



Leicester
City Council

Minutes of the Meeting of the
CABINET

Held: MONDAY, 5 APRIL 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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244. 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.

There were no declarations.

245. LEADER'S ANNOUNCEMENTS

The Leader invited Councillor Metcalfe to make an announcement.

Councillor Metcalfe reported the tragic death in a house fire of 5 people, including two children, in Rowley Fields, in the early hours of the morning. It was also noted that all of the victims were relatives of Councillor Sood.

RESOLVED:

that the Cabinet's deepest sympathies be conveyed to Councillor Sood.

246. MINUTES OF PREVIOUS MEETING

RESOLVED:

that the minutes of the meeting of Cabinet held on 15 March 2004, having been circulated to Members, be taken as read and signed by the Chair as a correct record.

247. MATTERS REFERRED FROM SCRUTINY COMMITTEES

Councillor Johnson reported that the Education and Lifelong Learning Scrutiny Committee had resolved to bring a number of issues to the Cabinet's attention with regard to the review of the Lifelong Learning and Community Development division.

The full resolution of the Committee was reported along with a response to the comments from the Corporate Director of Education.

RESOLVED:

- (1) that the resolutions of the Education and Lifelong Learning Scrutiny Committee on 9 March 2004, with regard to the review of the Lifelong Learning and Community Development division, and the response of the Corporate Director of Education and Lifelong Learning, be noted; and
- (2) that the Cabinet express serious concerns about the level of consultation and note that the Cabinet Link Member for the Education department would be taking up this issue with the Corporate Director of Education and Lifelong Learning.

248. INVESTMENT IN PARKS, GREEN SPACES AND STREETS

Councillor Mugglestone submitted a report seeking agreement to the implementation of the investment identified in the budget strategy for parks, open spaces and streets.

RESOLVED:

that the the investments detailed in Section 2 of the supporting information of the report be approved, except that the proposed investment totalling £700,000 on public lavatories be the subject of a further report to identify the schedule of works and consideration of the most economic options for proceeding.

249. LETTINGS WITHIN COMMUNITIES

Councillor Metcalfe submitted a report seeking to amend the authority's Housing Allocation Policy, in particular, with regard to assisting applicants with a particular need to live in one specific area of the city. The change in policy was designed to help maintain 'informal' support networks that often existed within families. It was also proposed to increase the length of time people must have lived or worked in Leicester before they received priority on the Housing Register. The Housing Scrutiny Committee had considered the proposals at its meeting on 15 January and supported the proposed changes.

RESOLVED:

- (1) that the results of the consultation and the Housing Scrutiny Committee, be noted; and
- (2) that the proposed amendments to the Housing Allocation

Policy as set out in Section 4 of the report (new Care and Support Scheme) and 8.3 of the report (new Leicester City Requirements), be approved.

250. UNAUTHORISED GYPSY AND TRAVELLER ENCAMPMENTS

Councillor Hunt submitted a report requesting that Cabinet approves some immediate changes to the Council's policies with regard to the management of unauthorised gypsy and traveller encampments and also undertakes a full review of Council policies and procedures in relation to this issue.

RESOLVED:

- (1) that a review of the City Council's policies and procedures for managing unauthorised gypsy and traveller encampments be undertaken and that a further report be brought to the relevant Scrutiny Committee and Cabinet once this has been completed;
- (2) that the Enforcement Policy for Dealing with Unauthorised Encampments approved by the Council's former Environment Committee on 9th June 1999, be varied to authorise the Corporate Director of Regeneration and Culture to conduct more expeditious welfare enquiries in circumstances where the procedures set out in that policy would result in an unacceptable delay; and
- (3) that the Corporate Director of Regeneration and Culture, be authorised to develop and implement, in consultation with the Cabinet Link for Regeneration and Culture, revised procedural guidelines for undertaking expeditious welfare enquiries in relation to unauthorised encampments.

251. THE EMPTY HOMES STRATEGY: COMPULSORY PURCHASE OF VARIOUS HOUSES 2004 (NO. 9)

Councillor Metcalfe submitted a report recommending that Compulsory Purchase Orders be sought on 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.

In response to Members enquiries about the Cabinet's request for a report on the impact of this strategy, it was noted that a progress report was normally submitted to Scrutiny Committee in May. There was no Housing Scrutiny Committee however scheduled for May and Members asked that a progress report be submitted to Cabinet in May and to Scrutiny in June.

RESOLVED:

- (1) that the following 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 and the Acquisition of Land Act 1981, in order to secure their improvement, proper management and occupation as residential dwellings:-

330 Aylestone Road
70 Bosworth Street
62 Bosworth Street

- (2) that the necessary capital expenditure be authorised from the Empty Homes Strategy in line with the agreed Capital Programme; and
- (3) that the Corporate Director of Housing submit a progress report on the impact of this strategy, to the Cabinet meeting in May.

252. GOLDHILL ADVENTURE PLAYGROUND/SAFFRON RESOURCE CENTRE- WITHDRAWAL OF FUNDING

Councillor Blackmore indicated that he was proposing to take this paper on the public agenda and to consider it with an item of urgent business on the Saffron Resource Centre. The reasons for urgency for the report on the Saffron Resource Centre were that the start of the new financial year had just passed and issues regarding funding and management of the centre need to be resolved as soon as possible to clarify uncertainty for staff and users of the centre.

RESOLVED:

- (1) that Cabinet wishes to send the strongest possible signal that it expects organisations contracted to provide services for the Council to fulfil their contractual obligations in relation to both services and administration;
- (2) that Cabinet notes that both Saffron Resource Centre and Goldhill Adventure Playground have breached the terms of their contract by failing to provide accounts by 30 September 2003 and further not submitting their accounts until after the deadline for monthly funding of 31 December 2003;
- (3) that having regard to the fact that satisfactory accounts have now been produced, Cabinet agrees to maintain funding to these organisations for the remainder of their contract subject to:
 - a) Evidence being provided of robust business planning and delivery arrangements and plans for financial oversight by the Management Committees,

- b) Satisfactory monthly monitoring and funding for the remainder of the contract period, unless otherwise determined by the relevant Director, in consultation with their Cabinet Lead,
- (4) that Cabinet reminds Corporate Directors of the need for robust monitoring of organisations where there are concerns about financial or performance arrangements.

253. ANY OTHER URGENT BUSINESS

The Chair also agreed to accept the following items of urgent business:-

ONE OFF INVESTMENT IN CULTURAL SERVICES

This report was referred back to Cabinet from full Council for final approval. The reason for urgency was to ensure appropriate preparatory works could be undertaken to enable delivery of the capital programme

PROPOSALS FOR THE RELOCATION OF GATEWAY COLLEGE TO THE RUSHEY MEAD SECONDARY SCHOOL / SOAR VALLEY COMMUNITY COLLEGE CAMPUS

The reasons for urgency were that it sought the Cabinet's approval to enter into public consultation on proposals to dispose of an area of school playing fields which involved a statutory requirement for a ten week consultation period. If the item was not considered, the consultation would be delayed until after the school summer holidays which could delay Gateway College's relocation proposals by a whole academic year.

This report was recommended for inclusion on the private agenda

254. ONE OFF INVESTMENT IN CULTURAL SERVICES - OBJECTION TO DECISION

Councillor Mugglestone submitted a report to enable the Cabinet to further consider its decision made at its previous meeting with regard to the above. The decision had been the subject of a 5 Member objection and referred to Council on 25 March. Council had recommended an amended decision to include the Chair of the relevant Scrutiny Committee in the consultation.

RESOLVED:

- (1) that approval be given in principle to the recommendations contained in paragraph 3 of the report;
- (2) that approval be given 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, the Cabinet Link Member for Cultural Services and Neighbourhood Renewal and the Chair of the Arts, Leisure and Environment Scrutiny Committee.

255. PRIVATE SESSION

Under the Access to Information Procedure Rule 19 of the Council's Constitution, the Chair agreed to a request from Councillors Allen and Draycott to remain in the meeting for consideration of item B1 'Disposal of Lily Marriot and William Smith House', as Chair and Conservative spokesperson of the Housing Scrutiny Committee.

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 7

Information relating to the financial or business affairs of any particular person (other than the authority).

DISPOSAL OF LILY MARRIOTT HOUSE AND WILLIAM SMITH HOUSE

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.

PROPOSALS FOR THE RELOCATION OF GATEWAY COLLEGE TO THE RUSHEY MEAD SECONDARY SCHOOL / SOAR VALLEY

256. DISPOSAL OF LILY MARRIOTT HOUSE AND WILLIAM SMITH HOUSE

Councillor Metcalfe submitted a report.

RESOLVED

- (1) that William Smith House and Lily Marriott House as shown on the plans attached to the report be disposed of to New Progress Housing Association Limited on the terms set out in the Background Information, paragraph 2.14;

- (2) that the Director of Resources, Access and Diversity be authorised to negotiate the details of the proposed disposal;
- (3) that the Director of Social Care and Health be authorised to negotiate the details around the implementation of the new learning disability service at Lily Marriott House and William Smith House;
- (4) that the Head/Assistant Head of Legal Services be authorised to sign all legal agreements relating to the disposal of the properties and the implementation of the new service.

**257. PROPOSALS FOR THE RELOCATION OF GATEWAY COLLEGE TO THE
RUSHEY MEAD SECONDARY SCHOOL / SOAR VALLEY COMMUNITY
COLLEGE CAMPUS**

Councillor Johnson submitted a report.

RESOLVED:

- (1) that Gateway College's proposal to relocate to the Rushey Mead School playing fields, be noted, without prejudice to any further decision on the disposal of the playing fields; planning issues; or to the outcome of consultation; and
- (2) that the Corporate Director of Education and Lifelong Learning be authorised to commence procedures for Section 77 consent, including formal consultation with local schools, parents, local residents and other stakeholders.

258. CLOSE OF MEETING

The meeting ended at 6.32 pm