

EXECUTIVE BOARD

WEDNESDAY, 20TH SEPTEMBER, 2006

PRESENT: Councillor M Harris in the Chair

Councillors A Carter, D Blackburn, R Brett,
J L Carter, R Harker, P Harrand, J Procter,
S Smith, K Wakefield and J Blake

51 Exclusion of Public

RESOLVED – That the public be excluded from the meeting during consideration of the following parts of the agenda designated as exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of the exempt information so designated as follows:

- (a) Appendices to the report referred to in minute 64 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the public interest in maintaining the information as exempt, outweighs the public interest in disclosing the information, as disclosure may prejudice the outcome of the disposal.
- (b) Appendices 1, 2 and 4 to the report referred to in minute 69 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information by reason of the fact that disclosure of appendices 1 and 2 could potentially prejudice the success of the scheme by speculative investors acquiring properties in advance of the Council's action and of appendix 4 because the costs attributed to the purchase of private properties are purely estimates at this stage and their disclosure could prejudice the Council's ability to reach an agreement on the purchase price with owners.
- (c) Appendix 1 to the report referred to in minute 72 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information as the Council have a duty in terms of commercially confidential information entered into with the Preferred Bidder which would be adversely affected by disclosure which could also jeopardise the successful conclusion of the procurement process.

52 Declaration of Interests

Councillors D Blackburn, J L Carter, Harker, Smith and Harrand declared personal interests in the item relating to Leeds Grand Theatre (minute 62) as members of its board of management.

Councillor Blake declared personal interests in the items relating to Leeds Grand Theatre (minute 62) as a member of the board of both the Grand Theatre and of Opera North, and Otley Prince Henry Grammar School (minute 58) as a governor and as a parent of a pupil at the school.

Councillor Brett declared a personal interest in the item relating to ALMOs in Leeds (minute 71) as a board member of South East Leeds ALMO.

Further declarations made during the course of the meeting are referred to in minute 63 (Councillor Harker), minute 66 (Councillor Harris) and minute 69 (Councillor J L Carter).

53 Minutes

RESOLVED – That the minutes of the meeting of the Board held on 16th August 2006 be approved.

CENTRAL AND CORPORATE

54 Council Change Programme a) Overarching Report

The Chief Officer (Executive Support) submitted a report on the Council's continuous change programme covering the over-arching objectives of the programme and presenting supplementary reports covering Children's Services developments, Adult Services and an update on partnership working and the Local Area Agreement.

RESOLVED –

- (a) That the overarching framework for the Council's continuous change programme be endorsed.
- (b) That the objectives as detailed in the submitted report be approved.
- (c) That the scope of work being progressed, as described in the report be noted.
- (d) That recommendations from the supplementary reports be approved as follows:

b) Children's Services Developments

The Director of Children's Services submitted a report regarding the proposed Children's Trust arrangements for Leeds.

RESOLVED-

- (i) To note and approve
 - the proposed "children's trust arrangements" and associated governance structures, including the relationships between the elements and the Director of Children's Services Unit;
 - the overall role and approach to meeting accountabilities proposed for the Director of Children's Services Unit;
 - the approach to dealing with resourcing issues across the partnership; and
 - the intention to review the Children's Trust arrangements in 2007.

- (ii) To note that the Chief Executive will use his delegated powers to establish the Director of Children's Services Unit once the final detail has been worked up.
- (iii) That further reports about the implementation of the arrangements and about specific significant issues be brought to the Board to update on progress.

c) Role of the Director of Adult Social Services

The Director of Adult Social Services submitted a report regarding Statutory Guidance on the role of the Director of Adult Social Services.

RESOLVED-

- (i) That the requirements of guidance regarding the role of the Director of Social Services be noted;
- (ii) That the adoption of seven outcomes for adults, as described in the report, to provide a strategic direction for the future of adult services and as a basis for ongoing consultation with service users and the wider community be approved.

d) Leeds Initiative

The Chief Officer (Executive Support) and the Director of Neighbourhoods and Housing submitted a report on the Leeds Initiative; District Partnership and Local Area Agreement Update.

RESOLVED-

- (i) That the approach taken by the Leeds Initiative in fulfilling the Government's requirements as the city's accredited local strategic partnership be endorsed.
- (ii) That the progress made by the district partnerships and in developing the city's first local area agreement be endorsed.
- (iii) That the proposal for all District Partnerships to report into their respective area committees on a quarterly basis be agreed.

- (iv) That elected members receive more regular briefings from officers regarding the Leeds Initiative.
- (v) That a further report updating on the Leeds Initiative be brought to the Executive Board in six months time.
- (vi) That the proposals for reviewing the structures, governance, performance management and delivery arrangements over the next 12 months be approved.
- (vii) That further consideration be given to the consolidation of support of all service areas to maximise the Council's leadership role in the work of the Leeds Initiative and to support the delivery of the Vision for Leeds 2004-2020; the Leeds Regeneration Plan 2005-2008; the local area agreement and other plans and strategies.

55 Update on Implementation of the Gambling Act 2005 and Determination of a Statement of Gambling Policy

The Director of Legal and Democratic Services submitted a report on the preparatory work being carried out for the implementation of the Gambling Act 2005 including steps taken to prepare a Draft Statement of Gambling Policy for consideration of the Overview and Scrutiny Committee prior to further consideration by this Board and reference to Council in December 2006.

RESOLVED –

- (a) That the methodology and timeframe for the adoption of the gambling policy as detailed in the report be noted.
- (b)
 - (i) That the report "Consultation on the Draft Statement of Gambling Policy" be noted;
 - (ii) That the policy and the consultation results be referred to the Overview and Scrutiny Committee for consideration
 - (iii) That a report detailed the findings of the Overview and Scrutiny Committee be brought to the November meeting of the Board.

56 Financial Health Monitoring - Revenue

The Director of Corporate Services submitted a report on the financial health of the authority after four months of the new financial year, in respect of the revenue budget for general fund services and the Housing Revenue Account.

RESOLVED –

- (a) That the projected financial position of the Authority be noted.
- (b) That the proposed budget adjustments as described in the report be referred to full Council for approval.
- (c) That departments continue to develop and implement action plans.

(Under the provisions of Council Procedure Rule 16.5 Councillor Wakefield required it to be recorded that he abstained from voting on this matter).

CHILDREN'S SERVICES

57 Review of Primary Provision in Alwoodley Primary Planning Area

The Chief Executive of Education Leeds submitted a report on further work undertaken and seeking approval to undertake public consultation on revised proposals for the Alwoodley Primary Planning Area.

The report outlined the following options:

1. Downsizing current provision to remove places, but retaining all schools.
2. An amalgamation of Fir Tree and Archbishop Cranmer Primary Schools.
3. Closure of Fir Tree Primary School

The report concluded that the amalgamation of Fir Tree and Archbishop Cranmer Primary Schools as a voluntary controlled school, would be the most appropriate way to secure a viable school at the heart of its community.

RESOLVED –

- (a) That formal public consultation be undertaken on:
 - The closure of Fir Tree Primary school in August 2007;
 - The closure of Archbishop Cranmer CE Aided Primary School in August 2007;
 - The establishment of a 1.5 form entry voluntary controlled primary school on the Archbishop Cranmer site in September 2007.
- (b) That a report summarising consultation be brought to the December meeting of this Board.

58 Otley Prince Henry Grammar School - Provision of Specialist Science Accommodation

The Chief Executive of Education Leeds submitted a report on a proposed scheme to provide additional specialist science accommodation at Otley Prince Henry's Grammar School.

RESOLVED –

- (a) That design proposals in respect of the scheme to provide additional specialist science accommodation at Otley Prince Henry's Grammar school be approved.
- (b) That injection of £55,000 of Capital Receipt into the approved Capital Programme be authorised.
- (c) That scheme expenditure in the total sum of £4,325,000 be authorised

59 Leeds Building Schools for the future and ICT Strategic Partner Procurements

The Chief Executive of Education Leeds submitted a report seeking the support of Executive Board to scope changes in both the procurement of the ICT Strategic Partner and the Procurement of the Leeds Local Education Partnership.

RESOLVED –

- (a) That the movement of the procurement and maintenance of ICT hardware from the Leeds Local Education Partnership to the ICT Strategic Partner be agreed.
- (b) That appropriate instructions at this stage be issued to bidders in both procurements.
- (c) That the financial implications be noted.

60 School and Children's Centre Designation

The Director of Learning and Leisure submitted a report on the proposed re-designation of four primary schools in Leeds following the publication of statutory notices to formally change the age range for which education services are provided in the schools in order to facilitate the delivery of children's centre and extended services on these sites.

RESOLVED – That the redesignation of Hawksworth Wood, Middleton, Windmill and Little London Primary Schools to reflect the change in the age range from 3 to 11 years of age to 4 to 11 years of age with an on site children's centre for children aged 0 – 4 be approved.

LEISURE

61 Deputation to Council - South Leeds Sports Centre

The Director of Learning and Leisure submitted a report providing contextual information relating to representations by the SPLASH group at Full Council on 19th July 2006, and presenting proposals for the future of South Leeds Stadium.

The report outlined the following options:

- Centre to reopen – following some critical works with an estimated cost of approximately £70k
- Centre remains closed – savings, both revenue and capital to be used to reinvest city wide and support local sports development work
- New Outdoor Sport development – keeping the leisure centre closed and working up a proposal to develop the outside sports facilities with the possibility of retaining the sports hall.

The report concluded that it would be possible to reopen the South Leeds Sports Centre in order to demonstrate its value within the local community although its operational viability would be comprised in its current form due to the opening of the new swimming and diving centre.

RESOLVED – That the South Leeds Sports Centre be reopened

62 Future Governance of Leeds Grand Theatre and Opera House Ltd

Further to minute 287 of the meeting held on 17th May 2006, the Director of Learning and Leisure submitted a report on proposed transitional arrangements for the Board of Leeds Grand Theatre and Opera House Ltd pending the outcome of discussions on the long term arrangements for the Board.

The report presented the following options for future board arrangements.

- (a) Status Quo.
- (b) Implement in full current Articles of Association with 9 members, 5 of which are Councillors and 4 independent. All appointed to a skills matrix with new schemes of delegation and responsibilities. Vice Chair to be independent, 3 Council staff acting as advisors on financial, legal and cultural matters.
- (c) Move to an independent trust where Councillors are in the minority. All Appointed to a skills matrix with new schemes of delegation and responsibilities. Chair to be independent. No Council advisors.
- (d) Move to an independent trust for The Grand Theatre and another one for City Varieties and Headingley Picture House.
- (e) Move to an independent trust for The Grand Theatre, another one for City Varieties and find an alternative operator for the Picture House.
- (f) Replace current charitable company with 3 charitable companies.
- (g) Maintain a single Management Board as in a-c and have 3 separate venue sub Boards without elected member representation.
- (h) Find a commercial operator to run The Grand Theatre.

The report recommended that a more independent operation would be ensured by immediate implementation of option (b).

The report gave details of a proposed skills matrix for the appointment of Board Members. The report also included the proposed Leeds Grand Theatre Board manual.

RESOLVED –

- (a) That the establishment of a transitional Board of five City Councillors and four independent members all appointed using a skills matrix and nomination form be approved.
- (b) That approval be given to the proposals that:
 - (i) The independent members will be attracted through external advertisement.
 - (ii) Three senior Council officers representing legal, financial and cultural policy will advise the transitional board.
 - (iii) The Chair to be an Executive Board member.

63 Council Participation in IGEN

The Director of Learning and Leisure submitted a report setting out proposed changes to the level of Council participation in IGEN.

RESOLVED –

- (a) That Council participation in Igen be reduced to being a Member of Igen with the right to appoint one Director to the Board.
- (b) That the Council should have the same voting rights as other Members and Directors, and that meetings should be permitted to be quorate without a Council presence.
- (c) That the Council should safeguard its original 'investment' in Igen and Igen's public purposes by a provision in Igen's constitution that any change to the

fundamental objects of Igen or to its status as a not-for-profit company, would require the agreement of the Council.

(Councillor Harker declared a personal interest in this matter as a Council representative on West Yorkshire Connexions which has a number of contracts with IGEN).

DEVELOPMENT

64 Leeds City Council's Shareholding in Leeds Bradford International Airport

The Director of Development submitted a report updating Members on the progress made in determining the future of Leeds City Council's shareholding in the Airport and proposing Leeds City Council's participation in an outright (100%) disposal of the Airport Company in partnership with other participating Shareholders.

Following consideration of Appendices 1 and 2 to the report, designated as exempt under Access to Information Procedure rule 10.4(3) it was

RESOLVED –

- (a) That approval be given to the proposal that Leeds City Council will, subject to the agreement of the other West Yorkshire Districts, participate in the disposal of 100% of shares in the Leeds Bradford International Airport Company and, subject to the agreement of the four other West Yorkshire districts, instruct officers to progress such disposal in a timely manner.
- (b) That in the event that not all of the five shareholders agree to participate in a 100% disposal, Leeds City Council participate in a share disposal of 60% or more in the Airport Company, on the basis that Leeds city Council would sell 100% of its interest in LBIA.
- (c) That officers of the five West Yorkshire districts draw upon the objectives detailed in the report to determine the criteria to be used in the future assessment of the submitted bids.
- (d) That approval, subject to proper consultation and compliance with legal requirements, be given to the proposal that bidders will be asked to implement pension arrangements that grant, for existing employees, fully equivalent pension benefits to the existing Local Government Pension Scheme and offer new employees, at the option of the new owner, membership of a final salary scheme, or a money purchase scheme.
- (e) That the proposal that bidders, as part of their submissions, be asked to explain their company culture with regard to staff retention, development and incentivisation be approved.
- (f) That any land owned by the five West Yorkshire districts which lies within the Airport's Operational Boundary be included with the disposal of the Airport Company, and that officers be given delegated authority to determine whether it is appropriate to also include other five districts' land which is in the vicinity of the Airport Operational Boundary in the disposal, subject, as always, to the requirement to achieve best consideration.
- (g) That a report seeking endorsement of the preferred bidder identified and the acceptance of the best and final offer made, to enable the transaction to be completed, be brought to a future meeting of the Board.

- (h) That the scale of the potential receipt that could accrue to the Council from a share disposal of Leeds Bradford International Airport be noted.
- (i) That approval be given to the Ernst and Young LLP scales of fees that will be incurred during the three phases of the disposal exercise and which will be charged to the purchaser upon completion of the transaction, and that the Director of Development be authorised to select that fee structure which best incentivises the consultants to optimise the disposal proceeds.
- (j) That officers be authorised to commission the vendor due diligence work required and also other technical consultancy advice as appropriate.
- (k) That Leeds City Council enter into an indemnity agreement with the other West Yorkshire districts, as set out, to govern the apportionment of any abortive fees incurred should the disposal transaction not complete and the Director of Corporate Services be instructed to make provision for any liabilities arising under this agreement and for any other abortive Leeds City Council costs.

65 Regent Court, Call Lane Affordable Housing Subsidy Using Section 106 Commuted Sums

The Director of Development submitted a report seeking authority to spend £705,000 of section 106 monies on an affordable housing subsidy at the proposed Regent Court housing scheme at Call Lane in the city centre

RESOLVED –

- (a) That the release and injection of £705,000 section 106 monies into the Capital Programme at scheme 13150 to fund the grant for affordable rented housing and legal costs be approved.
- (b) That authority to spend £705,000 of section 106 monies on scheme 13150 which is to be fully funded from section 106 monies be given

66 A65 Quality Bus Initiative

The Director of Development submitted a report on the current status of the A65 Quality Bus Initiative and on proposals to progress the detailed development of a scheme.

RESOLVED –

- (a) That the contents of the report and the Government's decision to grant "programme entry" status to the A65 Quality Bus Initiative scheme be noted.
- (b) That approval be given to commence the development of the scheme, including detailed design, statutory procedures and procurement planning.
- (c) That the scheme development costs of £834,000 to cover detailed design fees and the preparation and consultation costs necessary to secure the statutory approvals for the scheme be approved.
- (d) That a further report be brought to this Board once scheme development has progressed.

(Councillor Harris declared a personal and prejudicial interest in this item arising from his personal commercial activities, vacated the Chair in favour of Councillor A Carter and left the room for the duration of the discussion and voting thereon).

67 Strategy for Town and District Centre Street Parking

The Director of Development submitted a report outlining proposals for the future development of car parking strategies for town and district shopping centres in Leeds District

RESOLVED –

- (a) That the content of the report be noted
- (b) That endorsement be given to the development of a general approach to car parking in towns and district centres based on the principles described in paragraph 2.8 of the report
- (c) That approval be given for the initial work to establish the appropriate parking assessment criteria and framework and to identify an action list of town centres, together with cost estimates for the strategy development work.

68 The Leeds City Region Development Programme

The Chief Officer (Executive Support) submitted a report seeking endorsement to the arrangements for securing the submission of the Leeds City Region Development Programme to the Northern Way Secretariat and Central Government by 29 September 2006.

RESOLVED –

- (a) That endorsement be given to arrangements for securing the submission of the Leeds City Region Development Programme to the Northern Way Secretariat and Central Government by 29 September, and, in that connection, authorise the Chief Executive, in consultation with the Leader, to agree the terms of the final document, in concert with the other authorities which make up the Leeds City Region Partnership, and,
- (b) That the proposals for the formal launch of the City Region Development Programme as set out in the report be noted.

69 Regeneration of Cross Green Phase 2

The Director of Neighbourhoods and Housing submitted a report presenting options for regeneration of the Cross Green area and on the proposed acquisition and clearance of 52 properties within Cross Green by utilising £2.4m of Regional Housing Board funding during 2006/08.

The report detailed the following options:

- (a) Do minimum to meet legal conformity
- (b) Group repair and internal remodelling
- (c) Acquisition and redevelopment of the site.

Following consideration of Appendices 1, 2 and 4 to the report, designated as exempt under Access to Information Procedure Rule 10.4 (3), and circulated at the meeting, it was

RESOLVED –

- (a) That the injection into the Capital Programme of £2.4m of Regional Housing Board money be approved.
- (b) That Scheme Expenditure to the amount of £2.4m be authorised .

- (c) That officers be authorised to commence acquisition of properties by voluntary agreement with the owners. In the event that agreement cannot be reached with the owner of any property within the target area for its acquisition, officers be authorised to make and promote any necessary Compulsory Purchase Orders.

(Councillor J L Carter declared a personal interest in this item as a Director of Re'new which is active within this area).

NEIGHBOURHOODS AND HOUSING

70 Government Guidance on Establishing the Housing Needs of the Gypsy and Traveller Community

The Director of Neighbourhoods and Housing submitted a report on the implications of the Government's policy direction on the Gypsy and Traveller community and the supporting legislation and guidance and on the process the Council is required to undertake to meet the legal requirements.

RESOLVED –

- (a) That the contents of the report be noted.
- (b) That an accommodation needs assessment of the Gypsy and Traveller Community be undertaken
- (c) That a strategy for Gypsy and Travellers in Leeds be developed as an element of the wider housing strategy for the City.
- (d) That it be noted that for a shared assessment to be undertaken by the 5 West Yorkshire authorities, the estimated total cost for the sub region would be £70,000 - £100,000, for which Leeds would have to make a proportionate contribution.

71 The Future of Arms Length Management Organisations for Housing in Leeds

The Director of Neighbourhoods and Housing submitted a report on the consultation with tenants on the alternatives of a single ALMO or three ALMOs and the result of the ballot of tenants on the alternatives of a single ALMO or three ALMOs.

RESOLVED –

- (a) That three ALMOs be created in Leeds.
- (b) That the Director of Neighbourhoods and Housing be requested to begin the implementation process and that a report detailing proposals on future governance be brought to the October 2006 meeting of this Board.

72 EASEL

The Director of Neighbourhoods and Housing submitted a report delegated decision taken by the Director of Neighbourhoods and Housing with the support of the EASEL Regeneration Project Board.

Following consideration of Appendix 1 to the report designated exempt under Access to Information Rule 10.4(3), it was

RESOLVED –

- (a) That the decision of the Director of Neighbourhoods and Housing to extend the Exclusive Negotiation period with Bellway PLC be endorsed.
- (b) That a further report be brought to a future meeting of the Board at the end of the Extended Exclusive Negotiation Period.

DATE OF PUBLICATION: 22nd September 2006

LAST DATE FOR CALL IN: 29th September 2006

(Scrutiny Support will notify relevant Directors of any items Called In by 12.00 noon on 2nd October 2006)