



Leicester
City Council

Minutes of the Meeting of the
CABINET

Held: MONDAY, 15 MARCH 2004 at 5.00pm

P R E S E N T :

Councillor R. Blackmore - Chair
Councillor Johnson - Vice-Chair

Councillor Coley
Councillor Hunt
Councillor Metcalfe

Councillor Mugglestone
Councillor Scuplak
Councillor Suleman

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223. 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 1992 applied to them.

Councillor Hunt declared a non-prejudicial interest in reports B1 'Former John Ellis School' and B2 'Approval for Property Disposals' as he was a Council appointed Member of the Board of the Leicester Regeneration Company.

The Chief Executive declared a non-prejudicial interest in reports B1 'Former John Ellis School' and B2 'Approval for Property Disposals' as he was a Council appointed Member of the Board of the Leicester Regeneration Company.

224. LEADER'S ANNOUNCEMENTS

CREATE project

The Leader informed the Cabinet that he had attended the launch of the CREATE project which was a joint project between local communities, Mellor Primary School and Leicester Museums. The aim of CREATE was to provide a facility, based in previously derelict buildings in Belgrave, which developed artistic, heritage and educational activities for local communities as well as supporting tourism. The Leader thanked all those involved and commended the project as a successful example of Council Departments working collaboratively.

225. MINUTES OF PREVIOUS MEETING

RESOLVED:

that the minutes of the meeting of Cabinet held on 1 March 2004, having been circulated to Members, be taken as read and signed by the Chair as a correct record.

226. MATTERS REFERRED FROM SCRUTINY COMMITTEES

The Cabinet received the following item from Scrutiny Committees:-

STRATEGIC PLANNING AND REGENERATION SCRUTINY COMMITTEE – 19 FEBRUARY 2004

Highfields Minimum Wage Project

The Committee resolved the following at the above meeting:-

- *that the issues around the minimum wage be brought to the attention of the Cabinet.*

Councillor Hunt welcomed the comments of the Committee and the development of the project. He asked the Head of Advice Services to outline for the Cabinet, details about the project and the views of the Committee.

The Head of Advice Services commented that the project which was entirely funded by the Department for Trade and Industry (DTI) was in its second year. The project had identified over £30,000 of non-payment of the minimum wage in the past year. It initially started dealing with the problems faced in the Highfields area for people who worked in the textiles industry. The project was now taking referrals from across the city in a range of different industries. The Committee recognised this need to expand the focus of the project and recommended that the Council write to the DTI and seek further funding to roll the project out across the city. It was acknowledged there were other technical issues which needed to also be discussed with the DTI on matters such as disclosure of offenders and pursuance of those who have been found guilty of non payment. He also noted that Leicester was a leader at national level for minimum wage compliance.

Councillor Hunt also noted that this project didn't appear to be having a detrimental affect on employment in the Highfields area of the city.

RESOLVED:

that the Cabinet welcomes and supports the work of the Strategic Planning and Regeneration Scrutiny Committee on the Highfields Minimum Wage Project.

227. TRANSPORT CAPITAL PROGRAMME 2004/05

Councillor Hunt submitted a report seeking agreement to proposals for

spending next year's transport capital programme, for both Integrated Transport and Capital Maintenance.

The relevant minutes extract of the Highways and Transportation Scrutiny Committee held on 3 March 2004 was circulated to the Cabinet.

RESOLVED:

- (1) to note that full Council has authorised expenditure of £9.099 million on the Transport Capital Programme in 2004/05;
- (2) that the programme of works for 2004/05, as set out in Appendices A and B of the report, be approved;
- (3) that the Corporate Director of Regeneration and Culture be authorised to implement the programme, including the signing of contracts, provided that expenditure on the programme does not exceed the budgets available;
- (4) that the Corporate Director of Regeneration and Culture, in consultation with the Cabinet Link Member for Environment, Regeneration and Development be authorised to vary the programme, provided that such variations are proposed in order to help achieve the Council's transport policy.

228. ON-STREET PARKING INCOME AND EXPENDITURE 2004/05

Councillor Hunt submitted a report containing revised proposals for spending the surplus income generated by the on-street parking scheme in order to improve transport in the city.

Council Metcalfe enquired whether the reduction of parking fine payment income due to adherence to the parking restrictions meant that there could be a reduction in the number of traffic wardens. The Section Manager, Transport Development commented that the final outturn of income showed that the level of fines was the same as in the previous financial year. He also commented that the increase in parking charges was not, as had been reported elsewhere, to meet the shortfall in fines income, but to fund non-profit making bus services.

The report explained that under the terms of the Road Traffic Regulations Act 1984, the Council had to determine that, in its view, there was no need or desire to provide additional off-street parking, before it could resolve to spend any surplus income from parking fines on the costs of public passenger transport services or highway improvements.

The relevant minutes extract of the Highways and Transportation Scrutiny Committee held on 3 March 2004 was circulated to the Cabinet.

RESOLVED:

- (1) that it is not desirable nor necessary, at this point in time, to provide further off-street non-metered parking;
- (2) that the proposals for spending the surplus income set out in the Appendix of the report, be approved;
- (3) that the Corporate Director of Regeneration and Culture, in consultation with the Cabinet Link Member for Environment, Development and Regeneration, be authorised to vary the amounts spent on the various items referred to in the Appendix, subject to the funding being available.

229. ONE-OFF INVESTMENT IN CULTURAL SERVICES

Councillor Mugglestone submitted a report requesting agreement for the disposal of specified assets and the reinvestment of the proceeds to meet reinvestment in cultural services facilities.

RESOLVED:

- (1) that the Cabinet agree in principle to the recommendations contained in Paragraph 3 of the report;
- (2) that the Cabinet agree in principle to dispose of the assets listed in Appendix 2 of the report; and
- (3) that any disposals be subject to a further report to Cabinet with any items of urgency being delegated to the Town Clerk in consultation with the Corporate Director of Regeneration and Culture and the Cabinet Link Member for Cultural Services and Neighbourhood Renewal.

230. PROPOSED ARRANGEMENTS FOR DEVELOPING AN INTEGRATED LEARNING DISABILITY SERVICE IN LEICESTER

Councillor Suleman submitted a report setting out an initial project plan for the lead commissioning and integration of social services and NHS budgets and services for people with learning disabilities within Leicester City.

The relevant minutes extract from the Social Services and Personal Health Scrutiny Committee held on 10 March 2004 were circulated to the Cabinet. Councillor Suleman noted that the Committee had requested that a person with learning disabilities be co-opted onto the Health Scrutiny Committee. He recommended that a person be a named invitee of the Committee.

RESOLVED:

- (1) that the direction of travel as outlined in the project plans on learning disability services in the city, be approved;

- (2) that the City Council take on the lead commissioning responsibility from 1 April 2005; and
- (3) that it be recommended that a person with learning disabilities be a named invitee on the Health Scrutiny Committee.

231. FAIR ACCESS TO CARE SERVICES - ACCESS ELIGIBILITY AND PROVISION OF SOCIAL CARE SERVICES

Councillor Suleman submitted a report addressing the requirement to determine eligibility for services under the Government's guidance on Fair Access to Care Services. It was noted that this sought to address inequalities of service provision across the country. There were different criteria set by the government which were applied to each risk level of service and the different risk levels were 'critical', 'substantial', 'moderate' and 'low'.

The Corporate Director of Social Care and Health commented that were the Council to provide services at a 'moderate' level, it would require a further estimated £8-10 million for the Social Care and Health budget.

The relevant minutes extract from the Social Services and Personal Health Scrutiny Committee held on 10 March 2004 were circulated to the Cabinet.

RESOLVED:

that the threshold of eligibility for services under the Government's guidance on Fair Access to Care Services, be placed at 'substantial' and 'critical'.

232. COMMUNITY COHESION STRATEGY DEVELOPMENT

Councillor Blackmore submitted a report presenting a short summary of phase 1 of the strategy, research and consultation on Community Cohesion; the Outline Strategy: Major Themes and an outline of the next steps for the development of a detailed Community Cohesion Action Plan.

Councillor Suleman commented that this strategy was not a substitute for the voluntary sector funding reductions included as part of the recently approved budget. This was a separate strategy which sought to support Community Cohesion in Leicester.

RESOLVED:

- (1) that the Community Cohesion Strategy be endorsed;
- (2) that the process for the development of the Community Cohesion Action Plan through the establishment of the Community Cohesion Action Planning Group as outlined in the report, be approved;

- (3) that the Chief Executive, in consultation with the Leader, Deputy Leader and Councillor Suleman, be authorised to develop mechanisms for the implementation of the community cohesion fund and the allocation of resources, which shall include an expression of commitment to the principles of community cohesion.

233. NEIGHBOURHOOD RENEWAL FUND PROGRAMME PROPOSALS 2004-06

Councillor Hunt submitted a report informing the Cabinet of the proposals for forming a Neighbourhood Renewal Fund programme that were agreed by the Leicester Partnership at its meeting on 1 March 2004.

The relevant minutes extract from the Finance, Resources and Equal Opportunities Scrutiny Committee held on 11 March 2004 were circulated to the Cabinet. Councillor Hunt noted the concerns raised by the Committee and commented that he would be seeking more information with regard to the support for the Partnership Infrastructure and Capacity Programme projects and the administrative support for the Partnership. The Team Leader, Urban Regeneration commented that the money allocated was to be used to build the capacity of the partnership. There was also money allocated for a rigorous programme of evaluation and monitoring which was required by the Government Office for the East Midlands which required that good practice was adhered to.

RESOLVED:

- (1) that the Cabinet endorse the proposals agreed by the Leicester Partnership in terms of those projects approved for implementation;
- (2) that Cabinet endorse those proposals originating from the City Council that are recommended for start; and
- (3) that the Cabinet note that certain bids identified by the Partnership will be reassessed.

234. ECO-MANAGEMENT AND AUDIT SCHEME (EMAS) - PROGRESS FOR 02/03, PROPOSED ACTION PROGRAMME FOR 04/05 AND REVISED ENVIRONMENTAL POLICY

Councillor Hunt submitted a report providing the Cabinet with information on the Council's progress towards the corporate environmental improvement targets.

Members of the Cabinet expressed concerns about the potential increase in air traffic over the east side of the city and the effect this may have on the air quality. Officers commented that Harborough District Council were particularly concerned about this area and were seeking to use consultants to consider the

issue. The City Council had offered resources to support this work.

RESOLVED:

- (1) that progress towards the EMAS targets during 02/03, be noted (as detailed in sections 2 to 5 in the main report and appendix 1);
- (2) that the implementation of the proposed 04/05 action programme be approved (as detailed in section 6 in the main report and appendix 2);
- (3) that the draft text for the 6th EMAS Public Statement be approved (as detailed in section 7 in the main report and appendix 3);
- (4) that the revisions to the corporate Environmental Policy under EMAS be approved (as detailed in section 8 in the main report and appendix 4).

235. SUPPLEMENTARY PLANNING GUIDANCE - NEW WALK CONSERVATION AREA CHARACTER STATEMENT

Councillor Hunt submitted a report seeking the Cabinet's approval of the New Walk Conservation Area Character Statement as supplementary planning guidance to the City of Leicester Local Plan.

RESOLVED:

that the New Walk Conservation Area Character Statement be adopted as supplementary planning guidance to the City of Leicester Local Plan.

236. LEICESTERSHIRE, LEICESTER AND RUTLAND STRUCTURE PLAN - FURTHER MODIFICATION

Councillor Hunt submitted a report considering the next steps in the adoption of the Leicestershire, Leicester and Rutland Structure Plan. These were proposed following a Direction received from the Secretary of State requiring modifications to two policies in the Structure Plan.

RESOLVED:

- (1) that, subject to Leicestershire County Council and Rutland County Council District Council also agreeing, the publication of Proposed Further Modifications to the Structure Plan, deleting Strategy Policy 17: Green Belt, be approved;
- (2) that the preparation, publication and consultation on Proposed Further Modifications, be approved;

- (3) that the Government Office for the East Midlands be requested to advise Ministers to withdraw the Direction.

237. TREASURY STRATEGY 2004/2005

Councillor Coley submitted a report recommending a Treasury Strategy for 2004/05. The Treasury Strategy governed the way the Council managed its debt (of around £270 million) and investments (of around £60 million). It was noted that part of the Treasury Strategy was an Investment Strategy, the latter of which required Council approval.

RESOLVED:

- (1) that the strategy in respect of borrowing, investment, use of fund managers, consultants, leasing, debt rescheduling and repayment as described in the supporting information of the report, be approved; and
- (2) that Council be recommended to adopt the Investment Strategy at Appendix 1 of the Supporting Information.

238. 2003/04 CAPITAL PROGRAMME MONITORING - PERIOD 10

Councillor Coley submitted a report updating the Cabinet on the progress of the Capital Programme for 2003/04 up to the end of January (period 10).

RESOLVED:

- (1) that a revised level of programmed expenditure of £64.539 million, be approved;
- (2) that the level of expenditure to the end of January 2004 of £43,899 million, be noted;
- (3) that the position relating to capital receipts, be noted;
- (4) that the use of £16,500 of the provision for the Customer Access Work programme for refurbishing the New Walk Customer Services Centre, be approved.

239. AGENDA NOTE: URGENT ACTION REGARDING THE CURRICULUM COMPLAINTS COMMITTEE

The following urgent action was reported to Cabinet with regard to the Curriculum Complaints Committee:-

The Corporate Director of Education had requested the setting up of a Curriculum Complaints Committee, which was the final stage of the Curriculum Complaints Procedure. The Panel must be a Committee of the Cabinet. The complaints process had been lengthy and in order for the matter to be concluded as quickly as possible, the Committee had been set up by the Town

Clerk under Cabinet procedure Rule 14 of the Constitution. The Committee would consist of 4 Cabinet Members and would meet on 18 March.

RESOLVED:

that the action taken by the Town Clerk, be noted.

240. PRIVATE SESSION

Under the Access to Information Procedure Rule 19 of the Council's Constitution, the Chair agreed to a request from Councillors Henry and Fitch to remain in the meeting for consideration of item B1 'Former John Ellis School', as Ward Councillors.

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 JOHN ELLIS SCHOOL

APPROVAL FOR PROPERTY DISPOSALS

241. FORMER JOHN ELLIS SCHOOL

Councillor Coley submitted a report recommending the disposal of part of the former John Ellis Community College site to the East Midlands Development Agency.

RESOLVED:

- (1) that Option 2, as set in paragraph 1.4 of the Supporting Information to the report be approved and that the Corporate Director of Resources, Access and Diversity report back to Cabinet when details of the reinvestment of part of this capital receipt, as requested by the Leicester Regeneration Company, are available so that Cabinet can consider the level of investment in the proposed Science Park;
- (2) that it be agreed in principle, to the relaxation of a number of covenants and obligations in respect of the former Abbey Meadows Depot to facilitate the regeneration of the

site;

- (3) that the Corporate 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, (at less than best consideration, as referred to in the report) including any variation, amendment or addition to the terms currently reported;
- (4) 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.

242. APPROVAL FOR PROPERTY DISPOSALS

Councillor Coley submitted a report seeking approval to the potential disposal of property to English Partnerships, to facilitate the relocation of businesses from the Leicester Regeneration Company intervention areas.

Members discussed the proposals in detail and questioned the officers.

It was noted that independent valuations would be sought with regard to all the proposed disposals. However, this method could not demonstrate best consideration. It was therefore recommended that any disposal was consistent with the powers contained in the General Disposal Consent 2003 which allows Local Authorities to dispose of assets at less than best consideration to secure, social, economic and environmental benefits.

At 6.45pm the Cabinet agreed to adjourn for 10 minutes to allow Members to discuss the proposals in private.

The meeting reconvened at 6.55pm.

RESOLVED:-

- (1) that the disposal of land at Bradgate Street/Ravensbridge Drive and land at Hoods Close, Bursom Industrial Estate, Beaumont Leys, as detailed in the report be disposed of, and at less than best consideration, as detailed in the report;
- (2) that the Corporate Director of Resources, be authorised, in consultation with the Cabinet Link Member for Resources, to agree the detailed terms for the freehold disposal of the properties;
- (3) that the Head of Legal Services be authorised to enter into all necessary contracts agreements, including a conditional contracts arising out of the proposed disposals;

- (4) that the Corporate Director of Resources submit a further report on the other property detailed in the report, detailing all the ward interests and including a strategy with regard to the disposal of all land/properties related to the Leicester Regeneration Company MasterPlan .

243. CLOSE OF MEETING

The meeting closed at 7.05pm.