

Minutes of a meeting of the Cabinet held at County Hall, Glenfield on Monday, 13 February 2006.

PRESENT

Mr. D. R. Parsons CC (in the Chair)

Dr. R. K. A. Feltham CC
Mr. I. D. Ould CC
Prof. M. E. Preston CC
Mr. N. J. Rushton CC
Mr. E. F. White CC

Mr. A. M. Kershaw CC
Mrs. L. A. S. Pendleton CC
Mr. J. B. Rhodes CC
Mr. D. A. Sprason CC

In Attendance

Mrs. R. Camamile CC
Mr. G. A. Hart CC
Mr. M. B. Page CC
Dr. M. O'Callaghan CC

138. Minutes of the Meeting held on 31 January 2006

The minutes of the meeting held on 31 January, 2006, were taken as read, confirmed and signed.

139. To Advise of any other Items which the Chairman has Decided to take as Urgent on the Agenda

There were no items of urgent business.

140. Declarations of Interest in Respect of Items on the Agenda

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

The following declarations of personal, non prejudicial interest were made:

<u>Agenda Item</u>	<u>Name</u>	<u>Minute No.</u>
Item 6 – The Leicestershire Local Area Agreement	Mrs. Pendleton, Mr. Rhodes	143
Item 7 -The Regional Plan Review	Mr. Parsons, Mr. Rushton, Mr. Rhodes, Mr. Sprason, Mr. White	144

141. Medium Term Financial Strategy

The Cabinet considered a report of the Director of Resources setting out the 2006 Medium Term Financial Strategy including the 2006/07 revenue budget and capital programme for 2006/07-2008/09. A copy of the report marked 'B' is filed with these minutes.

The Leader made a statement concerning the Medium Term Financial Strategy. A copy of the statement is filed with these minutes.

Members were informed that Dr. O'Callaghan had submitted comments in respect of the Medium Term Financial Strategy. A copy of his comments is filed with the minutes.

RESOLVED:

That the following be recommended to the County Council:

- (a) That subject to the items below, approval be given to the recommended revenue budget for 2006/07 totalling £281,031,400, which incorporates the growth and savings set out in revised Appendix C.
- (b) That the level of earmarked reserves as set out in Appendix J be noted.
- (c) That the amounts of the County Council's Council Tax for each band of dwelling and the precept payable by each billing authority for 2006/07 be as set out in Appendix L.
- (d) That the Chief Executive be authorised to issue the necessary precepts to billing authorities in accordance with the budget requirement above and the tax base notified by the District Councils, and to take any other action which may be necessary to give effect to the precepts.
- (e) That approval be given to the Medium Term Financial Strategy and the approach to its future development.
- (f) That approval be given to the 2006/07 capital programme as set out in Appendix E.
- (g) That approval be given for planning and design purposes for the 2007/08 and 2008/09 programmes as set out in Appendix E subject to such arrangements the Council may make within the Financial Procedure Rules and the Standard Financial Instructions to allow commencement before the planned programme year or the adoption of substitute schemes.

- (h) That the financial indicators required under the prudential code set out in Appendix L be noted and that the following limits be approved:

	2006/07 £m	2007/08 £m	2008/09 £m
Authorised limit for external debt			
i) Borrowing	402	412	420
ii) Other long term liabilities	0.6	0.5	0.5
TOTAL	<u>402.6</u>	<u>412.5</u>	<u>420.5</u>
Operational boundary for external debt			
i) Borrowing	382	392	400
ii) Other long term liabilities	0.4	0.3	0.3
TOTAL	<u>382.4</u>	<u>392.3</u>	<u>400.3</u>

- (i) That the Director of Resources be given delegated authority to effect movement within the authorised limit for external debt between borrowing and other long-term liabilities.
- (j) That the following borrowing limits be approved for the period 2006/07 to 2008/09:
- (i) upper limit on fixed interest exposures 100%
 - (ii) upper limit on variable rate exposures 30%
 - (iii) maturity of borrowing:

	Upper Limit %	Lower Limit %
Under 12 months	30	0
12 months and within 24 months	30	0
24 months and within 5 years	50	0
5 years and within 10 years	70	0
10 years and above	100	25

- (k) That the Director of Resources be authorised to enter into such loans or undertake such arrangements as necessary to finance capital payments in 2006/07 subject to the above prudential limits.
- (l) The Treasury Management and Annual Investment Strategy, Capital Strategy and Reserves Policy set out in the Appendices to the report be approved.

REASON FOR DECISION:

To enable the County Council to meet its strategy requirements with respect to setting a Budget Requirement and Council Tax precept.

142. Corporate Asset Management Plan and Review of the Property Function

The Cabinet considered a report of the Director of Resources concerning the Corporate Asset Management Plan and the appointment of consultants to assist in determining the most appropriate structure for the property function. A copy of the report marked 'C' is filed with these minutes.

RESOLVED:

- (a) That the Corporate Asset Management Plan be approved;
- (b) That GVA Grimley be appointed to assist in a review of the County Council's current property function and to make recommendations for its future structure and range of service provision.

REASON FOR DECISION:

- (1) An up to date Asset Management Plan, detailing existing Asset Management arrangements and planned action to improve the corporate use of assets, is a requirement of the "Use of Resources" block of the Comprehensive Performance Assessment.
- (2) The Corporate Asset Management Plan is a key element of the "Organisational Efficiency" work stream of the Change Programme.
- (3) An effective and appropriate property function is essential in ensuring that the future requirements of the Corporate Asset Management Plan can be met. The function will also have a key role to play in supporting the implementation of the overall programme of change.
- (4) GVA Grimleys Local Authority Asset Management team has provided advice and support to a large number of local authorities across the Country, in all areas of strategic management and the delivery of property services.
- (5) Following an Official Journal of the European Union tender exercise GVA Grimley is an Office of Government Commerce Buying Solutions Framework supplier of professional services to the public sector and will apply discounted fees to the assignment. It is therefore considered that it would be inappropriate to invite competitive quotations in this case.

143. The Leicestershire Local Area Agreement

(Mrs. L.A.S. Pendleton and Mr. J.B. Rhodes had declared a personal, non-prejudicial interest in this matter).

The Cabinet considered a report of the Chief Executive concerning the Leicestershire Local Area Agreement. A copy of the report marked 'D' is filed with these minutes.

Members expressed their gratitude to the Assistant Chief Executive (Community Planning) and his staff for their hard work in bringing together the Local Area Agreement.

RESOLVED:

- (a) That the Leicestershire Local Area Agreement be approved for submission to the Government;
- (b) That the County Council budgets listed in Appendix B of the report be either pooled in, or aligned with, the Agreement;
- (c) That the Chief Executive, in consultation with the Leader of the County Council be authorised to agree changes to the detail of the Agreement prior to its submission.

REASON FOR DECISION:

- (1) With regard to (a) and (b) above, the County Council has responsibility for the Agreement at three levels:
 - (a) as the democratically accountable body (along with the seven district councils) for the Agreement as a whole;
 - (b) that the accountable body for the financial management of the funding pooled in the Agreement;
 - (c) as the organisation responsible for a number of the services affected by the Agreement.
- (2) With regard to (c) above, the Agreement has to be submitted to the Government Office for the East Midlands by 21 February 2006. Further amendments are likely to be required to the detail of the Agreement before that submission takes place.

144. The Regional Plan Review - Options for Change: Further Response on the Scale of Growth

(Mr. D.R. Parsons, Mr. N.J. Rushton, Mr. J.B. Rhodes, Mr. D.A. Sprason and Mr. E.F. White had declared a personal non-prejudicial interest in this matter.)

Mr. I.D. Ould – in the Chair

The Cabinet considered a report of the Chief Executive concerning a further response to the “options for change” consultation paper issued by the East Midlands Regional Assembly. A copy of the report marked ‘E’ is filed with these minutes.

The Chief Executive reported that a major advantage of Option 2B was that it would provide for higher levels of affordable housing than lower growth options.

RESOLVED:

That the comments set out in paragraphs 20 to 25 in Appendix 2 of the report be approved for submission to the East Midlands Regional Assembly as the County Council’s further response to the Options for Change consultation.

REASON FOR DECISION:

To ensure that the County Council makes an appropriate input at this key stage in the Regional Plan Review process, so that issues of importance for Leicestershire are clearly expressed and influence the shape and content of the Regional Plan Review.

(Mr. D.R. Parsons – in the Chair)

145. Review of Educational Provision in the Vale of Belvoir and Melton Mowbray

The Cabinet considered a report of the Director of Children's Services (Designate) concerning a review of educational provision in the Vale of Belvoir and Melton Mowbray. A copy of the report marked 'F' is filed with these minutes.

With the agreement of the Chairman, Dr. O'Callaghan addressed the Cabinet. Dr. O'Callaghan commented that there had been a positive start to the review and hoped that the process would conclude with as much agreement as possible amongst the various parties.

RESOLVED:

- (a) That progress made to date on the review of educational provision in the Vale of Belvoir and Melton Mowbray be noted;
- (b) That the next steps in the review process as set out in paragraph 16 of the report, be approved.

REASON FOR DECISION:

On 23 November 2005 the Cabinet considered a report of the Director of Children's Services (Designate) detailing the results of an independent review of educational provision in the Vale of Belvoir. The Cabinet agreed a review process for the organisation of secondary and primary school places in both the Melton Mowbray area and the County as a whole.

146. Annual Performance Assessment of Education and Children's Social Care Services 2005

The Cabinet considered a report of the Director of Children's Services (Designate) on the findings of the Commission for Social Care Inspection and Ofsted on the performance of education and children's social care services in 2005. A copy of the report marked 'G' is filed with these minutes.

Members congratulated the staff on their continued good performance.

RESOLVED:

That the findings of the Commission for Social Care Inspection and Ofsted and the action to address areas of improvement, as set out in the report, be noted.

REASON FOR DECISION:

To enable the areas of improvement to be taken forward through the Children and Young People's block of the Local Area Agreement; these are also reflected in the priorities identified in Leicestershire's draft Children and Young People's Plan.

147. New Management Arrangements for Burbage Sketchley Hill Menphys Nursery

The Cabinet considered a report of the Director of Children's Services (Designate) concerning a change in the management arrangements for Sketchley Hill Menphys Nursery, Burbage. A copy of the report marked 'H' is filed with these minutes.

Members were informed that Mr. D.O. Wright, CC had commented as follows:

"This seems to me to be a sensible move to bring the management of the Menphys Nursery at Sketchley Hill into line with that at the Wigston Centre. I therefore support the request of the Headteacher and Governing Body at Sketchley Hill Primary School."

RESOLVED:

- (a) That an application to Ofsted (Early Years) be made to establish Sketchley Hill Menphys Nursery as a free-standing specialist nursery;
- (b) That public notices be published to remove the nursery from the management of the Headteacher and Governing Body of Sketchley Hill Primary School, Burbage.

REASON FOR DECISION:

- (1) The Headteacher and Governing Body of Sketchley Hill Primary School have expressed concerns about their professional knowledge and capacity in managing a highly specialist SEN nursery provision and the relative lack of specialist support for the Head of Nursery.
- (2) Secondly, the nursery's revenue budget is determined by a unique funding "formula" and not through the local management of schools formula which recognises the needs of individual children within the nursery and variations in these levels of need over time. Because of this the nursery regularly needs to have "top up" funding from the central Special Educational Needs budget to meet the needs of high dependency children and those with very complex needs. The proposed change in management arrangements would enable the local management of special schools formula to be applied to the nursery. It would also provide for the Head of Nursery to become a member of the Leicestershire Special Schools Heads Association and to report to the Centre Policy Advisory Group which currently provides professional guidance and support to the Head of Centre at the Wigston Menphys Nursery.

- (3) Thirdly, this change would bring the management and funding of Leicestershire's two special needs nurseries into line.

148. Hinckley Area Special School - Publication of Statutory Notice

The Cabinet considered a report of the Director of Children's Services (Designate) concerning the publication of a Statutory Notice in respect of Hinckley Area Special School.

Members were informed that Mr. D.O. Wright, CC supported the proposals contained in the report.

RESOLVED:

- (a) That approval be given to keystage 4 pupils at the new Hinckley Area Special School from 31 August 2006 being taught initially at the present Dorothy Goodman School site, and that further planning relating to the location of the permanent provision of the 14-19 years element be undertaken as part of the review of secondary provision across the County;
- (b) That approval be given to the publication of a Statutory Notice in relation to the arrangements indicated in (a) above.

REASON FOR DECISION:

- (1) The County Council has agreed the phased introduction of area special schools across the County, as part of its long-term planning for pupils with special educational needs. The first of these was Birchwood in Melton, and the Hinckley Area Special School is the second.
- (2) The Hinckley Area Special School will be based in a new building on the site of Redmoor High School, with close links with the adjacent Richmond Primary School. The new building is currently under construction and will open on 31 August 2006.
- (3) The Statutory Notice, dated 26 November 2004, giving notice of the establishment of a new school, stated that whilst the new school was being established at this time, the arrangements for the keystage 4 pupils had not been finally determined and that "a Statutory Notice will be published at a later date relating to arrangements for keystage 4 pupils".
- (4) Since that time discussions have been ongoing relating to the location of keystage 4 provision. Several alternatives have been explored, including links to other schools in the locality. However, the Cabinet's decision on the Consultant's report on Education in the Vale of Belvoir has implications for the planning of Area Special Schools. In the circumstances it would seem prudent to continue to educate the keystage 4 pupils of the Area Special School at the Dorothy Goodman site, to allow their ultimate destination to be determined as part of the secondary provision review across the area.

- (5) Some remodelling work will be required at the current Dorothy Goodman building, to make it fully suitable for the 14-19 age range e.g. increased number of full-size toilets. This work will be completed to comply with the latest DfES guidance note on accommodation for pupils with special educational needs.

149. Review of Day Care Services for People with a Physical Disability

The Cabinet considered a report of the Acting Director of Social Services concerning recommendations arising from a review of day service provision for people with a physical disability aged 18-65 years. A copy of the report marked 'J' is filed with these minutes.

Members were informed that Mr D Jennings CC had commented that he had no objection to the proposals contained in the report. Mrs. J.A. Dickinson had also commented as follows:

“The move towards adopting a concept not dissimilar to the Mosaic operations would be a positive benefit for all and, whilst protecting and maintaining services, would be a more modern approach.”

RESOLVED:

That a period of consultation be undertaken with service users, carers, staff, trade unions and partner agencies on the proposal for a new model of day services for people with physical disability as set out in paragraphs 28 to 36 of the report.

REASON FOR DECISION:

The new arrangements would ensure that service provision was able to cater for a wider range of needs and was geared towards giving service users more control and choice over how their needs were met. This is in line with the objectives set out in the Department of Health White Paper “Our Health, Our Care, Our Say” published on 30 January 2006.

150. Big Lottery - Living Landmark Fund - Proposed Bid by the Heart of the National Forest Foundation

The Cabinet considered a report by the Director of Community Services seeking support for the proposed bid to the Big Lottery – Living Landmarks Fund by the Heart of the National Forest Foundation. A copy of the report marked 'K' is filed with these minutes.

Members were informed that Mr. S.D. Sheahan had submitted comments on this issue. A copy of the comments is filed with these minutes.

RESOLVED:

That the proposed bid to the Big Lottery Fund by the Heart of the Forest Foundation for the Heart of the Forest scheme be supported.

REASON FOR DECISION:

- (1) The bid, if successful, would deliver a number of benefits that fit with the strategies of the County Council. In particular it will: support the restoration of the Ashby Canal, develop recreational trails and footpaths thereby improving access for local communities, support the development of improved public transport services, assist the regeneration of an area of need and address a number of areas of need identified in the emerging Local Area Agreement.
- (2) The Cabinet's support for the proposal would lend weight in the assessment process.

151. Items Referred from Overview and Scrutiny

There were none.

2.30 pm – 3.25 pm
13.02.06

CHAIRMAN

