

Minutes of a meeting of the Cabinet held at County Hall, Glenfield on Monday, 10 May 2010.

PRESENT

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

Mr. A. M. Kershaw CC

Prof. M. E. Preston CC

Mr. I. D. Ould CC

Mr. J. B. Rhodes CC

Mr. M. B. Page CC

Mr. D. A. Sprason CC

Mrs. L. A. S. Pendleton CC

Mr. E. F. White CC

Also in attendance

Mr. D. Houseman CC, Mr. J. T. Orson JP, CC, Dr. R. K. A. Feltham CC, Mr. S.J. Galton CC, Mrs. P. Posnett CC.

152. Minutes of the previous meeting.

The minutes of the meeting held on 6 April 2010 were taken as read, confirmed and signed.

153. Urgent items.

There were no urgent items for consideration.

154. Declarations of Interest.

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

Mr. J. B. Rhodes and Prof. M. E. Preston each stated that they had previously expressed a view on the planning application which was the subject of Paper 'H' and would not participate in the debate when this item was considered. They would also leave the room when it was discussed. The matter was considered under minute 161 below.

155. Determination of Statutory Notice for the Closure of King Edward VII School and the Expansion of John Ferneley College, Melton Mowbray

The Cabinet considered a report of the Director of Children and Young People's Service on the outcomes of the statutory notice representations period for the proposed closure of King Edward VII School and the expansion of John Ferneley College, Melton Mowbray. The Cabinet also considered a copy of a supplementary report of the Director advising of progress on the establishment of the joint management and governance arrangements of the new Melton Post-16 Centre and proposals for the future of the Hub. Copies of the reports, marked 'B' and 'BB' respectively, are filed with these minutes.

The Chairman reported that Mr. P. Roffey, CC (County Councillor for the Melton South Electoral Division), who was unable to attend the meeting, had provided him with a note of his concerns that the option of Brooksby Melton College hosting the Post-16 arrangements had not been fully explored within the report. Mr Roffey had requested his concerns to be reported at the meeting and recorded in the minutes. The Chairman informed the Cabinet that Mr Roffey rightly pointed out that, nationally, there were a number of Colleges that combined the provision of sixth form and adult education within one governance structure. Brooksby Melton College had been fully involved in the reorganisation of education in Melton Mowbray and had never formally proposed the solution suggested by Mr, Roffey. The Cabinet had previously agreed that the Post-16 Centre would be governed by the schools in the area, in partnership with Brooksby Melton College and the local area special school, Birchwood. The Barkestone Trust, which was linked to Belvoir High School, had supported this approach and had expressed interest in hosting the management of the Post-16 Centre.

Mr. Ould, CC and Mr. White, CC spoke in favour of the recommendations in papers 'B' and 'BB'.

RESOLVED:

- (a) That the objections received to the statutory notice from the governing bodies of King Edward VII School and John Ferneley College, Melton Mowbray having been considered, be noted;
- (b) That the following proposals under paragraph 8 of Schedule 2 to the Education and Inspection Act 2006 be approved:
 - (i) The closure of King Edward VII School with effect from 31 August 2011; and
 - (ii) The expansion of John Ferneley College to a capacity of 1100 pupils and an admission number of 220 with effect from 1 September 2010;
- (c) That the progress to date on the establishment of the joint management and governance arrangements of the new Melton Post-16 Centre and proposals for the Hub, as detailed in the supplementary report, be noted;
- (d) That the further action proposed in respect of the establishment of joint collaborative arrangements from 1 September 2011 (as set out in the supplementary report) be agreed.

(KEY DECISION)

REASON FOR DECISION:

The Cabinet approved the publication of a statutory notice proposing the closure of King Edward VII School and the expansion of John Ferneley College on 9 March 2010. Objections received since this date have been considered.

The programme of re-organisation for schools in Melton and the Vale of Belvoir represents a long-term commitment by the County Council to transform the schools and to raise standards for the pupils. It provides a long-term, sustainable solution for the Melton and Vale of Belvoir Partnership, clearly addressing the issues of removing surplus places.

The establishment of a jointly managed Post-16 Centre is in keeping with the decision of the Cabinet in March 2007 and will help ensure that the three secondary schools in the Partnership and other key education partners are fully involved in post-16 provision. Early establishment of these joint arrangements provides clarity and certainty for staff and students.

Establishing the Hub as a company limited by guarantee which may obtain charitable status will provide a more secure basis for providing services to young people and the wider community in Melton Mowbray.

156. County Council Medium Term Delivery Plan to 2013.

The Cabinet considered a report of the Chief Executive on the new draft Medium Term Delivery Plan. A copy of the report, marked 'C', is filed with these minutes.

RESOLVED:

- (a) That the comments of the Scrutiny Commission be noted;
- (b) That the proposed amendments to the Medium Term Delivery Plan, set out in Appendix 1 to the report, be approved;
- (c) That the revised Medium Term Delivery Plan, attached as Appendix 2 to the report, be approved for submission to the County Council at its meeting on 19 May 2010; and
- (d) That it be agreed that the targets be reviewed and updated in 2011 when the current Local Area Agreement ends and the new Local Transport Plan is published.

(KEY DECISION)

REASON FOR DECISION:

To enable the MTDP to be considered by County Council at its meeting on 19 May 2010. The Plan sets out high priority improvements and actions for the Council which will then be subject to suitable delivery support and monitoring.

157. Youth Justice Strategic Plan 2010/11.

The Cabinet considered a report of the Chief Executive on the draft Youth Justice Strategic Plan 2010/11. A copy of the report, marked 'D', is filed with these minutes.

RESOLVED:

That the Youth Justice Strategic Plan 2010/11 be approved for submission to the County Council on 19 May 2010.

(KEY DECISION)

REASON FOR DECISION:

The County Council has a statutory duty under Section 40 of the Crime and Disorder Act 1998 to prepare and submit an annual Youth Justice Plan to the Youth Justice Board.

158. Final Equality, Diversity and Human Rights Strategy.

The Cabinet considered a report of the Chief Executive on the new Equality, Diversity and Human Rights Strategy. A copy of the report, marked 'E', is filed with these minutes.

RESOLVED:

That the Equality, Diversity and Human Rights Strategy be approved for submission to the County Council on 19 May 2010.

(KEY DECISION)

REASON FOR DECISION:

To enable the Equality, Diversity and Human Rights Strategy to be considered by full Council at its meeting on 19 May 2010.

159. Dates of County Council Meetings 2010/11.

The Cabinet considered a report of the Chief Executive setting out the proposed dates of County Council meetings for 2010/11. A copy of the report, marked 'F', is filed with these minutes.

RESOLVED:

That the County Council be recommended to hold meetings on the following dates during the next municipal year -

Wednesday 30 June 2010
 Wednesday 22 September 2010
 Wednesday 1 December 2010
 Wednesday 23 February 2011 (Budget)
 Wednesday 23 March 2011
 Wednesday 18 May 2011 (Annual Meeting)

REASON FOR DECISION:

To comply with the Local Government Act 1972 and the County Council's standing orders.

160. Harborough Innovation Centre, Market Harborough - Urgent Action taken by the Chief Executive.

The Cabinet considered a report of the Chief Executive advising of urgent action taken, in consultation with the Leader and Deputy Leader, in respect of the County Council underwriting a shortfall in funding for the Harborough Innovation Centre scheme. A copy of the report, marked 'G', is filed with these minutes.

RESOLVED:

That the action taken by the Chief Executive in agreeing to underwrite a shortfall in funding of up to £200,000 for the Harborough Innovation Centre, Market Harborough, be noted.

REASON FOR DECISION:

The General Scheme of Delegation requires that any urgent action taken by the Chief Executive between meetings be reported to the next appropriate meeting of the body concerned.

161. Consultation on Planning Application 2009/2464/02: Scottish Power Renewables - Erection of Four 126.5m High Wind Turbines and Ancillary Infrastructure for a Period of 25 Years - Land off Ridgmere Lane, South East of Queniborough (Charnwood Borough Council).

Mr. Rhodes and Prof. Preston, as stated in minute 154 above, had previously expressed a view on this matter and left the meeting during discussion of this item.

The Cabinet considered a report of the Chief Executive setting out the Development Control and Regulatory Board's recommended response to a planning application on which the County Planning Authority has been consulted by Charnwood Borough Council. A copy of the report, marked 'H', is filed with these minutes.

Copies of a letter from the applicant company commenting on the recommended response were circulated at the meeting and a copy is filed with these minutes. The Chief Executive commented on the letter by advising that the County Council acknowledged the evolving nature of renewable energy policy and technologies, and that more challenging targets may emerge in the future. The direction of future Government policy and the progress of the Partial Review of the East Midlands Regional Plan had been taken into account in the recommended response. It was noted that, in the letter, the applicant did not acknowledge, or attempt to address, the impact of the development on nearby historic assets, local landscape character and the wider open countryside.

RESOLVED:

That the following be forwarded to Charnwood Borough Council as the views of the County Planning Authority:-

"Charnwood Borough Council be advised that the CPA objects to the proposed development on the following grounds -

The County Planning Authority acknowledges that there is general support for the principle of development for renewable energy projects set out in national and regional policy guidance, particularly PPS1 (Supplement on Climate Change) and PPS22. However, the East Midlands Region has a significant capacity of operational projects, and consented projects which exceed the approved targets in the East Midlands Regional Plan (EMRP). It is likely that there will be increased significance given to renewable energy generation in future government guidance, and an increase in targets for on-shore wind energy in the future through the partial review of the EMRP. However, the future definitive distribution of the draft EMRP figures across the renewable energy sector are yet to be determined.

In light of the present operational and consented capacity within the region, the need does not outweigh the harm to nearby significant historic assets and the harm to local landscape character and the wider open countryside, which is in conflict with Policy CT/7 of the Charnwood Borough Local Plan.

Unless certain details are agreed with the Highways Authority on the precise improvements to facilitate the development, there appears to be some doubt about the suitability of the local road network to accommodate the additional trip generations to/from the site, including significant numbers of HGVs in the construction period. Therefore unless suitable details are provided by the applicant to the Highway Authority, at the present time the application is contrary to Policy TR/6 of the Charnwood Borough Local Plan."

REASON FOR DECISION:

To comply with Regulations issued under the Local Government Act 2000. Reasons for the recommendations on this particular application are set out in the appendix to this report.

162. Exception to Contract Procedure Rules - Request for a Contract Extension for the Provision of a Post-Graduate Diploma in Public Leadership and Management.

The Cabinet considered a report of the Director of Corporate Resources seeking authority to extend a contract with Warwick Business School for the provision of a Post-Graduate Diploma in Public Leadership and Management. A copy of the report, marked 'I', is filed with these minutes.

RESOLVED:

That approval be given to granting an extension to a contract awarded to Warwick Business School for the provision of a Post Graduate Diploma in Public Leadership and Management for a period of eighteen months from 1 June 2010 until 30 December 2011 i.e. for the duration of one eighteen month programme.

REASON FOR DECISION:

Rule 30a of the Contract Procedure Rules (Part 4G of the Constitution) requires that where a contract is originally approved by the Executive and where the duration of the planned extension is more than three months, then authority must be gained from the Executive.

In this instance a compliant tendering procedure was commenced but subsequently stopped (in consultation with the Eastern Shires Purchasing Organisation) due to unforeseen issues relating to the Invitation to Tender document. It is considered important to ensure that training continues in key leadership skills for the cohort who will join the course on 1st June 2010.

163. Items referred from Overview and Scrutiny.

There were no items referred from Overview and Scrutiny.

2.00 pm – 2.20 pm
10 May 2010

CHAIRMAN