



Leicester  
City Council

Minutes of the Meeting of the  
CABINET

Held: MONDAY, 15 DECEMBER 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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**152. 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 Mugglestone declared a personal, non prejudicial interest in Report B1, 'Former Mundella Community College', as his wife was a Board Member of the Greater Humberstone Community Development Limited.

**153. LEADER'S ANNOUNCEMENTS**

- a) Incident on Sunday 14 December  
The Leader reported on an incident on Sunday 14 December where a 20 year old man broke into 'A' Block of the New Walk Centre and made his way up to the 13<sup>th</sup> floor. He was suffering from severe depression and was threatening to end his life. He was talked down with skilled police support over several hours and was now receiving specialist help.

Councillor Blackmore thanked the police and Council staff for their professionalism during the incident and extended the Cabinet's best wishes to the young man for his recovery.

- b) Cultural Quarter  
Councillor Blackmore reported that he intended to set up a group of Members to discuss issues surrounding the Cultural Quarter.

#### **154. MINUTES OF PREVIOUS MEETING**

RESOLVED:

that the minutes of the meeting held on 24 November 2003, having been circulated to Members, be taken as read and signed by the Chair as a correct record.

#### **155. INVESTING IN THE FUTURE OF LEICESTER: THE FINDINGS OF THE PROJECT QUESTIONNAIRE**

Councillor Mugglestone submitted a report that presented the findings of the public consultation exercise carried out in September 2003 with regard to expenditure in Cultural Services. The consultation was part of a project to create long term sustainability for Cultural Services, faced with challenging financial targets and the consequences of long term budget reductions.

Councillor Mugglestone thanked the Leicester Mercury for their contribution to the distribution and publicity of the questionnaire.

RESOLVED:

that the results of the survey be noted.

#### **156. CO-ORDINATED SCHEME FOR SECONDARY ADMISSION ARRANGEMENTS 2005**

Councillor Johnson submitted a report that sought approval and adoption of the co-ordinated scheme for secondary school admission arrangements 2005. The report also set out the timescales required for meeting the requirements of the Education Act 2002 and the Code of Practice on Admissions. The minutes of the Education and Lifelong Learning Scrutiny Committee held on 4 November were included with the report. It was noted that the proposals would bring the City in line with the County Council's procedures.

RESOLVED:

that the Scheme for Secondary Admission arrangements, as detailed at Appendix A to the report, be approved and adopted.

#### **157. ADULT LEARNING PLAN 2003-06 - SUMMARY**

Councillor Johnson submitted a report seeking approval of an Adult Learning Plan for recommendation to Council. The relevant minutes of the Education and Lifelong Learning Scrutiny Committee held on 9 December 2003 had been circulated to the Cabinet and it was noted that the Scrutiny Committee had no adverse comments on the proposed Plan.

Councillor Johnson noted, however, that the Plan did link in with the Lifelong Learning and Community Development review. He was concerned, in the interests of those involved, that the review be concluded as quickly as possible. However, he welcomed the input of the Education and Lifelong Learning

Scrutiny Committee and noted that he understood that an Education and Lifelong Learning Scrutiny Committee Seminar would be held before Christmas. This would look to scope the issues with a view to a more detailed exploration at a meeting early in the new year. However, in view of the urgency, views would be required by 10 January 2004.

RESOLVED:

- (1) that the Adult Learning Plan, as attached to the report, be recommended to Council; and
- (2) that the associated review of Lifelong Learning and Community Development, be conducted to completion with utmost urgency and no delays.

## **158. STATEMENT OF AUDITING STANDARDS**

Councillor Coley submitted a report which described the requirements of a new statement of auditing standards, (Statement of Auditing Standards 610), which required the Audit Commission to bring certain matters to Members' attention before the end of the year. A report of the District Auditor had also been circulated.

The District Auditor presented his report and explained that the following misstatement in the Council's accounts had been identified, which management had decided not to adjust:

The Council pays the unfunded costs of early retirement by means of additional payments to the pension fund over five years. Best practice would be to accrue the full cost in the year in which the early retirement takes place.

As best practice has not been followed, pension costs of up to £600,000 have not been fully provided for in the year. Consequently, in the Auditor's view, the accumulated balance on the General Fund and the General Fund surplus for the year are over-stated by this amount.

The Cabinet was required to consider whether or not the accounts should be adjusted in respect of the above misstatement. If the Cabinet chose not to adjust the accounts, then Statement of Audit Standards 610 required that a letter be sent to the District Auditor explaining why.

The Cabinet noted that the Chief Finance Officer was content with existing practice because there was scope for disagreement about whether best practice required the accrual described. The Local Government Pension Scheme was based on paying specified contributions to the administering authority and any under or over provision was dealt with in the tri-ennial actuarial review. To accrue the costs specified by the auditor would not be consistent with other practice in respect of accounting for pension costs. The Chief Finance Officer therefore recommended that the accounts not be

changed.

RESOLVED:

that the Chief Finance Officer's views be accepted and the accounts not be changed for the reasons specified above.

#### **159. REVIEW OF POLICY ON FOOD AND DRINK PREMISES: DRAFT SUPPLEMENTARY PLANNING GUIDANCE FOR THE CITY CENTRE**

Councillor Hunt submitted a report seeking consideration of an amendment to the Guidelines on development of food and drink premises, when considering planning applications. The proposed Supplementary Planning Guidance related to the Central Shopping Core and the area on the edge of it, as defined by the inner ring road. It was noted that the many interrelated issues needed a comprehensive approach by a number of agencies and the Supplementary Planning Guidance necessarily dealt with immediate land issues but would contribute to the comprehensive approach. It was hoped such new legislation as the Licensing Act and the Anti Social Behaviour Act would help the Council to control the broader issues. Officers undertook to explore how, in particular, this legislation could be used to enforce the tidying up of frontages of A3 premises.

Further to the report, it was noted that the Housing and Planning Minister, Keith Hill had made a statement that, following a review of the A3 Planning Use Classification, which currently covered all food and drink premises, it was proposed that the Class would now be split into the following:

Class A3 - restaurants and cafe type uses only

Class A4 - Pubs and bars

Class A5 – Takeaways

One consequence of the changes to the Classification was that the adopted and draft A3 Supplementary Planning Guidance may be confusing to users when the changes come into effect. It was therefore recommended that a further paragraph be added to the Introduction of the draft SPG for purposes of clarification as follows:-

- '1.9 In November 2003, the Housing and Planning Minister, Keith Hill, announced forthcoming changes to the 'Use Classes Order', to come into effect in 2004. In anticipation of these changes, all references in this SPG and the SPG 'Guidelines for Class A3 Uses in Local, District and Town Centres' (adopted April 2003), to the Use Class A3 of the current Town and Country Planning (Use Classes) Order 1987 should be interpreted as encompassing the proposed new Use Classes, A3, A4 and A5.

The report set out the representations received, included those of the Development Control Committee and Strategic Planning and Regeneration Scrutiny Committee. The amendment to the draft proposed was in relation to the Development Control Committee's concerns relating to noise pollution as a

result of late closing of concertina style windows.

RESOLVED:

- (1) that the amendment to the Supplementary Planning Guidance, arising from concerns of the Development Control Committee be approved;
- (2) that the final version of the Supplementary Planning Guidance be approved for publication; and
- (3) to note that the Supplementary Planning Guidance will feed into a wider strategy for the city centre.

#### **160. PROPOSED ROAD HUMPS GREEN LANE ROAD EAST/ COLEMAN ROAD JUNCTION**

Councillor Hunt submitted a report informing the Cabinet that in June 2001, the Cabinet had agreed that following initial consultations with the emergency services and bus operators, Cabinet approval would be needed for road humps to be installed on local distributor roads and their use would only be agreed in exceptional circumstances. Cabinet were therefore being asked to consider the installation of road hump cushions on the Green Lane Road East approaches to Coleman Road junction.

RESOLVED:

- (1) that the provision of speed reducing road hump cushions be approved on Green Lane Road as shown on the plan attached to the report as the exceptional circumstances agreed by Cabinet on 4 June 2001 were met; and
- (2) that the Corporate Director, in consultation with the Cabinet Link Member, be given delegated authority to approve the provision of road humps on local distributor roads in the future.

#### **161. LEICESTER LOCAL EMPLOYMENT STRATEGY**

Councillor Hunt submitted a report seeking endorsement of the Leicester Economic Regeneration Partnership's (LERP) Local Employment Strategy. The Cabinet was also asked to endorse the recommendation that the City Council act as one of the lead partners in the delivery of the strategy and to support the LERP to develop a multi-agency action plan relating to the strategy.

Members of the Cabinet expressed concern at the low skills base within the labour market in Leicester.

The minutes of the Strategic Planning and Regeneration Scrutiny Committee were circulated with the report.

RESOLVED:

- (1) that the Leicester Economic Regeneration Partnership Local Employment Strategy, be endorsed; and
- (2) that this authority act as one of the lead partners in the delivery of the strategy and support the Leicester Economic Regeneration Partnership to develop a multi agency action plan relating to the strategy.

**162. BEST VALUE REVIEW OF THE HOUSING MANAGEMENT SERVICE: IMPROVEMENT PLAN**

Councillor Metcalfe submitted a report that presented the findings of the Housing Management Service Best Value Review and sought support of the approach taken in the review and agreement to the proposed Improvement Plan.

**RESOLVED:**

that the approach taken in the Housing Management Best Value Review be supported and the proposed Improvement Plan be approved.

**163. COUNCIL ACCOMMODATION AND PROPERTY MAINTENANCE**

Councillor Coley submitted a report which drew to the Cabinet's attention the implications of significant premises issues and seeking support for the investigation of radical solutions through a property efficiency review.

**RESOLVED:**

- (1) that approval be given to the principles contained in 1.20 of the report, to be delivered through the aims of the efficiency review in para 1.17, as referred to in the Supporting Information to the report;
- (2) to note the potential revenue and capital implications arising from the proposals within the report and the implications arising from the Government's new financial prudential framework;
- (3) that the additional budgetary provision for property maintenance (detailed at paragraph 1.5 of the Supporting Information) be considered in formulating the Council's budgets, particularly the need for a one-off injection of funding to address the maintenance backlog and the increase in the annual Central Maintenance Fund budget; and
- (4) that £500,000 of capital receipts from relevant disposals be added to the Property Rationalisation Fund to pump prime the review.

#### **164. INTERPRETATION AND TRANSLATIONS SERVICE REVIEW (ITS)**

Councillor Coley asked the Cabinet to defer this report in order that more detailed investigations could be undertaken into the effect of the proposals on services.

RESOLVED:

that the report be deferred pending more detailed investigations into the effect of the proposals on services.

#### **165. JOB EVALUATION, PAY AND GRADING**

Councillor Coley submitted a report seeking Cabinet approval to implement proposals for a new pay and grading structure for Council Employees.

RESOLVED:

- (1) that approval be given to a new pay and grading structure being developed with the preferred option being the new local job evaluation scheme
- (2) that the joint trade union position be noted and implementation by joint agreement be supported so far as that is practically possible, noting the timescale set out in Appendix B
- (3) that a planned effective implementation date of 1 April 2005, be approved;
- (4) that the financial implications be noted and the financial options be further addressed within the 2004/05 budget consideration and, thereafter in the medium term budget strategy
- (5) that additional expenditure of £500,000 for implementation costs to be provided from the 2004/5 and 2005/6 budgets be supported and to note that these costs should be taken into account in preparing the budget.
- (6) that the planned project management arrangements be noted and agree that the Service Director (HR & Equalities) consults with the Cabinet Link member for Resources Access and Diversity on project progress and developments.

#### **166. SPINNEY HILL PARK - PROPOSED SITE FOR POLICE STATION**

Councillor Coley submitted a report which outlined the results of a public consultation exercise undertaken into whether there was support for the construction of a Police station in Spinney Hill Park.

RESOLVED:

that the matter be referred to the next full Council meeting on 27

January 2004, to enable the views of full Council to be sought and which can then help inform a Cabinet decision at its meeting on 2 February 2004.

**167. THE EMPTY HOMES STRATEGY - COMPULSORY PURCHASE OF VARIOUS HOUSES 2003 (6)**

Councillor Metcalfe submitted a report recommending that Compulsory Purchase Orders were sought of a number of properties under the City Council's Empty Homes Strategy in order to secure their improvement, proper management and occupation as residential dwellings.

RESOLVED:

- (1) that the land and dwellings outlined in the appendices to the report be made the subject of Compulsory Purchase Orders (CPOs) under sections 9 and 17 of the Housing Act 1985, Section 93 of the Local Government and Housing Act 1989 and the Acquisition of Land Act 1981, in order to secure their improvement, proper management and occupation as residential dwellings; and
- (2) that the necessary capital expenditure be authorised from the Empty Homes Strategy line in the agreed Capital Programme;

**168. WAIVER OF CONTRACT PROCEDURE RULES**

Councillor Coley submitted a report that advised Cabinet of Waivers to Contract Procedure Rules approved by the Town Clerk, as required by paragraph 4.2(b) of the Contract Procedure Rules.

RESOLVED:

that the waiver of Contract Procedures Rules, as detailed in the report, be noted.

**169. 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 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.



Former Mundella Community College  
Sale of Land at Orchardson Avenue

**170. FORMER MUNDELLA COMMUNITY COLLEGE**

Councillor Coley submitted a report advising the Cabinet on the outcome of the marketing of the above site. Further details of the bids, including financial details, were circulated to the meeting.

**RESOLVED:**

- (1) that the disposal of the Council's freehold interest in the property shown on the attached plan, Appendix 1, to the company which submitted Bid 2 (Option 1), be approved, as accepting this lower bid will secure far greater economic, social and environmental benefits for the area;
- (2) That the Director of Resources, Access and Diversity, in consultation with the Cabinet Link for the Resources, Access & Diversity Department, be authorised to agree the detailed terms for the freehold disposal of the property, including any variation, amendment or addition to the terms currently reported; and
- (3) That the Head of Legal Services be authorised to enter into all necessary contracts and agreements, including a conditional contract, arising out of this disposal process.

**171. SALE OF LAND AT ORCHARDSON AVENUE TO THE BELGRAVE BAHENO**

Councillor Coley submitted a report detailing proposed amendments to the terms of sale.

**RESOLVED:**

- (1) That the proposed amendments to the existing terms of sale set out in the report be approved in principle, and the Corporate Director of Resources, Access and Diversity be authorised to agree the detailed terms.
- (2) that the Corporate Director of Resources, Access and Diversity be authorised, in consultation with the Cabinet Link for Resources, Access and Diversity to agree any further variation of the terms
- (3) that, in accordance with Cabinet Procedure Rule 12 d, no call in may be made in respect of the above decisions, the grounds of urgency being to avoid a potential frustration of the granting of the Millenium Commission funding through a delay in amending the existing terms of sale arising from

the removal of the positive covenants

## **172. CLOSE OF MEETING**

The meeting ended at 6.25pm.