



Leicester
City Council

Minutes of the Meeting of the
OVERVIEW AND SCRUTINY MANAGEMENT BOARD

Held: TUESDAY, 8 JULY 2008 at 5.30pm

P R E S E N T :

Councillor Mugglestone – Chair
Councillor Blower – Vice Chair

Councillor Corral
Councillor Follett Councillor Hall
Councillor Joshi Councillor Naylor
Councillor Russell Councillor Suleman

Co-opted Members

Mr Mohammed Allaudin Al-Azad – Parent Governor

Also in Attendance

Councillor Dempster – Cabinet Lead Member for Children and Schools.

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199. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor J. Blackmore, Canon Peter Taylor and Mr Mohammed Alauddin Al-Azad.

200. DECLARATIONS OF INTEREST

Members are asked to declare any interests they may have in the business on the agenda, and/or indicate that Section 106 of the Local Government Finance Act 1992 applies to them.

No declarations were made.

201. MINUTES OF PREVIOUS MEETING

RESOLVED:

that the minutes of the Overview and Scrutiny Management Board held on 18 June 2008, having been circulated to Board Members, be confirmed as a correct record.

202. PETITIONS

The Town Clerk reported that there were no petitions.

203. QUESTIONS/ REPRESENTATIONS/ STATEMENTS OF CASE

The Town Clerk reported that there were no questions, representations or statements of case.

204. TRACKING OF PETITIONS - MONITORING REPORT

The Service Director, Democratic Services submitted a report that updated Members on the monitoring of outstanding petitions.

A Member of the Committee asked whether a position summary for recently submitted petitions could be included in future reports. The Service Director, Democratic Services agreed to do this.

RESOLVED:

That the current outstanding petitions be noted.

205. SECONDARY BEHAVIOUR SUPPORT SERVICE

The Corporate Director of Children and Young People's Service submitted a report that informed Cabinet of the planned re-modeling of the Secondary Behaviour Support Service, in order to meet the aims and objectives of the Local Authority Behaviour Strategy, addressed the issues arising from its recent OfSTED inspection and delivered on the aspiration of Leicester City becoming a 'zero' permanently excluding authority.

The Head of Behaviour and Attendance informed the meeting that a new Behavior Strategy for Leicester City was finalized in September 2007. Furthermore, in light of the recent OfSTED inspection, it was reported that a number of changes were now deemed essential to address the concerns raised within the inspection and to ensure delivery of the required objectives within the Leicester City Behaviour Strategy. He explained that the key to these changes was to stem the flow of permanent exclusions, and it was proposed that an Assessment and Intervention Centre would be developed to provide provision to those pupils at a very high risk of permanent exclusion

Councillor Dempster, Cabinet Lead Member for Children and Schools was in attendance and stated that it was imperative to look after the educational well-being of all young people, and acknowledged that behaviour that warranted

exclusion impeded other pupils.

One Member of the Committee asked whether the CherryLeas site was equipped to look after secondary education aged people. Officers responded by stating that as CheeryLeas was a Primary School, it was required to modify the toilet facilities and the furniture in some of the classrooms.

A Member of the Committee asked whether officers had looked at any comparative authorities that had implemented similar programmes. In response to this point, Members heard that Luton had been identified as an authority that had a successful record of reducing exclusions, but had tackled the problem in a different manner.

In response to a question surrounding managed moves, officers confirmed that no such moves would take place and excluded pupils would remain on their schools' roll.

In response to a question around the amount of money the authority was expecting to receive to pilot the programme, officers stated that the exact amount had not been made clear but that a fee of £26.5m would be allocated amongst ten authorities who were carrying out pilot studies.

Members of the Board requested that progress reports on the secondary behaviour support service be brought the board every 6 months.

RESOLVED:

- (1) That the report be noted
- (2) That the proposed re-modelling of the Secondary Behaviour Support Service be noted
- (3) That the intention to submit a bid for DCSF funding for the operation of a pilot project of alternative education provision, in line with one of the proposed options for delivery in the Government's White Paper – Back on Track (May 2008) be noted
- (4) That the proposed use of the former Cherryleas site by the Secondary Behaviour Support Service, to create an Assessment and Intervention Centre and approve the necessary expenditure for conversion work to the building, as outlined in section five of the report be noted.
- (5) The proposed addition of the scheme to the CYPS Capital Programme at an estimated cost of £600,000, to be funded at this stage from Basic Need Pupil Places allocation, which is a service resource, be noted.
- (6) That the board receives an update report on the Secondary Behaviour Support Service every 6 months.

206. PETITION - REINSTATEMENT OF ARRIVA BUS SERVICE 49A

The Service Director, Regeneration, Highways and Transportation submitted a report in response to a petition presented to Full Council by Mrs C Blackburn on 29th March 2007, requesting the re-instatement of the Arriva 49A bus route.

An Officer from the Regeneration and Culture Department introduced the report and explained that Arriva withdrew diverting the service in question via Freeman's Park. Following this decision, the Council diverted it's dial-a ride service to serve Morrison's at Freeman's Park for Knighton residents.

Members were informed that officers had met with Arriva on several occasions to seek the creation of a service that would occasionally travel via Freeman's Park. It was reported that the proposals were resisted on all occasions. The Officer stated that the issue would continue to be raised with Arriva.

A question was asked around the possibility of Morrisons offering a subsidy towards the operation of such a bus service. The Officer reported that this proposal had been presented to Morrisons, but that the authority had not received a response.

A Member of the Board sought clarity around the user eligibility for the dial-a-ride service. In response to this, it was explained that the service was not available as a public service, and was available only to those who had a restricted ability to access mainstream bus services.

A Member of the Board asked whether Local Authorities were to acquire powers concerning commercial services. The Officer from the Regeneration and Culture Department confirmed that that a bill was currently being passed through Parliament that could see such powers being held by Local Authorities. As a result of this explanation, Members requested that a report be brought to the Board later in the year on any new powers delegated to Local Authorities and that this petition be used as a case study within the report.

RESOLVED:

- (1) that the petitioners concerns be noted.
- (2) that it be agreed that the availability of other (less convenient) bus services, and the Dial a Ride Service means that the City Council cannot justify the cost of funding a bus service that links Freeman's Park and Knighton.
- (3) that it be noted that there is no City Council subsidised service which could be diverted to meet the needs of the Petitioners.
- (4) that Arriva be asked to consider the option of re-instating this link.

- (5) that the petitioners be notified accordingly.
- (6) that a report be brought to the Board later in the year that outlines the result of the parliamentary bill on powers concerning commercial services and that the petition be used as a case study within the report.

207. 'HIGHWAYS, TRANSPORTATION AND DEVELOPMENT': PROGRAMME FOR REVIEW

The Service Director, Regeneration, Highways and Transportation submits a report that informs Members of progress in updating and reviewing Leicester City Council's adopted highway design guidance 'Highways, Transportation and Development' (HTD), and to request that a task group be set up to look at the review of the section in the HTD Guide about Public Transport and development.

In response to a question raised by a Member of the Board, an officer from the Regeneration and Culture Department confirmed that the authority was to set up a system to take commuted sums from developers.

RESOLVED:

- (1) that a task group be set up by the end of 2008 to look at the proposed amendments to the Public Transport and development section of the HTD Guide which is currently subject to a review by officers of the City and County Council,
- (2) that the intention of Nottinghamshire County Council, Derbyshire County Council and Derby City Council to adopt the HTD Guide for their areas to produce a regional guide be noted and that it be noted that discussions are to take place with officers of Derby City Council about producing guidance for dealing with the specific needs of urban areas for inclusion in HTD, and
- (3) that a further report about progress with the regional guide including a proposed timetable for the review of other parts of the HTD Guide be brought to Overview and Scrutiny Management Board.

208. EXTENDING DISTRICT HEATING AND CHP IN CENTRAL LEICESTER

The Corporate Director of Adults and Housing submitted a report that described how extending the network of our district heating schemes would help achieve transformation of Leicester into Britain's Sustainable City.

The Service Director, Housing Renewal, Options and Development introduced the report and explained that the proposed scheme would be fuelled by gas, but by having the network in place provided future potential for using renewable

fuels on a large scale, with the possibility of near zero carbon heat and power. Furthermore, it was made clear that CHP units always contained a subsidiary engine that allowed for a dual-fuel arrangement.

In terms of the delivery options, the Board heard that officers had considered that a private led approach offered the best opportunity to minimise risk and ensured an expertly run scheme was provided. Officers had recommended a tendering process.

One Member of the Board felt that the scheme could contribute to the reduction of carbon emissions, and also supported the possibility of offering a bond issue to the citizens of Leicester to finance the scheme as an alternative to a private provider.

In response to a point raised by a Member of the Committee, the Service Director, Housing Renewal, Options and Development confirmed that the costs of District Heating to tenants should rise in accordance to real costs it was proposed that the system would include individual metres to allow people to control their fuel consumption.

Another Member of the Committee was keen to ensure that tenants were appropriately consulted on any proposed changes. The Service Director, Housing Renewal, Options and Development proposed to present the report to the Housing Management Board.

One Member of the Committee expressed concern that the Carbon Footprint and other EMAS requirements for the One Leicester strategy may not be met as detailed in the risk matrix and stated that it was vital for this key performance indicator to be met. In response to this, the Board heard that the risk matrix catered for all eventualities but that the scheme was likely to make a worthwhile contribution to achieving this target.

A Member of the Board enquired what the possible cost implications would be if the Council carried out the scheme in-house. It was reported that the authority would have to heavily finance the scheme that was not anticipated to break even until 2015.

It was suggested that, prior to a further report being presented to Cabinet on the specific details of what the Council could buy before expressions of interest were formally sought from the market, that a Task Group would be set up to further explore the issues raised by the Board, including the possibility of a bond issue, to offer recommendations to the Project Manager. The Board supported the suggestion.

Councillor Blower abstained from the decision as she was concerned that the provider could monopolise the market.

Councillor Suleman abstained from the decision as he felt that a decision to contract a private provider was being taken too quickly.

RESOLVED:

- (1) that the principles of implementing the scheme as set out in the report to extend district heating and the use of combined heat and power in central Leicester and that a private led approach be chosen as the preferred delivery method be supported.
- (2) That the Board supports the authorisation of expenditure of up to £100,000 for a Project Manager and technical advice from the provision of £400,000 for combined heat and power, approved as part of the corporate capital programme.
- (3) That prior to a further report being presented to Cabinet on the specific details of what the Council could buy before expressions of interest were formally sought from the market, a Task Group be set up to further explore the issues raised by the Board, including the possibility of a bond issue, to offer recommendations to the Project Manager.

209. ESTABLISHING A NEW ECONOMIC DEVELOPMENT COMPANY FOR LEICESTER AND LEICESTERSHIRE

The Corporate Director of Regeneration and Culture submitted a report that sought approval to the principle of establishing a City Development Company across Leicester and Leicestershire as called for in the One Leicester Sustainable Community Strategy.

The Board heard that a team of consultants were commissioned to carry out an initial assessment on the scope and form of an Economic Development Company (EDC).

Members raised a number of queries in relation to the appointment of Chief Executive of the EDC. Officers stated that it was intended to make an early appointment in order to quickly progress work and take ownership of the EDC.

A Member of the Board queried how a Chief Executive could be appointed before the EDC was established, and as such, felt that such a role should be titled differently. In response, it was stated that an extensive programme of work was required before the launch of the company, and that the Chief Executive Officer would be responsible for leading this work and developing the management arrangements. The Corporate Director of Regeneration and Culture agreed that it was suitable to change the title of Chief Executive for the interim period of the programme. Furthermore, Members stated performance targets could also be applied to the appointment of the Chief Executive.

In terms of the EDC membership board, a Member asked whether the two city representatives would be elected members. Officers confirmed the city

representation were for Leicester City Council however names had not been finalised, and the representatives could be Members or officers or one of each.

Members requested that the report that formally launches the EDC be considered by the OSMB prior to its consideration by Cabinet.

RESOLVED:

- (1) That the report be noted.
- (2) That Cabinet be asked to consider changing the job title of Chief Executive Officer for the interim period of the programme.
- (3) That the report that formally launches the EDC be considered by the OSMB prior to its consideration by Cabinet.

210. PRIVATE SESSION

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 Paragraph detailed below of Part 1 of Schedule 12A of the Act and taking all the circumstances into account, it is considered that the public interest in maintaining the information as exempt outweighs the public interest in disclosing the information.

Paragraph 3

Information relating to the financial or business affairs of any particular person (including the authority holding the information).

211. LEICESTER AND BIRSTALL PARK AND RIDE INCLUDING ST NICHOLAS PLACE BUS STOPS

The Corporate Director of Regeneration and Culture submitted a report that provided a progress report on Park and Ride and sought approval to jointly commission (with the County Council) the construction of the Enderby Park and Ride car park site and bus service, and sought approval of the design concept for bus stops including preparation of the required Traffic Regulation Orders, at St Nicholas Place.

The Head of Transport Strategy introduced the report and explained to Members that it comprised three core topics. The first of these was the Enderby Park and Ride scheme. It was stated that the scheme would initially operate at a loss which would be funded from Urban Congestion Target reward funding and from surpluses generated from the on –street parking operation.

The second area detailed in the report was the Birstall Park and Ride scheme. It was reported that this and the Enderby services would link and complete a loop of the city serving St Nicholas Place and other destinations on its journeys and cross-linking with each other.

The third part of the report comprised the installation of bus stops on St Nicholas Place, which was described by officers as the only place on the western side of the city to accommodate bus stops that served all Park and Ride services.

Following request by Members, the Head of City Development described the proposed new routes that the Park and Ride services would travel through the city centre, and associated works which would create improved links between the City Centre and the Waterside.

In response to queries that related to the car park that was situated on St Nicholas Place/Carey Close, the Head of City Development confirmed that the exit from the car park would be operated by traffic lights, and that its entrance would be clearly marked as a “no exit”.

A Member of the Committee was keen that there be shop-mobility opportunities in areas of the City Centre other than the High-cross development. Officers confirmed that the St Nicholas Place stops would not act as a terminus for buses, and would be the first of a series of city centre destinations for the Park and Ride services. It was also stated that shopmobility did not have to operate from the St Nicholas Place, and that further consultation on this would take place, which would inform officers before a decision was taken.

Officers stated that Wyggestone House was one possible building that could be used as a base for shopmobility. Members felt that structural work to the building would have to be undertaken before it was considered for such use.

RESOLVED:

That the report be noted and the recommendations detailed under paragraph 3 of the report are supported by OSMB.

212. CLOSE OF MEETING

The meeting closed at 7:46pm.