

**MINUTES OF THE MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL HELD  
AT COUNTY HALL, GLENFIELD ON Wednesday, 21 May 2003.**

**Present**

Mrs. A. C. M. Pullen CC (in the Chair)

Mr. K. Anthony CC, Mr. H. Barber CC, Mr. D. C. Bill CC, Mrs. V. P. Bill CC, Mr. P. D. Boulton TD, CC, Mr. G. A. Boulton CC, Mr. D. R. Bown CC, Mrs. C. E. Brock CC, Mr. N. J. Brown CC, Mr. P. Callis CC, Mrs. R. Cammille CC, Mr. B. Chapman AE, CC, Dr. R. K. A. Feltham CC, Mr. R. Fraser CC, Mr. S. J. Galton CC, Mr. D. A. Gamble CC, Mr. B. Garner, CC, Mr. M. Griffiths CC, Mr. M. J. Hunt CC, Mr. P. A. Hyde CC, Mr. R. Jenkins CC, Mr. D. Jennings CC, Mr. Mike Jones CC, Mr. A. M. Kershaw CC, Mr. D. J. Knaggs CC, Mr. O. D. Lucas CC, Mr. C. H. G. MacLeod CC, Mr. R. Mason CC, Mr. R. Miller CC, Mr. Ian M. Morris CC, Mr. P. C. Osborne CC, Mr. I. D. Ould CC, Mr. M. B. Page CC, Mr. E. Palmer CC, Mr. D. R. Parsons CC, Mrs. L. A. S. Pendleton CC, Mr. G. H. Perkins JP, CC, Dr. D. Pollard CC, Prof. M. E. Preston CC, Mr. S. H. Preston CC, Mr. J. B. Rhodes CC, Lt. Col. P. A. Roffey DL, CC, Mr. J. W. Royce CC, Mr. N. J. Rushton CC, Mr. S. D. Sheahan CC, Mrs. M. L. Sherwin CC, Mrs. A. U. Smith JP, CC, Mr. D. A. Sprason CC, Mr. C. A. Stanley CC, Mr. E. F. White CC, Mr. R. M. Wilson CC and Mr. P. G. Winkless CC.

**106 - ELECTION OF CHAIRMAN.**

It was moved by Mr Brown, seconded by Mr Barber and carried:

“That Mr David Knaggs be elected Chairman for the period until the next Annual Meeting of the Council.”

Mr Knaggs read out and signed his Declaration of Acceptance of Office which was witnessed and signed by the Chief Executive.

Mr Knaggs took the Chair and thanked his proposer and seconder and members of the Council for electing him.

The Chairman thanked Mrs Pullen and Mrs Newham, for services to the County during Mrs Pullen's period of office as Chairman. Mr Barber, Mr Brown and Mr Galton each joined the Chairman in associating their Groups with the thanks to Mrs Pullen and Mrs Newham. Mrs Pullen thanked members for their generous remarks.

**107 - ELECTION OF VICE-CHAIRMAN**

It was moved by Mr Barber, seconded by Mr Brown and carried:

“That Mr Peter Winkless be appointed Vice-Chairman for the period until the next Annual Meeting of the Council.”

Mr Winkless read out and signed his Declaration of Acceptance of Office which was witnessed and signed by the Chief Executive.

Mr Winkless thanked his proposer and seconder for their generous remarks and members of the Council for appointing him as Vice-Chairman.

**108 - CHAIRMAN'S ANNOUNCEMENTS.****Ashby Canal, Moira**

The Chairman was pleased to report that the Ashby Canal at Moira had been awarded top in its class against more than 180 waterways projects around the Country. The restoration project had won the 2002 Waterways Renaissance Tourism Award of the Waterways Trust and British Urban Regeneration Association. The project had also received a Civic Trust Award.

The County Council had led the project to restore the Ashby Canal, in association with other Authorities and Groups. The awards were on display in the Members' Lounge, and the Chairman felt sure that members would wish to join him in thanking all those involved in achieving these awards.

**Library Service, Chartermark**

The Chairman also reported that on display in the Members' Lounge was the certificate presented to the County Council's Library Service on achieving the Chartermark, which was awarded for excellence in the provision of public services. Again, the Chairman felt sure that members would wish to join him in congratulating all of the members of staff concerned in providing the Library Service, the quality of which had been recognised by this award.

**Mr E Palmer CC**

The Chairman extended his congratulations to County Councillor Mr Palmer on his election on 13 May as Chairman of North West Leicestershire District Council.

**Denise Outen**

The Chairman was pleased to announce that Denise Outen, the County Council's International Links Co-ordinator, had been awarded the "Palmes Academiques", a decoration for services to French Education. The award, rarely given to non-French nationals, had been presented at an education symposium in Rouen. Denise had been in post for over twenty years, making a huge contribution to international links both educationally and corporately.

Members joined the Chairman in thanking Denise Outen for her work, and congratulating her on this award.

**Visitors**

The Chairman welcomed to the meeting all visitors and guests of members.

**109 - MINUTES**

It was moved by the Chairman, seconded by the Vice-Chairman and carried:-

"That the minutes of the meeting of the Council held on 26 March 2003 copies of which have been circulated to members, be taken as read, confirmed and signed."

## **110 - DECLARATIONS OF INTERESTS.**

The Chairman invited members who wished to do so to make declarations of personal interests in respect of items on the agenda for this meeting.

No such declarations were made.

## **111 - QUESTIONS ASKED UNDER STANDING ORDER 7(1)(2) AND (5).**

**(A) Mr Lucas asked the following question of the Leader or his nominee:**

- “1. What steps are the Cabinet taking to recognise the work of the Leicestershire Archaeological Field Walking Groups, supported by County Council Archaeology staff, which has resulted recently in some fantastic discoveries in Leicestershire?
2. Does the Leader agree with me that the small team of staff who form the Archaeology Section deserve praise for their dedication and the fine work they produce and contribute to, on a shoe-string budget?
3. Will the Cabinet consider the possibility of seeking British Museum support towards establishing a fresh museum in Market Harborough to show our “Sutton Hoo” as this would be a major visitor/tourist attraction?”

Mr Barber replied as follows:

- “1. The Cabinet recognises the work of these groups through its support for them. The County Council has supported community archaeology since its inception in Leicestershire in 1975. Leicestershire has led the way in community archaeology nationally. The training and long-term support given to community volunteers by the County Council ensured that finds such as the recent Iron Age and Roman discovery in South Leicestershire were handled locally in an appropriate manner to ensure its protection and safeguarding.
2. Yes, but I am not sure that I could accept Mr. Lucas’ claim that a six figure budget is a shoe-string budget.
3. We are discussing with the British Museum the future of the coin hoard and the Roman helmet and access to the collection for Leicestershire people. One option may be that Harborough Museum will house this display. However, I think that we have to be realistic and accept that a new museum in Market Harborough is unaffordable. I would much prefer that we use this discovery to promote the existing museum which we operate with the support of the District Council.”

**(B) Mr Griffiths asked the following question of the Leader or his nominee:**

“What progress has been made with the decision taken arising from the Best Value Review of Domiciliary Services relating to the expansion of Luncheon Clubs?”

Mr Miller replied as follows:

“The Best Value Review outcome included a commitment to increase luncheon

club facilities across the County. The intention, as far as possible, is to develop new luncheon clubs where there are currently gaps in provision. The precise location of some new luncheon clubs will be determined by the outcome of recent Village Appraisals, some of which identified the need for such facilities.

The 2003/2004 budget includes £30,000 specifically for the development of new luncheon clubs. This will be taken forward in partnership with voluntary sector organisations.

Ongoing discussions have been taking place with partner agencies, particularly the WRVS and Age Concern to identify partners willing to help the Council establish additional luncheon clubs.

In recent months, three new lunch clubs have been planned. The first, in Loughborough, has opened and is run by the Charnwood Community Council. The second, called Cameo, will operate in Ibstock and will be privately run. Cameo will open next month. The third, in Syston, will also be run by the Charnwood Community Council and is due to open in August. All three luncheon clubs will be funded by the County Council.

Discussions with the WRVS have been very positive and an agreement has been reached for a number of new luncheon clubs to be set up and run by WRVS across the County. The first of these will open in the Autumn although the WRVS are currently looking to identify a venue and the precise location has, therefore, yet to be decided.

The Social Services Department is also working in partnership with Age Concern to open a luncheon club specifically for Asian service users in Loughborough."

**(C) Mr Griffiths asked the following question of the Leader or his nominee:**

"Following the introduction of a new contractor appointed to distribute prepared meals to our qualifying senior citizens, can the Leader inform me of:-

1. The proportion of requests for frozen and hot meals?
2. Any preliminary feedback from service users as to service satisfaction?
3. Any proposals to introduce regular customer satisfaction surveys?"

Mr Miller replied as follows:

- "1. The County Council supplies approximately 4,000 meals per week to a total of 1,320 people. The new community meals contract awarded to Apetito, a company with substantial experience of providing meals for local authorities, has the significant advantage over the previous system of offering a choice between frozen meals and delivered hot meals.

Over time this will substantially increase the choice available to service users and provides much greater flexibility in terms of the time in which meals can be taken.

The same frozen product is used for both the hot meal and frozen meal services. For the hot meal service, the frozen meal is regenerated in transit

to people's homes, whilst the frozen service delivers the meal direct for use or storage by the recipient.

The new system for providing and delivering community meals is at an early stage, the contract only having been in place since last month. At this stage all service users are currently continuing to receive hot meals in line with the previous arrangements. However, there is significant interest among service users in trying out frozen meals as an alternative. It is therefore intended to run a number of pilot exercises across the County later in the year to test the detailed operation of this option. No service users will be asked to take frozen meals against their wishes.

2. As indicated above, the new contract for the provision of community meals is still only in its eighth week. Some difficulties, mainly in terms of delivery times, were experienced during the initial changeover period but these have now been resolved with Apetito, and the general level of customer satisfaction is good.

Generally speaking, service users are satisfied with the quality of meals provided by Apetito. In addition, the menu system (a new innovation that offers service users the opportunity to choose their meals each week), is very well liked. There is now evidence of increased take-up and demand for meals, particularly at weekends.

3. The Social Services Department is already undertaking a detailed Customer Satisfaction Survey of a sample group of service users. Questionnaires are currently being distributed and results are expected early in June. A meeting has been planned with Apetito for the 17 June 2003 to consider the findings of the survey.

Customer Satisfaction Surveys will then be undertaken by the Department on an annual basis. Apetito are also in the process of surveying customer view/opinions, and have recently sent out their own questionnaires."

Mr Griffiths asked the following supplementary question on the reply to question 3:

"Could Mr Miller confirm that Scrutiny will have an update on an annual basis on the question of customer satisfaction so that we can actually monitor this?"

Mr Miller replied as follows:

"I am very happy to confirm that there will be an update. It is my understanding that the results of the survey which is presently being conducted should in fact be included in the report, which it is intended to bring to Scrutiny on progress on this item in the Autumn, and yes, of course, those results will then be reported annually following that."

**(D) Mr Lucas asked the following question of the Leader or his nominee:**

- "1. What does the County Council presently contribute to Leicester Promotions?
2. If the Council proceeds to hand over Tourism to them, do you feel that Barnstable is the proper place from which to deal with Leicestershire

tourism matters?"

Mr Barber replied as follows:

- "1. Nothing.
2. The Council is not 'handing over Tourism' to Leicester Promotions."

**(E) Mr Galton asked the following question of the Leader or his nominee:**

- "1. Is the Leader aware that he was quoted on the front page of the "The Stage" Newspaper on April 10<sup>th</sup> as saying that the County Council had not been consulted about the proposed replacement for the Haymarket Theatre to serve the City and the County?
2. How can this be correct when it is common knowledge that an officer of the County Council has served on the working party since it was established?
3. Bearing in mind that up to 60% of the theatre-goers are County residents what useful purpose has been served by withdrawing the officer at this stage?
4. Given that there are three members of the Conservative Group on the Leicester Theatre Trust Board of Management, would he not agree that they also have a responsibility to report back on what is happening with the project?
5. Now that the remaining £50,000 grant has been withdrawn from the theatre, what is the position with the County Council's places on the Board of Management?"

Mr Barber replied as follows:

- "1) I am sure that Mr Galton has experience of either being misquoted or the reporter missing the point. My concern was that there was no real attempt by the leadership of the City Council to engage the County Council at a political level at an early stage about the City's intentions not just for a 'cultural quarter' but about how such a major development was to be funded and the implications for theatre and arts in the County as well as the City. Effectively we were presented with a fait accompli in terms of the City Council's intentions.
- 2) & 3) A County Council officer attended meetings of a 'working party' as an observer and withdrew in October 2002 at the same time as I advised the then Leader of the City Council that only political discussions could deal with issues at a strategic level, not least about funding.
- 4) & 5) I do not consider that I have been lacking in any particular information about the replacement theatre project. It appears that the position about the Haymarket Theatre only became clear on Monday evening of this week when the Haymarket Board met at a time when neither of the two County Council representatives was able to attend due to business prior to this meeting of the County Council. I would add that yesterday's announcement about the closure of the Haymarket suggests that the

Theatre's problems go way beyond the loss of the relatively small amount of grant aid previously provided by the County Council and that any crude attempt to pass off blame on to the County Council only detracts from some fundamental problems about the running of the Theatre. I would anticipate that the Haymarket Board will want to review its composition in light of that announcement."

Mr Galton asked the following supplementary question on the reply given to question 1:

"Clearly things have moved on since I submitted these questions, and surely I would think that the Leader is aware that many actors would give their absolute back teeth to make the front page of the stage and television newspaper today, as he did on that date. Would he accept that there is still a role for this County Council in terms of theatre provision in the City and this County and that there is a need to work together with partners, bearing in mind that 60% of people in the County do look to attend a theatre in Leicester? Other than that I could make some comments about the pantomime horse or things like that, but I will forego that today, because I actually think that this is still a serious matter that needs further attention."

Mr Barber replied as follows:

"I have no ambition ever and I am unlikely to have one in the future to appear on the front page of publications like "The Stage". However, I can see that it is natural home for the Liberal Democrats, particularly in the comedy section. I have to agree with Mr Galton that the second part of his question is in fact a serious matter. We, I am sure, will watch the developments insofar as the Cultural Quarter and its contents in the City is concerned, and I would suggest that if anyone wishes to know our policy, or changes in policy, they might ask whoever happens to be Leader of this Council at the particular time they want to pose the question."

**(F) Mr Brown asked the following question of the Leader or his nominee:**

- "1. What is the current situation as far as the County Council understands it with the proposals for the Leicester West Park and Ride Scheme?
2. Can the Leader (or his nominee) confirm that, regardless of progress (or lack of progress) with the Park and Ride Scheme, the much needed improvements to the A5460 Fosse Park/Asda roundabout and the Narborough Road South will not be jeopardised?"

Mr Barber replied as follows:

- "1. The Cabinet resolved at its meeting on 13<sup>th</sup> May to endorse the preferred sites for park and ride and to submit a bid for funding to the Department for Transport. The Cabinet has also resolved that the bid must be subject to clarification from Leicester City Council regarding its intentions on the proposed park and ride site on Aylestone Road and to satisfactory assurances from the City Council that it continues to accept that the County Council should not be required to find from within its boundaries more than two sites to be included in the scheme. That has been communicated to the City Council but understandably we have yet to hear from them on this.

2. The same meeting of Cabinet approved the development of proposals for improvements in the Junction 21 area as a linked scheme. I would expect this work, which is separately funded, to go ahead irrespective of progress on the park and ride scheme.”

Mr Brown asked the following supplementary question:

“Recognising the situation is still a bit of moveable feast, and a feast that is in the hands of the City Council, can Mr Barber confirm that it will not be the policy of the Administration to accept a replacement for the Aylestone Park and Ride site in the County, and obviously, given that particular location, in particular in Blaby District?”

Mr Barber replied as follows:

“The situation is obviously up in the air. It waits until the newly elected administration in the City has time to take over. It is probably fair enough for me to say that I had a very, very brief discussion with the new Leader of the City Council just before lunch today, here in this building and we agreed that we needed to meet together to talk about the situation and where it was leading us.”

**(G) Mr Brown asked the following question of the Leader or his nominee:**

- “1. What is the current County Council policy in respect of education provision for children from the Thorpe Astley housing development? (i.e. Is the policy still that Kingsway and Holmfield Primary Schools would be expected to take the majority of children from this area?)
2. Does the statement in the Leicester Mercury (dated 13 May 2003) regarding the County Council commitment to a new school in Thorpe Astley represent current policy? If so, when was the policy changed?
3. If there has been a change of policy, how does the Cabinet intend to address the issue of surplus places in the Braunstone/LFE family of schools that was previously stated as being the principle reason for not proceeding with a new school in Thorpe Astley?
4. Under the current legal agreements, what can the often-quoted figure of £5 million from developer contributions from the Thorpe Astley development be used for? What part of this funding is available for education and to which schools is it currently envisaged that this money would be directed?”

Mr Ould replied as follows:

- “1. The County Council’s policy on educational provision for children from the Thorpe Astley development currently remains the same as the decision taken in 1993 and reviewed in December 2001. Under that decision, which is subject to alteration by National Government initiatives or the views of local parents, children from the Thorpe Astley development are expected to be educated in surplus accommodation at Kingsway, Holmfield, and Millfield Primary Schools.
2. The statement in the Leicester Mercury of 13 May was not an official press

statement. No official statement has been issued to the Leicester Mercury regarding educational policy and development in the Thorpe Astley area. However the views of the parents of children currently in Thorpe Astley Development Area have been listened to in respect of where they would like their children to be educated, and the subject will be kept under review. Parents will be influenced in their choice of school by the quality and reputation of local schools. Welcoming schools providing quality educational experiences in a stable and well ordered learning environment, exemplified by high achievements for pupils, will always attract parental confidence and support. Where schools do not achieve this reputation, parents will make their own response.

3. Mr Brown should make himself aware of the potential impact on surplus places of his own Government's policies in respect of successful schools being able to expand, form federations, or take over other schools. As is characteristic of this Government, rushed policy that seems attractive but is not thought through in its consequences has implications for other areas, e.g., surplus places.
4. As a local councillor adjacent to this area, it has taken Mr Brown ten years to ask about developer contributions. So that he may accurately represent the facts after a decade of ignorance, I am pleased to inform him that there are four developer contributions involved in the £5m developer contribution. They were all negotiated for the purpose of highway improvements in the Fosse Park Area. They have never been, in whole or part, available for the purpose of creating additional school places."

Mr Brown asked the following supplementary question:

"Given that Mr Ould's replies, especially the replies to questions 1 and 2, do seem to leave open the option of a new school in the Thorpe Astley development area, could Mr Ould perhaps explain what the status of the site allocated by developers for this school is likely to be, given that my understanding is that Blaby District Council are currently in the process of negotiating that away for further planning gain?"

Mr Ould replied as follows:

"Not being a in-mate of Blaby District Council, I am afraid I have got no idea what they have allocated the site for. If I had had prior warning of the question, I might be better informed. I apologise for not being able to give any further information"

## **112 - REPORTS OF THE CABINET, SCRUTINY COMMISSION, SCRUTINY COMMITTEES AND OTHER BODIES:**

### **112 - REPORT OF THE CABINET**

#### **(A) DATES OF COUNCIL MEETINGS 2003/04**

It was moved by Mr Barber, seconded by Mr Parsons and carried:

"That Council meetings in 2003/2004 be held on the following dates:-

Wednesday 9<sup>th</sup> July, 2003  
 Wednesday 17<sup>th</sup> September, 2003  
 Wednesday 26<sup>th</sup> November, 2003  
 Wednesday 28<sup>th</sup> January, 2004  
 Wednesday 25<sup>th</sup> February, 2004 (Budget Meeting)  
 Wednesday 24<sup>th</sup> March, 2004  
 Wednesday 19<sup>th</sup> May, 2004 (Annual Meeting)"

### **113 - POSITION STATEMENTS UNDER STANDING ORDER 8.**

The Leader presented a position statement indicating that he was standing down as Leader of the Council and thanking all those people who had supported him during his period of office. The Chairman thanked Mr Barber for his services during his period of Leadership of the Council and several members spoke associating themselves and their Groups with the Chairman's remarks.

### **114 - APPOINTMENTS IN ACCORDANCE WITH ITEMS 11 AND 12 OF STANDING ORDER 4:-**

#### **A: APPOINTMENT OF THE LEADER AND DEPUTY LEADER OF THE COUNCIL AND MEMBERS OF THE CABINET**

It was moved by Mr Barber and seconded by Mr Chapman:

"That the members named on list 'A' (attached to these minutes) be appointed Leader and Deputy Leader of the Council and Members of the Cabinet."

The motion was put and carried.

#### **B:(i) APPOINTMENT OF MEMBERS OF THE SCRUTINY COMMISSION, BOARDS AND COMMITTEES**

It was moved by Mr Parsons and seconded by Mr Chapman:

"That the membership of the Scrutiny Commission, Boards and Committees be as set out in List 'B' (attached to these minutes)."

The motion was put and carried.

#### **B: (ii) SPOKESMEN**

Mr Chapman named the members shown in the second column of list 'S', as Conservative Spokesmen of the bodies as shown.

Mr Hyde named the members shown in the third column of list 'S', as Labour Spokespersons of the bodies as shown.

Mr Bill named the members shown in the fourth column of list 'S' as Liberal Democrat Spokesmen of the bodies as shown.

A copy of list 'S' is attached to these minutes.

### **SUBSTITUTES**

It was moved by Mr Chapman, seconded by Mr Hyde and carried:

"That the Chief Executive be authorised to make and terminate appointments to the Commission, committees, boards and other County Council bodies (not including the Cabinet) in accordance with the wishes of the political groups to whom the seat in question has been allocated, subject in the case of those bodies set out in List 'B' to the Group giving one day's notice to the Chief Executive of its wishes".

CHAIRMAN

21 May 2003  
2.30 p.m. – 4.12 p.m.

