



Leicester
City Council

Minutes of the Meeting of the
CABINET

Held: MONDAY, 9 NOVEMBER 2009 at 5.00pm

P R E S E N T :

Councillor Willmott - Chair
Councillor Dempster - Vice-Chair

Councillor Connelly
Councillor Kitterick
Councillor Palmer
Councillor Russell

Councillor Dawood
Councillor Osman
Councillor Patel
Councillor Westley

ALSO IN ATTENDANCE

Cllr Grant

Conservative Group

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88. APOLOGIES FOR ABSENCE

No apologies for absence were received.

89. DECLARATIONS OF INTEREST

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

Councillor Kitterick declared a prejudicial interest in respect of item 8, Gambling Policy – Renewal, as he currently held a Door Supervision licence which he noted was shortly due to expire. Councillor Kitterick undertook to leave the meeting during consideration of this item.

90. LEADER'S ANNOUNCEMENTS

There were no announcements.

91. MINUTES OF PREVIOUS MEETING

RESOLVED:

that the minutes of the meeting of Cabinet held on 5 October 2009, be confirmed as a correct record.

92. MATTERS REFERRED FROM COMMITTEES

There were no matters referred.

93. ANNUAL REPORT ON PRIVATE FOSTERING 2009

Councillor Dempster submitted a report that updated the Committee on work with children who were privately fostered and highlighted the numbers of fostering arrangements that were notified to the local authority and the response made to these statutory notifications. It was stated that due to the nature of the work there was a continuing need to promote awareness through communication with schools and publicity and the increase in notifications had shown the impact of the work done so far.

It was noted that the Children and Young People Scrutiny Committee had considered the report at its meeting on 3 November 2009 and had noted the report and supported plans for further publicity.

RESOLVED:

1. That Cabinet acknowledge the contents of the report and its conclusions; and
2. That Cabinet support further publicity within the coming year to continue to raise public awareness and awareness in schools of the need to notify all new, or proposed private fostering arrangements.

94. ANNUAL ADOPTION STATEMENT OF PURPOSE 2009

Councillor Dempster submitted a report that summarized the work of the Adoption Team which was delivered through a joint arrangement with Leicestershire and Rutland County Councils. Councillor Dempster noted that the service had recently been the subject of an OfSTED review which had been very positive and stated that she would be happy to bring a report to a future meeting giving more details.

It was noted that It was noted that the Children and Young People Scrutiny Committee had considered and noted the report at its meeting on 3 November 2009.

RESOLVED:

1. That the Statement of Purpose be noted and formally approved; and
2. That the activity of the Adoption team (2008/2009) be noted and approved.

95. GAMBLING POLICY - RENEWAL

Having declared a prejudicial interest Councillor Kitterick left the meeting during consideration of the following item.

Councillor Russell submitted a report which sought to determine the Council's Gambling Policy for the period 2010 – 2012 as required by the Gambling Act 2005. It suggested that there had been no significant developments since the original policy was introduced in 2007 which required an update of the policy and it was therefore suggested that the same policy be adopted for 2010 – 2012. In accordance with the Gambling Act consultation had been undertaken with the Police, representatives of the gambling trade and representatives of people who may be affected by Gambling Policy.

RESOLVED:

That Council be recommended to approve the Gambling Policy for 2010 – 2012.

96. DISABLED FACILITIES GRANTS - INTRODUCTION OF LEGAL CHARGES

Councillor Westley submitted a report which gave details of a proposed response to a change in the power that allows Councils to recover disabled facilities grants if the property is sold within 10 years of the grant being paid. It was stated that the disabled facilities grant budget was under considerable pressure and the recovery of some part of grant aid will enable the Council to assist additional disabled people. The maximum charge would be £10,000 which must be above a £5,000 threshold.

Councillor Westley emphasised that each case would be considered on its own merits and there would be an appeals policy with the right of appeal to the Leader of the Council and the Cabinet Lead for Housing. It was noted that it was noted that the Overview and Scrutiny Management Board had considered the issue at its meeting on 5 November 2009 where issues relating to the impact of the changes had been raised. Councillor Westley stated that he had undertaken to monitor the impact and report back to scrutiny and Cabinet if necessary.

Councillor Grant stated that Overview and Scrutiny Management Board had been concerned about the impact of the change on elderly people and on inheritance. He asked that the matter be dealt with sensitively in view of these concerns. In response Councillor Willmott acknowledged the concerns but stated that the key aim of the changes was to allow as many people as possible to stay in their own homes.

RESOLVED:

That:

1. A local land charge is placed on all disabled facilities grants awarded to owner-occupiers where the amount paid towards works exceeds £5,000;

2. When considering the individual circumstances and merits of each case the Council must be satisfied that it is reasonable in all the circumstances to require repayment. Particular note will be taken of the recipient of the grant's ability to make repayment without suffering financial hardship.
3. Authority be delegated to the Head of Renewal & Grants Service to determine the amount of grant to be repaid, with the right of written appeal to the Director, Housing Strategy & Options, in consultation with the Leader and Cabinet Lead for Housing.
4. That the decision is based on that as currently used for considering the reclaim of Home Improvement Grants, namely that when considering whether to demand repayment, account be taken of the following:
 - i. the extent to which the recipient of the grant would suffer financial hardship if required to repay all or any of the grant;
 - ii. whether the disposal of the premises is to enable the recipient of the grant to take up employment, or to change the location of his employment;
 - iii whether the disposal is made for reasons connected with the physical or mental health or well being of the recipient of the grant or of a disabled occupant of the premises; and
 - iv whether the disposal is made to enable the recipient of the grant to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the grant is intending to provide, or who is intending to provide care of which the recipient of the grant is in need by reason of disability or infirmity; and
5. All funds recovered through demanding repayment be deposited in the disabled facilities grant budget in order to be recycled as additional grants.

97. AFFORDABLE HOUSING STRATEGY AND DELIVERY PLAN 2008-2013

Councillor Westley submitted a report which sought the adoption of the Affordable Housing Strategy and Delivery Plan 2008 – 2013 which had now be the subject of wider stakeholder consultation. Councillor Westley noted that the aim was to deliver 992 new affordable homes and that the type of homes provided was as important as the number.

- **North West** **Hub:** Babington Community College
Spoke: sites to be determined

- **South** Options appraisal to be completed – 3 sites being
considered as hub and spoke sites:
 Samworth
 Kingfisher
 Magpie Youth centres

- **South West** **Hub:** Fullhurst
Spoke: Braunstone Grove
 & Watershed youth centre

- **West** **Hub:** New Parks Youth Centre on
New
 College site
Spoke: Fosse Neighbourhood Centre/
 Woodgate Adventure
 playground currently being
 explored.

3. Confirm the urgent action of the Director –Learning Environment, taken in consultation with the Cabinet Member for Children and Schools, to accept the offer of £3,210,000 co-location grant funding;

4. Approve the use of the £1,265,000 Extended Services Capital Funding as included in Block C of the CYPs Capital Programme approved by Council on the 26th March 2009 and £685,000 BSF capital to co-fund the 13-19 ISH programme.

5. To approve the principle that the allocation of funding across each of the neighbourhoods will be based upon the development needs of the ISH in each neighbourhood, (the combined funding streams will provide a total sum of £5,160,000 this provides an average of £645,000 per neighbourhood. However, it is likely that the distribution of funding will be based upon the level of development required across all the neighbourhoods. Once the locations of the hubs have been agreed, costings will need to be obtained and allocations from the total funds available made accordingly).

6. Approve the early release of £100,000 out of the £1,265,000 extended services capital funding towards the cost of developing an ISH within the Children’s Centre at Mayfield to enable the scheme to be

progressed.

99. PRIVATE SESSION

Members of Cabinet considered the reasons for considering the following report in private, on the basis that it contained information relating to the business affairs of the Authority. They felt that it was in the public interest to maintain the exemption, to protect the Council's business affairs. No objection was raised to this.

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 involved 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 that information).

DISPOSALS OF RESIDENTIAL LAND TO HOUSING ASSOCIATIONS.

100. DISPOSAL OF RESIDENTIAL LAND TO HOUSING ASSOCIATIONS

Councillor Westley submitted a report that advised Members of potential opportunities provided by the "Housing Pledge" initiative which involved the disposal of Council residential land to Housing Associations at discounted sums to facilitate Affordable Housing.

RESOLVED:

that Cabinet agrees the recommendations set out in Paragraph 3 of the report.

101. CLOSE OF MEETING

The meeting closed at 1.25pm.