be recommended to Council:
 - (i) that Area Committees be set up to provide better solutions to local problems and improve services by giving some key decision making powers to ward Members, and bringing decision making closer to the public;
 - (ii) that Area Committees have seven roles; executive decision making, community engagement, preparing area community plans, neighbourhood renewal, scrutiny, best value and performance management and working with local partners;
 - (iii) that the set of six criteria outlined in the report be used to decide which functions to delegate to Area Committees;
 - (iv) that minimum service standards be set for functions that are delegated to Area Committees;

- (v) that there be community engagement in the work of Area Committees and that Area Committees choose their own method of community engagement, but will adhere to minimum standards;
- (vi) that the boundaries for Area Committees be based on groupings of two or three wards, The Corporate Director of Cultural Services and Neighbourhood Renewal to consult with all the Members as to whether they wish to see any changes to the current groupings;
- (vii) that there not be an Area Committee for the city centre, but a consultative forum made up of businesses, residents and other stakeholders in city centre issues. That Councillors having a key role in the forum; and
- (viii) that officers develop a detailed operational framework in the form of *Guidelines for Area Committees*, aimed at officers and Members and covering such issues as the Scheme of Delegation, minimum service standards, the relationship between Area Committees and the rest of the Council's governance and political management system, community engagement, and the financial arrangements for Area Committees;

132. LEICESTER WEST TRANSPORT SCHEME PROPOSAL

Councillor Hunt submitted a report presenting the findings of the re-assessment of potential sites for a Park and Ride facility in the south of the City. It was explained that evaluation of alternative sites for the Park and Ride facility had been undertaken and a number of recommendations were proposed with regard to this. The relevant minute extract of the Highways and Transportation Scrutiny Committee on 29 October 2003 was attached to the report.

RESOLVED:

- (1) that within existing policy frameworks, site 29 remains the most appropriate site for the Park & Ride facility in the south of Leicester;
- (2) that subject to a change in existing policy frameworks, site 33 be taken forward for further detailed analysis and appraisal;
- (3) that the proposed link road through site 29 is retained to facilitate site 33 to operate successfully and alleviate congestion at the Soar Valley Way/Lutterworth Road

junction; and

- (4) that it is the intention to run a localised consultation exercise in late 2003 on the site 33 proposal.

133. CLOSURE OF PARKFIELD NURSERY

Councillor Johnson presented a report which sought approval for the publication of formal notices proposing the closure of Parkfield Nursery at the end of the Spring Term 2004. It was explained that the number of pupils at the school had reduced to 9 FTE and that it was no longer viable to run the Nursery. It was also considered that the needs of the pupils could be better met in mainstream schools. Cabinet was also asked to authorise that the ring fencing and redeployment of savings arising from the closure during 2003/04 be earmarked for developments for pre-school pupils with Special Educational Needs.

RESOLVED:

- (1) That the Corporate Director of Education and Lifelong Learning be authorised to publish statutory proposals under section 31 of the School Standards and Framework Act 1998 to close Parkfield Nursery; and
- (2) that the ring fencing and redeployment of savings arising from the closure during 2003/04 be earmarked for developments for pre-school pupils with Special Educational Needs.

134. PROPOSED LOCAL AUTHORITY DISCRETION ON COUNCIL TAX DISCOUNTS

Councillor Coley submitted a report proposing a policy on the use of new discretions to vary current council tax discounts received on second homes and long term empty properties. Cabinet was asked to adopt the proposed policy in principle for a period of consultation with a view to recommending the policy to Council for implementation in April 2004. It was expected that the policy would reduce the number of empty properties in Leicester.

RESOLVED:

- (1) that the following policy on the use of discretionary powers on council tax discounts be adopted in principle:-
 - i) Empty unfurnished properties should be liable for full council tax after the 6 month exempt period, applying from when the property was first vacant.
 - ii) Second homes and furnished empty properties should be liable for 90% council tax after receiving 6 months 50% discount, applying from when the property was first vacant / registered as a second home.

- iii) No additional local discounts and exemptions be established.
- iv) A property that has been vacant for 6 months should liable for 90% or full council tax (depending on the furnished status at that time) regardless of a change in the furnished status in the previous 6 months.
- v) Aim to implement the policy from April 2004, subject to any views received, (a final recommendation will be included in the 2004/05 budget report to Council in February 2004).

135. 2004/05 TO 2006/07 CORPORATE REVENUE BUDGET STRATEGY

Councillor Coley submitted a report informing Cabinet of the progress made in developing a new corporate revenue budget strategy for the period 2004/05 to 2006/07.

RESOLVED:

that the draft corporate revenue strategy be noted.

136. CAPITAL PROGRAMME ISSUES 2004/05 AND THE PRUDENTIAL FRAMEWORK

Councillor Coley submitted a report recommending a process for setting the 2004/05 corporate capital programme and informing Cabinet of the new Prudential Framework for capital finance. The Chief Finance Officer explained the 'spend to save' options and also explained the merits of long and short term borrowing.

RESOLVED:

- (1) That the implications of the Prudential Framework for the Council and the fact that the abolition of capital controls brings with it a responsibility to ensure our capital spending programmes are prudent, affordable and sustainable be noted;
- (2) that the completion of the current 3 year capital programme which runs to 2004/05 be recommended to Council; and
- (3) that a new capital strategy be developed over the autumn/winter 2003/4, which will be used to develop a new 3-year corporate capital programme in 2004 for the period 2005/06 to 2007/08 be developed.

137. CORPORATE GOVERNANCE: ANNUAL REPORT FOR 2002/03

Councillor Coley submitted a report which enabled compliance with the

requirements of the Council's Corporate Governance Code by carrying out an Annual Review of Corporate Governance arrangements for the year 2002/03, and to enabling the Chief Executive to sign a Corporate Assurance Statement. The relevant minutes extract from the Finance, Resources and Equal Opportunities Scrutiny Committee on 8 October 2003 were attached to the report.

RESOLVED:

- (1) that the position in respect of corporate governance assurance and complaints to the ombudsman be noted; and
- (2) that the Town Clerk be authorised to finalise a Corporate Assurance Statement to be signed by the Chief Executive and Leader on behalf of the Authority.

138. FRAMEWORK FOR TREASURY DECISIONS

Councillor Coley submitted a report proposing the updating of democratic and managerial controls by which the Council's borrowing and investments were governed. This would ensure that they reflected current best practice. Cabinet was asked to recommend to Council a Treasury Management Policy.

RESOLVED:

- (1) that Council be recommended to pass the following resolution as detailed in the report;

“Leicester City Council adopts the key recommendations of CIPFA's Treasury Management in the Public Services: Code of Practice (the Code) 2001 as described in section 4 of that Code. Accordingly, this organisation will create and maintain, as the cornerstones for effective treasury management:

- i) a treasury management policy statement (TMPS), stating the policies and objectives of its treasury management activities
- ii) suitable treasury management practices (TMPs), setting out the manner in which the organisation will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities.

The Council will receive reports on its treasury

management policies, practices and activities including, as a minimum, an annual strategy and plan in advance of the year, and an annual report after its close, in the form prescribed in its TMPs.

The Council delegate responsibility for the implementation and monitoring of its treasury management policies and practices to the Cabinet, and for the execution and administration of treasury management decisions to the Chief Finance Officer who will act in accordance with the organisation's policy statement and TMPs and CIPFA's Standard of Professional Practice on Treasury Management." Monitoring of the function will be undertaken by the Finance, Resources and Equal Opportunities Scrutiny Committee.

- (2) that the treasury management policy statement be adopted;
- (3) that the 12 treasury management practices be adopted;
- (4) that the preparation of all schedules issued in connection with treasury management practices adopted by the Council be delegated to the Chief Financial Officer;
- (5) that the maintenance of lists of bodies to whom the Council may lend and borrow money be delegated to the Chief Finance Officer, subject to criteria agreed by the Cabinet;
- (6) that the maintenance of a list of authorised instruments that may be used for investments, borrowing, leasing or other forms of capital finance, subject to agreed treasury management practices be delegated to the Chief Finance Officer;
- (7) that the day to day activity of treasury management continue to be delegated to the Chief Finance Officer; and
- (8) that the Chief Finance Officer be required to report to Scrutiny Committee details of powers of delegation exercised by means of a six monthly review of treasury management activities.

139. LEGAL SERVICES BEST VALUE REVIEW - SELF ASSESSMENT AND DRAFT IMPROVEMENT OPTIONS

Councillor Coley submitted a report which followed the self assessment stage of the Legal Services Best Value Review and summarised emerging issues and improvement options. In response to questions from the Leader, the Service Director of Legal Services explained that 'bottle necks' in service delivery had been a result of a shortage of senior staff and it was hoped that a review of practice support procedures and an increase in staffing would contribute to a reduction in bottle necks.

RESOLVED:

- (1) that the report be noted;
- (2) that the Cabinet confirm its wish to retain a sustainable in-house legal service, to provide specialist legal advice and support for all Council functions, as well as in support of Corporate Governance, whilst retaining, as at present, flexibility to commission external legal services where needed for specialist needs, peaks of work;
- (3) that Legal Services rebalances its staff profile to better match demand by increasing/reducing staff as set out in the report;
- (4) that Departments and Legal Services work together to find ways of reducing the need for formal legal services; and
- (5) that the Service Director (Legal Services) finalises the improvement plan in line with Cabinet's decision, and in consultation with Andrew Cozens, Scrutiny Director for this review.

140. CONSULATATION RESPONSE TO GOVERNMENT GREEN PAPER 'EVERY CHILD MATTERS'

Councillor Coles submitted a report informing Cabinet of the consultation responses so far to the governments' Green Paper 'Every Child Matters'. It also summarised the key recommendations within the paper. The relevant minutes extract of the Social Services and Personal Health Scrutiny Committee held on 29 October 2003 was attached to the report.

RESOLVED:

- that the consultation responses be noted.

141. FINAL REPORT OF THE NATIONAL CARE STANDARDS COMMISSION INSPECTION OF LEICESTER CITY COUNCIL FOSTERING SERVICE

Councillor Coles submitted a report informing Cabinet of the outcome of the National Care Standards Commission Inspection of the Leicester City Council Fostering Service, which took place in May 2003. The Cabinet acknowledged

the excellent service provided by the Fostering Team. The relevant minutes extract of the Social Services and Personal Health Scrutiny Committee held on 29 October 2003 was attached to the report.

RESOLVED:

- (1) that the report be noted;
- (2) that it be noted that the statutory requirements and good practice recommendations within the Inspection report had been acted upon; and
- (3) that the staff at the Fostering Service be congratulated on the positive inspection.

142. ADOPTION TEAM ANNUAL REPORT 2003

Councillor Coles submitted a report, which presented the Adoption Team Annual Report. The Cabinet acknowledged the excellent service provided by the Adoption Team. The relevant minutes extract of the Social Services and Personal Health Scrutiny Committee held on 29 October 2003 was attached to the report.

RESOLVED:

- (1) That the report be noted; and
- (2) that the Adoption Team Staff be congratulated on the positive annual report.

143. ESTABLISHING A CHILDRENS TRUST PATHFINDER IN LEICESTER

Councillor Coles submitted a report that informed Cabinet about the progress of Leicester's Children's Trust Pathfinder, The Leicester Federation of Children's Services. It was noted that the project did not involve setting up a new organisation but was a federation of existing organisations and agencies aimed at improving co-ordination of services to vulnerable children. The relevant minutes extract from the Social Services and Personal Health Scrutiny Committee held on 20 November 2003 were circulated to the Cabinet.

RESOLVED:

- (1) That the statement of strategic intent be approved;
- (2) that the initial priority work streams, the project management arrangements, the initial project execution plan, the initial communication strategy and an approach to cultural change across partner agencies be approved;
- (3) that Councillor Coles be nominated as Cabinet lead for the project and the Federation;
- (4) that the requirement to secure Neighbourhood

Renewal Fund funding in 2004 – 2006 to cover project management infrastructure be noted;

(5) that the current lack of adequate infrastructure resources be noted; and

(6) that the governance recommendation be agreed.

144. ACHIEVEMENT OF AND FUTURE PLANS FOR IMPROVING CONSTRUCTION PROCUREMENT

Councillor Coley presented a report informing Cabinet of the plans for 'Improving Construction Procurement', in line with modern best practice and seeking Cabinet approval for a pilot Framework Partnership Agreement.

RESOLVED:

(1) that the work taking place to improve construction procurement practices be endorsed;

(2) that the most economically advantage tender evaluation criteria and the waiving of Contract Procurement Rule be approved; and

(3) that the Corporate Director, Education and Life Long Learning be authorised to undertake a competitive tender in respect of the Schools' Mobile Classroom replacement programme to source the most economically advantageous contractor bid; and

(4) that the Corporate Director, Education and Lifelong Learning, be authorised to finalise the terms of the contract documents; and

(5) that the Head of Legal Services be granted authorisation to enter into the necessary contracts.

145. LEICESTER CITY COUNCIL'S SERVICE PLAN FOR CONSUMER PROTECTION 2003/2004

Councillor Coley submitted a report presenting the 2003/04 Service Plan for Consumer Protection. The relevant minutes extract from the Arts, Leisure and Environment Scrutiny Committee held on 1 October 2003 was attached to the report. The Committee was thanked for its contribution to the plan.

RESOLVED:

that the 2003/04 Service Plan for Consumer Protection be endorsed.

146. INTERPRETATION AND TRANSLATIONS SERVICE REVIEW

Councillor Blackmore asked for this report to be deferred.

RESOLVED:

that the above report be deferred to a future meeting.

147. ECO-PROCUREMENT: EU LIFE - ENVIRONMENT FUNDING (LEAP)

Councillor Hunt submitted a report informing Cabinet that the City Council had been invited to lead an eco-procurement project worth £2.15 million, supported by the EU – LIFE – Environment Fund.

RESOLVED:

that approval be given for Leicester City Council to be the accountable body and beneficiary of the project, and thereby the authority will be legally and financially responsible for the implementation of the project and failure to deliver project outputs or follow the correct reporting procedures would result in the loss of funding from the European Commission and the requirement to repay any sums already received.

148. PRIVATE SESSION

The Chair noted that he had received a request from Councillor Farmer to remain in the meeting for the discussion on report B1 'National Space Centre – Request for Funding'. He stated that his 'need to know' was on the basis of his role as Chair of the Strategic Planning and Regeneration Scrutiny Committee. The Cabinet agreed to the request.

RESOLVED:

that the press and public be excluded during consideration of the following report in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because it involves 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 business affairs of any particular person (other than the authority).

National Space Centre – Request for Funding

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.

Property Disposal

149. NATIONAL SPACE CENTRE - REQUEST FOR FUNDING

Councillor Hunt submitted a report informing the Cabinet of a request from the National Space Centre for funding.

RESOLVED:

- (1) that approval be given to the payment of a one-off loan of £115,000 to the National Space Centre, to achieve the educational benefits for City school children as detailed in the report, details of the loan to be agreed by the Town Clerk in consultation with the Leader and Deputy Leader;
- (2) that approval be given for the use of £115,000 from savings in the capital programme scheme relating to the commissioning of an electricity sub-station to fund the contribution;
- (3) that it be noted that such a payment would meet the cost of the fundraising team in the first year;
- (4) that the National Space Centre be advised that the Council is unable to meet its request for the full amount; and
- (5) that the loan is subject to a package of discounts for visits to the Space Centre by Leicester Children and residents being agreed with the Space Centre and acceptable to the Corporate Director of Education and Lifelong Learning.

150. PROPERTY DISPOSAL

Councillor Coley presented a report seeking approval for the disposal of approx 7 acres of land at Bursom Business Park, Leicester.

RESOLVED:

- (1) that approval be given to the disposal of approx 7 acres (2.83 hectares) of land at Bursom Business Park, Leicester, freehold with vacant possession;
- (2) that the Head of Legal Services be authorised to exchange contracts (if not sold at auction) and to complete the sale of land described above.

151. CLOSE OF MEETING

The meeting closed at 6.20 pm.