

EXECUTIVE BOARD

WEDNESDAY, 4TH APRIL, 2007

PRESENT: Councillor A Carter in the Chair

Councillors M Harris, D Blackburn, R Brett,
J L Carter, R Harker, P Harrand, R Lewis,
J Procter, S Smith and J Blake

Councillor Blake – Non-voting Advisory Member

216 Substitute Member

Under the terms of Executive Procedure Rule 2.3 Councillor R Lewis was invited to attend the meeting on behalf of Councillor Wakefield.

217 Director of Adult Services

The Chair welcomed Sandie Keene, Director of Adult Social Services to this, her first meeting of the Executive Board.

218 Beacon Awards

The Chair reported that the Council had received Beacon Awards for Financial Inclusion and for the Healthy Schools Initiative and commended the officers concerned for their work on these significant achievements.

219 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) All Appendices to the report referred to in minute 224 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 because it deals with a range of financial and business information relating to another body and also publication could be prejudicial to the progress of the EASEL Project.
- (b) Appendix 1 and 2 to the report referred to in minute 236 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 interest in disclosing the information as disclosure could severely prejudice the future business and operations of Leeds Bradford International Airport Ltd and also the price that might be obtained by Leeds City Council and the other shareholders in Leeds Bradford

International Airport Limited. If the price obtained by shareholders for their shareholding in Leeds Bradford International Airport Limited is depressed by such disclosure, the council tax payers within each local authority will suffer in relation to a reduction in capital receipts from the disposal or in relation in future returns. Appendix 2 to the report was circulated at the meeting.

220 Declaration of Interests

- (a) Councillor Harris declared a personal and prejudicial interest in the item relating to the A65 Quality Bus Initiative (minute 231) in relation to his business interests.
- (b) A further declaration of interest made during the meeting is referred to in minute 236 (Councillor Harker).

221 Minutes

RESOLVED – That the minutes of the meeting held on 14th March 2007 be approved subject to an amendment by the addition of the following to minute 202:

- “d) That the Fir Tree site be declared surplus to educational requirements if the proposal proceeds and that the capital receipt generated from the site be used to fund educational improvements including the improvements proposed on the Archbishop Cramner Primary School site”.

CHILDREN'S SERVICES

222 Deputation to Council - Stanhope Youth Centre

The Director of Learning and Leisure submitted a report providing members with relevant information following the deputation to full Council by Stanhope United Community Group.

RESOLVED – That the report be noted and that closure of the Centre be not progressed until such time as consultations with regard to youth provision in the area have been concluded.

ADULT HEALTH AND SOCIAL CARE

223 Deputation to Council - Leeds Asperger Adults

The Director of Adult Social Services submitted a report responding to the deputation to the Council meeting on 21st February 2007 with regard to the provision of support to adults with Aspergers Syndrome in Leeds. The report outlined the current situation in Leeds with regard to the provisions of services to adults with Aspergers Syndrome and proposed the establishment of a Steering Group for Adults with Autism and Asperger Syndrome

RESOLVED –

- (a) That the report be noted;

- (b) That a letter outlining the concerns of the deputation be sent to Leeds PCT; and
- (c) That the proposal to establish a steering group for Adults with Asperger Syndrome be approved.

NEIGHBOURHOODS AND HOUSING

224 East and South East Leeds(Easel) Regeneration Area - Outcome of Additional Negotiation Period

The Director of Neighbourhoods and Housing submitted a report setting out progress achieved during the additional negotiation period granted to Bellway and proposing the next steps required to bring the procurement of a regeneration development partner for the Council to a successful conclusion.

The Appendices to the report were designated exempt under Access to Information Procedure Rule 10.4(3)), and were considered in private at the conclusion of the meeting and it was

RESOLVED –

- (a) To note that the final terms for the agreement for the disposal of the EASEL phase one sites will be approved by the Director of Development under existing delegations provided that the Director of Development is satisfied that the terms offered for the disposal of the land represent the best consideration that can reasonably be obtained under section 123 of the Local Government Act 1972 (or under the Housing Act 1985);
- (b) That Bellway be appointed as the Council's preferred regeneration development partner, subject to contract, with this appointment conditional on the matters set out within the report;
- (c) That the baseline commercial offer from Bellway as set out in the confidential appendix C to the report be noted;
- (d) That the negotiation with Bellway, required to reach commercial and legal terms to the benefit to the Council, as outlined in the exempt appendix to the report be approved and that a further report detailing the terms of these negotiations be brought back to this Board.
- (e) That authority be delegated to the EASEL project board, through the Deputy Chief Executive in consultation with the Directors of Neighbourhoods and Housing, Development, Legal Services and Corporate Services to manage the negotiation and agreement of the commercial and legal terms to the benefit of the Council;
- (f) That the formal closure of the procurement process for the EASEL regeneration process, as required under regulations, be approved for the reasons set out in section 3 of the report.

- (g) That the proposed governance arrangements as set out in section 5 of the report be approved subject to consideration being given to the broadening of representation on the Members' Steering Group to include the Leeds PCT and the Government Office for Yorkshire and the Humber.

225 The Leeds Affordable Warmth Strategy

The Director of Neighbourhoods and Housing submitted a report recommending the adoption of the Leeds Affordable Warmth Strategy (2007-2016) putting in place a framework to address the issue of affordable warmth and fuel poverty across the City.

RESOLVED –

- (a) That the Leeds Affordable Warmth Strategy 2007-2016, putting in place a framework to address the issue of affordable warmth and fuel poverty across the City, be adopted.
- (b) That the Council adopt the Affordable Warmth Code of Practice and encourages partners to the Strategy to do the same.

CHILDREN'S SERVICES

226 Annual Consultation on Admission Arrangements from September 2008

The Chief Executive of Education Leeds submitted a report on the results of consultation done with regard to admission arrangements, and seeking approval for proposed admission numbers, policy and arrangements.

RESOLVED –

- (a) That approval be given to the implementation of the following proposals in the 2008 admission round:-
- Primary and secondary school co-ordinated admission arrangements.
 - Introducing a final deadline date for admission appeals.
 - Giving 'looked after' children priority for in-year transfers.
 - Delegating admission into the 6th form to school governors.
- (b) (i) That the admission numbers of Bankside Primary be increased from 70 to 90 in the 2008 admission round;
- (ii) That the admission numbers of Harehills Primary be increased from 60 to 90 in the 2008 admission round;
- (iii) That the admission numbers of Brownhill Primary School be decreased from 60 to 45 in the 2008 admission round;
- (iv) That the admission numbers of Stanningley Primary School be increased from 28 to 30 in the 2008 admission round;
- (v) That the admission numbers of Kippax North J & I School be decreased from 40 to 30 in the 2008 admission round;

- (vi) That the admission numbers for Bramley St Peters be decreased from 60 to 45 in the 2008 admission round.
- (c) That the proposal to give priority to children in infant schools for entry into junior schools be reissued in next year's consultation round.
- (d) That the proposal to break the sibling link when the older child is in the sixth form be not approved and that Education Leeds be requested to give further consideration as to how difficulties in administering the current arrangements might be more appropriately addressed.

LEISURE

227 City Centre Swimming

The Chief Recreation Officer submitted a report setting out the outcomes of discussions and bringing forward a proposal to enter into a partnership with the University of Leeds in order to secure public access to a new swimming facility on the University campus.

RESOLVED –

- (a) That approval in principle be given to a capital contribution towards the capital costs of a new pool;
- (b) That a Legal Agreement be drawn up between the University of Leeds and the City Council that reflects a financial contribution in the region of £1,250,000 (but not exceeding £1,500,000) and the detailed access arrangements for the general public; and
- (c) That a further report seeking final authority to spend be brought back to this Board in due course.

CENTRAL AND CORPORATE

228 Delivering Successful Change and Business Change Governance

The Director of Corporate Services submitted a report on the Delivering Successful Change project and seeking approval of the Corporate Project Management Framework and the "Policy on the Governance of Council Business Change Programmes and Projects".

RESOLVED –

- (a) That the Delivering Successful Change's Corporate Project Management Framework be approved, and endorsement given to its promotion across the Council;
- (b) That the 'Policy on the Governance of Council Business Change Programmes and Projects' be approved.

229 Revised Business Continuity Management Policy

The Director of Corporate Services submitted a report on the work of the Risk Management Unit and on proposals for the updated 'Policy on Business Continuity Management'.

RESOLVED – That the project's progress to date be noted and that the revised Policy on Business Continuity Management be approved.

230 Release of General Fund Reserves 2007/08

The Director of Corporate Services submitted a report seeking approval to release funds to support a number of one off initiatives which were not accommodated in the 2007/08 budget.

The report proposed spending on the following initiatives:-

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| • Area Committees | - | £500,000 |
| • Cultural Activities | - | £60,000 |
| • Co-Location costs with the Chamber of Commerce | - | £50,000 |
| • Town and District Car Parking Study | - | £60,000 |

RESOLVED – That the release of £670,000 from general fund reserves to support the above initiatives be approved.

DEVELOPMENT

231 A65 Quality Bus Initiative Land Acquisition

The Director of Development submitted a report on the proposed acquisition of land not in the City Council's ownership by negotiation and seeking authority to make a Compulsory Purchase Order in the event that negotiations are not successful.

RESOLVED – That approval be given to the acquisition of the land identified in the report by negotiation and in the event that negotiation becomes either protracted or abortive authority be given to the Assistant Chief Executive (Corporate Governance) to make a Compulsory Purchase Order under the relevant powers contained in The Highways Act 1980 and any other enabling powers and to submit the Order to the Secretary of State for confirmation.

(Councillor Harris, having declared a personal and prejudicial interest, left the meeting during consideration of this matter).

232 Deputation to Council - Richmond Hill Bus Action Group

The Director of Development submitted a report giving a response to the deputation to the Council meeting on 21st February 2007 with regard to provision of bus services in the Richmond Hill area.

RESOLVED – That the report be noted.

233 City Centre Area Action Plan Preferred Options

The Director of Development submitted a report seeking approval of the City Centre Area Action Plan Preferred Options.

RESOLVED –

- (a) That the outcome of the informal consultation undertaken as part of the preparation of the preferred options be noted;
- (b) That the City Centre Action Plan Preferred Options as revised by the Development Plan Panel be approved for publication along with its sustainability appraisal and other supporting documents.
- (c) That representations be formally invited between 16th April and 28th May 2007.

ADULT HEALTH AND SOCIAL CARE

234 Deputation to Council - Access Committee for Leeds

The Director of Adult Social Services submitted a report responding to the deputation to the Council meeting on 21st February 2007 with regard to social services provision in Leeds, and updating Members on action being taken to meet with the Access Committee in response to their deputation

RESOLVED – That the report be noted.

235 Capital Investment Plan for Day Centres

The Director of Adult Social Services submitted a report seeking approval for the capital investment plan for adult day centres in Leeds in the sum of £1,000,000

RESOLVED – That proposals for capital investment as outlined in the report be approved.

DEVELOPMENT

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

The Director of Development submitted a report advising Members of the progress made with the sale of 100% of the share capital in the Leeds Bradford International Airport Limited and seeking Members' approval to the selection of a preferred and reserve bidder for the transaction to enable officers to complete the disposal.

Following consideration of Appendices 1 and 2 to the report designated exempt under Access to Information Procedure Rule 10.4(3) which were considered in private at the conclusion of the meeting, following distribution of Appendix 2 at the meeting, it was

RESOLVED –

- (a) That the disposal of all of Leeds City Council's share capital in Leeds Bradford International Airport Ltd as part of a 100% share disposal of the airport company to Bridgepoint be approved;

- (b) That authorisation be given to the Chief Executive or the Chief Asset Management Officer as the nominated deputy, to complete the transaction in the form outlined in the exempt appendices to the report;
- (c) That £7,500,000 from the disposal be placed in an escrow account to meet the potential cost of the pension deficit of Leeds Bradford International Airport Ltd once it leaves the West Yorkshire Pension Fund;
- (d) That the same escrow account shall meet the potential cost of the pension deficit for security staff transferred under TUPE to Group 4 on the basis set out in the exempt Appendix 1;
- (e) That Leeds City Council, in conjunction with the other shareholders, acts as one of the 'guarantors' underwriting any further pension deficit shortfall in proportion to its previous shareholding and meets the other pension obligations outlined in paragraph 3.2.5 of the report.
- (f) That the requirement for all non-executive directors of the airport company to step down as part of the transaction process be noted and that full Council be recommended to authorise the Chief Executive to effect the removal of the non-executive directors before the transaction completes.
- (g) That a special share be held by this Council in conjunction with the other four West Yorkshire council's for the purposes outlined in the report.
- (h) To note that, in line with previous delegations, the land held by the five shareholders identified in pink on Plan A is to be sold to the airport company as part of the disposal transaction with overage provision.
- (i) To note that, in line with previous delegations, the end purchaser will be offered a two year option to purchase the land shown pink on Plan B at a value of £2,973,000 plus RPI with overage provision.
- (j) To authorise the Chief Asset Management Officer to approve the terms of a legal agreement to be entered into with the other shareholders to determine how the apportionment of the residual liabilities will be managed after the signing of the share purchase agreement.
- (k) That in the event that the preferred bidder changes their bid in a manner which results in the reserve bidder's bid being more economically advantageous, authority be delegated to the Chief Executive, with the concurrence of the Leader of the Council, to take any action necessary to secure completion of the disposal in the circumstances outlined in paragraph 4.3 of Appendix 1 of the report.
- (l) That the communication proposals outlined in the report be approved.

- (m) That Martin Farrington and Paul Brook of the Development Department and other officers involved in progressing this disposal be thanked for their work in this respect.

(Councillor Harker declared a personal interest in this matter as a member of the West Yorkshire Pension Fund Joint Advisory Group).

DATE OF PUBLICATION 5TH APRIL 2007
LAST DATE FOR CALL IN 17TH APRIL 2007

(Scrutiny Support will notify Directors of any items Called In by 12.00 noon on 18th April 2007).