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## **SCRUTINY BOARD (CENTRAL AND CORPORATE)**

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**Meeting to be held in Civic Hall, Leeds on  
Monday, 5th October, 2009 at 10.00 am**

***(A pre-meeting will take place for ALL Members of the Board at 9.30 a.m.)***

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### **MEMBERSHIP**

#### **Councillors**

- P Grahame (Chair) - Cross Gates and Whinmoor;
- J Bale - Guiseley and Rawdon;
- S Bentley - Weetwood;
- B Chastney - Weetwood;
- P Ewens - Hyde Park and Woodhouse;
- M Hamilton - Headingley;
- A Hussain - Gipton and Harehills;
- V Kendall - Roundhay;
- J Lewis - Kippax and Methley;
- A Lowe - Armley;
- A McKenna - Garforth and Swillington;
- A Parnham - Farnley and Wortley;
- D Schofield - Temple Newsam;

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# A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>To consider any appeals in accordance with Procedure Rule 25* of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded).</p> <p>(* In accordance with Procedure Rule 25, notice of an appeal must be received in writing by the Chief Democratic Services Officer at least 24 hours before the meeting).</p>	
2			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p><b>RESOLVED</b> – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information 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 press and public were present there would be disclosure to them of exempt information, as follows:-</p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			<p><b>LATE ITEMS</b></p> <p>To identify items which have been admitted to the agenda by the Chair for consideration.</p> <p>(The special circumstances shall be specified in the minutes.)</p>	
4			<p><b>DECLARATIONS OF INTEREST</b></p> <p>To declare any personal / prejudicial interests for the purpose of Section 81 (3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct.</p>	
5			<p><b>APOLOGIES FOR ABSENCE</b></p> <p>To receive any apologies for absence.</p>	
6			<p><b>MINUTES OF THE PREVIOUS MEETING</b></p> <p>To confirm as a correct record the minutes of the meeting held on 7 September 2009</p>	1 - 6
7			<p><b>INTERPRETATION AND TRANSLATION SERVICES</b></p> <p>To receive and consider the attached report of the Chief Customer Services Officer</p>	7 - 8
8			<p><b>COMMUNICATIONS, REPORT WRITING AND PLAIN ENGLISH</b></p> <p>To receive and consider the attached report of the Head of Scrutiny and Member Development</p>	9 - 10
9			<p><b>REQUEST FOR SCRUTINY - WOODHOUSE MOOR - PARK BYELAWS</b></p> <p>To receive and consider the attached report of the Head of Scrutiny and Member Development</p>	11 - 32

Item No	Ward/Equal Opportunities	Item Not Open		Page No
10			<p><b>SCRUTINY BOARD (CENTRAL &amp; CORPORATE FUNCTIONS) - WORK PROGRAMME, EXECUTIVE BOARD MINUTES AND FORWARD PLAN OF KEY DECISIONS</b></p> <p>To receive and consider the attached report of the Head of Scrutiny and Member Development</p>	33 - 60
11			<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>Monday, 2 November 2009 at 10.00 a.m. (Pre-meeting at 9.30 a.m. for all Board Members).</p>	

# Agenda Item 6

## SCRUTINY BOARD (CENTRAL AND CORPORATE)

MONDAY, 7TH SEPTEMBER, 2009

**PRESENT:** Councillor P Grahame in the Chair

Councillors S Bentley, B Chastney,  
P Ewens, M Hamilton, A Hussain,  
V Kendall, J Lewis, A Parnham and  
D Schofield

### 22 Declarations of Interest

No declarations of interest were made.

### 23 Apologies for Absence

Apologies for absence from the meeting were submitted on behalf of Councillors Bale, Lowe and A McKenna.

### 24 Minutes - 6th July 2009

**RESOLVED** – That the minutes of the meeting held on 6<sup>th</sup> July 2009 be confirmed as a correct record.

### 25 Quarter 1 Performance Report 2009/10 and Financial Health Monitoring 2009/10 - First Quarter Report

The Board agreed to consider Agenda Items 7 and 8 together because of the links between the information contained in both reports.

In attendance at the meeting and responding to Member's queries and comments were:-

- Councillor Richard Brett, Leader of the Council and Executive Member (Central and Corporate Functions).
- James Rogers, Assistant Chief Executive (Planning, Policy and Improvement)
- Doug Meeson, Chief Officer (Financial Management)
- Helen Mylan, Head of Finance (Corporate)
- Helena Phillips, Chief Officer (Resources and Strategy)
- Alex Watson, HR Manager, Corporate HR

In brief summary, the main issues discussed were:-

Draft minutes to be approved at the meeting  
to be held on Monday, 5th October, 2009

- **Whether the Council found itself in a different position, budget-wise, than it was 2 years ago?**

The Leader of the Council made reference to the national and international economic recession, which was having a significant impact on the Council's projected budget. Significant reductions in income were being experienced, including planning, building and land charge fees, commercial rent income, income from sporting facilities, nursery fees and car parks. At the same time, service demand was increasing, as was benefit take-up. Based on Quarter 1 projections, the Council faced an estimated budget overspend of £10.9m at the end of the 2009/10 financial year, unless measures were taken to address matters;

The Council had already embarked, as a result of the budget setting exercise, on a widespread staffing review, with a target of employing at least 450 less staff by the end of the financial year, and this work was progressing;

Additionally, when the current projected overspend was identified, Executive Members and Directors were instructed to look again at service and staffing levels, to identify even greater efficiencies which would redress the balance, and this work was also ongoing. Details of the issues and broad indications of the measures being considered by Departments were contained in the report to the Executive Board on 26<sup>th</sup> August 2009, a copy of which was before the Scrutiny Board today;

The Leader of the Council stated that he was not prepared to speculate on what further measures might be necessary in order to address the projected budget deficit. The Executive Board would consider, in due course, Director's proposals. However, the Leader gave an assurance that front line, core services vital to the welfare of Leeds citizens would not be affected;

- **Costs of looked-after children** – In response to a specific query regarding the large projected overspend (£2.1m) in respect of these costs, the Leader of the Council categorised this expenditure as one of the front-line, core services he had earlier referred to, where it was vital that the service be maintained;
- **Staffing levels** – In response to another query, an undertaking was given to supply Board Members with details of the numbers and designations of staff who had left the Council in the past 6 months. Reference was also made to a slow down in the level of so-called 'natural wastage', i.e. staff leaving of their own volition for various reasons, and perhaps this was unsurprising in the current economic climate;

- In response to queries regarding performance indicators **BP-30** and **BP-31** - the number of major projects not receiving independent project assurance – it was reported that this was a relatively new Council Business Plan indicator and work was ongoing to ensure that all projects would be contacted during Quarter 2 to arrange independent project assurance or to complete an initial 'health-check' review;
- **Asset management** – The significant levels of income from asset sales which the Council had enjoyed in recent years had been adversely affected by the economic downturn, but assets valued at £250,000 or less continued to attract interest. An assurance was given that the markets were constantly monitored to ensure that the Council was not under-selling its assets. One effect of the reduction in capital receipts was that the Council had to borrow more to fund its programme and, of course, there were costs attached to borrowing;
- The strides being taken by the Council in reducing its **CO<sub>2</sub> emissions** was acknowledged (NI-185), as was the significant increase in performance under local indicator BSC-8, the **percentage of undisputed invoices being paid by the Council within 30 days of receipt**;
- An undertaking was given to supply Board Members with further information in respect of Business Plan indicator BP-05c, and the work being done with **ALMOs regarding rent collection levels** and the impact of the current recession on those levels;
- Business Plan indicator NI179 - **percentage of cash releasing efficiency savings made (cumulative over 3 years)**. This was measured six-monthly, so no figures were available for Quarter 1. However, all Directorates were required to keep a record of these, and the target of £28.759m included nearly £12m that should be generated from the capital programme, but this was a very difficult area in which to measure such gains ;
- An undertaking was given to supply Board Members with 'before' and 'after' figures in respect of **under-16 and over-60 swimmers** using Council facilities, i.e. the numbers of users and the income generated before the national Government directive regarding free swimming sessions, and the number of participants now in those two categories;
- in response to a query regarding the possible financial effects of the industrial action involving **Council refuse collectors and street cleaners**, the Leader of the Council stated that it was too early to gauge;

## **RESOLVED –**

- a) That the Leader of the Council and the officers be thanked for their attendance and for their responses to Member's queries and comments.
- b) That, subject to the requests for further information, the reports be received and noted.

(NB. Councillor Hamilton joined the meeting at 10.22 am, during this item.)

## **26 Work Programme, Executive Board Minutes and Forward Plan of Key Decisions**

The Head of Scrutiny and Member Development submitted the Board's work programme, updated to reflect decisions taken at previous meetings, together with a relevant extract from the Council's Forward Plan of Key Decisions for the period 1<sup>st</sup> September 2009 to 31<sup>st</sup> December 2009, and a copy of the minutes of the Executive Board meeting held on 22<sup>nd</sup> July 2009.

The Head of Scrutiny and Member Development reported the receipt of a request from local community groups for scrutiny in respect of the **enforcement of byelaws associated with the use of Woodhouse Moor**. This was currently the subject of correspondence with Legal Services and, dependent on the outcome, might have to be referred to the October Board meeting. The request, although related, would not prevent the Council proceeding with the proposed provision of a designated barbeque area on Woodhouse Moor.

Reference was also made to the need to schedule a **Corporate Call Centre** performance update report, once the Individual Voice Recognition system was installed and operating.

A request was also made for an item on a future agenda regarding a possible review of **corporate report writing guidelines**.

**RESOLVED** – That, subject to the above comments and any other changes necessary as a result of today's meeting, the Board's work programme be approved.

## **27 Scrutiny Inquiry - Consultant Engagement**

Further to Minute Number 10, 8<sup>th</sup> June 2009, the Board considered a report submitted by the Head of Scrutiny and Member Development by way of background information to the Board's Inquiry on the Council's use of consultants.

David Bierne, Resources Department, attended the meeting and responded to Member's queries and comments.

In brief summary, the main points of discussion were:-



- A request for further information at a future session regarding the level and type of use of external consultants by Leeds City Council compared to authorities of a similar size and nature.
- The existence, or not, of an in-house set of guidance notes for officers regarding the use of consultants and whether other authorities had such protocols.
- Whether different Council Departments had different attitudes and practices with regard to the engagement of consultants and, if so, why?
- Whether the Council ever did any post-project analysis to assess the effectiveness or otherwise of the employment of consultants.
- Establishing the difference between routine professional advice and the use of consultants.
- Whether the use/exchange of staff/information between authorities might be a viable alternative to the use of external consultants.
- A request for the provision of a 'league table' of consultants used by Leeds City Council, based on the number and value of contracts awarded.

**RESOLVED** – That, subject to the above comments, the report be received and noted.

## **28 Dates and Times of Future Meetings**

Monday, 5<sup>th</sup> October 2009  
 Monday, 2<sup>nd</sup> November 2009  
 Monday, 7<sup>th</sup> December 2009  
 Monday, 11<sup>th</sup> January 2010\*  
 Monday, 1<sup>st</sup> February 2010  
 Monday, 1<sup>st</sup> March 2010  
 Monday, 29<sup>th</sup> March 2010

All at 10.00 am (Pre-Meeting 9.30 am), except \*11<sup>th</sup> January (2.00 pm, Pre-Meeting at 1.30 pm)

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**Report of Chief Officer Customer Services**

**Scrutiny Board (Central & Corporate Functions)**

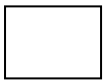
**Date: 5<sup>th</sup> October 2009**

**Subject: Interpretation and Translation Services**

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**Electoral Wards Affected:**

All



Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**Purpose of the Report**

To provide scrutiny board with an update on actions taken to recommendations which had previously been made by the Board.

**Introduction**

In March 2006 the Transforming Services Scrutiny Board published its report on “whether the Council and its wholly owned companies provide consistent interpretation and translation facilities”

The purpose of this report is to provide an update on the scrutiny board recommendations.

**Background**

All requests from a resident who wants to speak to the Council in language other than English or have a document produced in language other than English, are dealt with by CITU – Central Interpretation and Translation Unit. CITU is part of the Customer Services Team in Policy Planning and Improvement.

**Actions taken in response to the earlier recommendations from scrutiny board**

**a) That the Braille and Large Print service within the Council be modernised** – The provision of Braille service was transferred along with the staff to the Leeds Society for the Deaf and Blind at Centenary House. This decision was made due to the reduction in the demand for Braille and the high costs of modernising the IT within the Council. Centenary House took over the service with a view to developing the service further. The current

arrangements are that the Council now pays per job it has translated into Braille rather than funding the service. Departments undertake their own requests for large print documents by using the computer to increase the font size of documents.

**b) That an interpretation and translation budget is established in its own right, without the need to recharge Departments** – This was created in April 2006. In 2008/2009 this budget was significantly overspent due to a large increase in the demand for interpreting services. In view of the above from July 2009 budgetary control responsibilities have been returned to departments and CITU still arrange the interpretation but recharge the cost to the Directorates.

**c) That interpreting and translation should include British Sign Language** – This is included now

**d) That there was a consistent policy for making use of staffs existing language skills in handling customer enquiries** – At the time of the scrutiny board report some staff were paid to use their language skills but the majority weren't. There is now a consistent policy of not paying staff additional salary to use their language skills

**e) That when requesting a document translated a deadline is specified for the return of the document** – The deadline of 4 days is in place and 99% are turned around in this timescale.

**f) That the Council and Leeds Society for the Deaf and Blind undertake a pilot that would link the two organisations via video conferencing so that residents could access immediate a British Sign Language Interpreter** – This recommendation was investigated and work commenced on delivering it but it was not subsequently implemented due to the high cost involved. Despite this we continue to search for a cost effective solution.

### **Other issues**

National guidance has been provided on the best way to deal with requests for documents translated. The recommendation is that documents are not automatically translated on request but other more cost effective way is considered. Leeds has introduced this national guidance.

The most requested languages for interpretation and translation are Tigrinya, Urdu, Czech, Kurdish and Polish.

### **Recommendations**

Scrutiny Board is asked to note the progress made in this service area.

### Background Papers

Scrutiny Board Report - March 2006 - "Whether the Council and its wholly owned companies provide consistent interpretation and translation facilities"

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## Report of the Head of Scrutiny and Member Development

### Scrutiny Board (Central & Corporate Functions)

Date: 5<sup>th</sup> October 2009

Subject: Communications, Report Writing and Plain English

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**Electoral Wards Affected:**

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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## 1.0 INTRODUCTION

- 1.1 At the last meeting of the Board, Members asked that a future agenda include an item on communications. Particularly, Members wished to discuss the standard and style of written reports issued by the Council, both to external partners and internally between officers and Elected Members.
- 1.2 Andy Carter (Acting Head of Communications) and Alex White (Communications Manager, Strategic Communications and Marketing) have been invited to today's meeting to discuss these issues. Members will be given the opportunity to learn about some of the issues experienced by the Corporate Communications Team, the initiatives and training that has been developed to address them, and to help shape the future standard and style of communications within the Council.

## 2.0 RECOMMENDATIONS

- 2.1 Members of the Board are asked to discuss issues around this agenda item and make any appropriate recommendations.

### Background Papers

None used

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**Report of the Head of Scrutiny and Member Development**

**Scrutiny Board (Central and Corporate Functions)**

**Date: 5<sup>th</sup> October 2009**

**Subject: Request for Scrutiny - Woodhouse Moor – Park Byelaws**

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**Electoral Wards Affected: All but in particular**

**Hyde Park & Woodhouse**

Headingley

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**1.0 Introduction**

1.1 The attached request for scrutiny has been received from Mr. Tony Paley-Smith. He has written the request under the heading "Woodhouse Moor – Park Byelaws."

1.2 The reasons stated for his request is

*"The desperate state of neglect and mismanagement that the Moor has been suffering from, and particularly over recent years.*

*It must be glaringly obvious that only the implementation of the Park Byelaws can protect the Moor and has successfully done so for many years"*

1.3 The full text of the request for Scrutiny is attached as Appendix 1.

1.4 Members are also provided with a copy of the current Byelaws (Appendix 2) and an earlier response from legal on the issue raised by Mr Paley-Smith (Appendix 3)

1.5 Mr. Tony Paley-Smith has been invited to attend today's meeting to put his request before Board members.

**2.0 Options for Investigations and Inquiries**

2.1 When considering the request for Scrutiny, the Scrutiny Board shall determine:

- what further information the Board needs before considering whether an inquiry should be undertaken

- how the proposed inquiry meets criteria approved from time to time by the Scrutiny Advisory Group
- whether the Inquiry can be adequately resource
- whether an Inquiry should be undertaken

### **3.0 Recommendations**

#### **3.1 The Scrutiny Board is asked to:**

- (i) Consider the request for Scrutiny from Mr. Paley-Smith
- (ii) Determine whether the Board wishes to undertake further scrutiny of this matter on the evidence presented.
- (iii) Determine whether the Board requires additional information prior to making a final decision

#### **Background Papers**

- 2<sup>nd</sup> September 2008 – Executive Board Item 13 ‘Revision of byelaws for pleasure grounds, public walks and open spaces’



## Appendix 1

### WOODHOUSE MOOR - ENFORCEMENT OF THE PARK BYELAWS

The complaint arises from the desperate state of neglect and mismanagement that the Moor has been suffering from, and particularly over recent years. It must be glaringly obvious that only the implementation of the Park Byelaws can protect the Moor and has successfully done so for many years.

1) I was informed by Cllr Richard Brett by email on 09 July that the police cannot enforce a **'no-fines policy'** in relation to the Park Byelaws on Woodhouse Moor.

I have to assume that he includes Authorised Park Officers in that enforcement action.

A 'no-fines policy' would be in breach of the current Park Byelaws. It does not comply with Park Byelaw # 48

2) In which case why do they not enforce a **'fines policy'** instead? It would comply with Park Byelaw # 48

3) Who is responsible for the **'no-fines policy'** and why do they not change it to a **'fines policy'**?

4) If neither can be enforced why do we have the Park Byelaws? The latest version was only very recently approved for implementation by the Exec Committee.

Yours Sincerely

Tony Paley-Smith

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# LEEDS

## CITY COUNCIL

### **BYELAWS FOR PLEASURE GROUNDS, PUBLIC WALKS AND OPEN SPACES**

## **Leeds City Council**

# **BYELAWS FOR PLEASURE GROUNDS, PUBLIC WALKS AND OPEN SPACES**

## **ARRANGEMENT OF BYELAWS**

### **PART 1**

#### **GENERAL**

1. General Interpretation
2. Application
3. Opening Times

### **PART 2**

#### **PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC**

4. Protection of structures and plants
5. Unauthorised erection of structures
6. Climbing
7. Grazing
8. Protection of wildlife
9. Gates
10. Camping
11. Fires
12. Missiles
13. Interference with life saving equipment

### **PART 3**

#### **HORSES, CYCLES AND VEHICLES**

14. Interpretation of Part 3
15. Horses
16. Cycling
17. Overnight parking

### **PART 4**

#### **PLAY AREAS, GAMES AND SPORTS**

18. Interpretation of Part 4
19. Children's play areas
20. Children's play apparatus
21. Skateboarding Etc.
22. Ball games
23. Ball games
24. Cricket

- 25. Archery
- 26. Field Sports
- 27. Golf
- 28. Golf

## **PART 5**

### **WATERWAYS**

- 29. Interpretation of Part 5
- 30. Bathing
- 31. Ice Skating
- 32. Model Boats
- 33. Boats
- 34. Fishing
- 35. Pollution of waterways
- 36. Blocking of watercourses

## **PART 6**

### **MODEL AIRCRAFT**

- 37. Interpretation of Part 6
- 38. General prohibition

## **PART 7**

### **OTHER REGULATED ACTIVITIES**

- 39. Provision of Services
- 40. Excessive noise
- 41. Public shows and performances
- 42. Aircraft, hang-gliders and hot-air balloons
- 43. Kites
- 44. Metal detectors

## **PART 8**

### **MISCELLANEOUS**

- 45. Obstruction
- 46. Savings
- 47. Removal of offenders
- 48. Penalty
- 49. Revocation

Byelaws made by the Leeds City Council under Section 164 of the Public Health Act 1875, and Sections 12 and 15 of the Open Spaces Act 1906 with respect to pleasure grounds, public walks and open spaces.

## **PART 1**

### **GENERAL**

#### **General Interpretation**

1. In these byelaws:

"the Council" means Leeds City Council;

"the ground" means any of the grounds listed in Schedule 1;

"designated area" means an area in the ground which is set aside for a specified purpose, that area and its purpose to be indicated by notices placed in a conspicuous position;

"invalid carriage means a vehicle, whether mechanically propelled or not,

- (a) the unladen weight of which does not exceed 150 kilograms;
- (b) the width of which does not exceed 0.85 metres; and
- (c) which has been constructed or adapted for use for the carriage of a person suffering from a disability, and used solely by such a person.

#### **Application**

2. These byelaws apply to all of the areas listed in Schedule 1 unless otherwise stated.

#### **Opening times**

- 3. (1) No person shall enter or remain in the ground except during opening hours.
- (2) "Opening hours" means the days and times during which the ground is open to the public and which are indicated by a notice placed in a conspicuous position at the entrance to the ground.
- (3) Byelaw 3(1) applies only to the grounds listed in Part 1 of Schedule 2.

## **PART 2**

### **PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC**

#### **Protection of structures and plants**

4. (1) No person shall without reasonable excuse remove from or displace within the ground:
  - (a) any barrier, post, seat, or implement, or any part of a structure or ornament provided for use in the laying out or maintenance of the ground; or
  - (b) any stone, soil or turf or the whole or any part of any plant, shrub or tree.
- (2) No person shall walk on or ride, drive or station a horse or any vehicle over:
  - (a) any flower bed, shrub or plant;
  - (b) any ground in the course of preparation as a flower bed or for the growth of any tree, shrub or plant; or
  - (c) any part of the ground set aside by the Council for the renovation of turf or for other landscaping purposes and indicated by a notice conspicuously displayed.

#### **Unauthorised erection of structures**

5. No person shall without the consent of the Council erect any barrier, post, ride or swing, building or any other structure.

#### **Climbing**

6. No person shall without reasonable excuse climb any wall or fence in or enclosing the ground, or any tree, or any barrier, railing, post or other structure.

#### **Grazing**

7. No person shall without the consent of the Council turn out or permit any animal for which he is responsible to graze in the ground.

### **Protection of wildlife**

8. No person shall kill, injure, take or disturb any animal, or engage in hunting or shooting or the setting of traps or the laying of snares.

### **Gates**

9. (1) No person shall leave open any gate to which this byelaw applies and which he has opened or caused to be opened.  
(2) Byelaw 9(1) applies to any gate to which is attached, or near to which is displayed a conspicuous notice stating that leaving the gate open is prohibited.

### **Camping**

10. No person shall without the consent of the Council erect a tent or use a vehicle, caravan or any other structure for the purpose of camping.

### **Fires**

11. (1) No person shall light a fire or place, throw or drop a lighted match or any other thing likely to cause a fire.  
(2) Byelaw 11(1) shall not apply to:
  - (a) the lighting of a fire at any event for which the Council has given permission that fires may be lit; or
  - (b) the lighting or use, in such a manner as to safeguard against damage or danger to any person, of a properly constructed barbecue, in a designated area for barbecues.

### **Missiles**

12. No person shall throw or use any device to propel or discharge in the ground any object which is liable to cause injury to any other person.

### **Interference with life-saving equipment**

13. No person shall except in case of emergency remove from or displace within the ground or otherwise tamper with any life-saving appliance provided by the Council.



## **PART 3**

### **HORSES, CYCLES AND VEHICLES**

#### **Interpretation of Part 3**

14. In this Part:

“designated route” means a route in or through the ground which is set aside for a specified purpose, its route and that purpose to be indicated by notices placed in a conspicuous position;

“motor cycle” means a mechanically propelled vehicle, not being an invalid carriage, with less than four wheels and the weight of which does not exceed 410 kilograms;

“motor vehicle” means any mechanically-propelled vehicle other than a motor cycle or invalid carriage;

“trailer” means a vehicle drawn by a motor vehicle and includes a caravan.

#### **Horses**

15. (1) No person shall ride a horse except:
- (a) on a designated route for riding; or
  - (b) in the exercise of a lawful right or privilege.
- (2) Where horse riding is permitted by virtue of byelaw 15(1)(a) or a lawful right or privilege, no person shall ride a horse in such a manner as to cause danger to any other person.

#### **Cycling**

16. No person shall without reasonable excuse ride a cycle in the ground except in any part of the ground where there is a right of way for cycles or on a designated route for cycling.

#### **Overnight parking**

17. No person shall without the consent of the Council leave or cause or permit to be left any motor vehicle in the grounds listed in Part 2 of Schedule 2 between the hours of 10.00 pm and 6.00 am.

## **PART 4**

### **PLAY AREA, GAMES AND SPORTS**

#### **Interpretation of Part 4**

18. In this Part:

“ball games” means any game involving throwing, catching, kicking, batting or running with any ball or other object designed for throwing and catching, but does not include cricket;

“golf course” means the grounds listed in Part 3 of Schedule 2 and includes any golf driving range, golf practice area or putting course;

“self-propelled vehicle” means a vehicle other than a cycle, invalid carriage or pram which is propelled by the weight or force of one or more persons skating, sliding or riding on the vehicle or by one or more persons pulling or pushing the vehicle.

#### **Children's play areas**

19. No person aged 14 years or over shall enter or remain in a children's play area listed in Part 5 of Schedule 2 unless in charge of a child under the age of 14 years.

#### **Children's play apparatus**

20. No person aged 14 years or over shall use any apparatus stated to be for the exclusive use of persons under the age of 14 years by a notice conspicuously displayed on or near the apparatus.

#### **Skateboarding etc.**

21 (1) No person shall skate, slide or ride on rollers, skateboards, or other self-propelled vehicles except in the grounds listed in Part 6 of Schedule 2.

(2) Where skating, sliding or riding on rollers, skateboards or other self-propelled vehicles is permitted, no person shall engage in those activities in such a manner as to cause danger or give reasonable grounds for annoyance to other persons.

#### **Ball games**

22. No person shall play ball games outside a designated area for playing ball games in such a manner:

- (a) as to exclude persons not playing ball games from use of that part;
  - (b) as to cause danger or give reasonable grounds for annoyance to any other person in the ground, or;
  - (c) which is likely to cause damage to any tree, shrub or plant in the ground.
23. It is an offence for any person using a designated area for playing ball games to break any of the rules set out in Schedule 3 and conspicuously displayed on a sign in the designated area when asked by any person to desist from breaking those rules.

### **Cricket**

24. No person shall throw or strike a cricket ball with a bat except in the grounds listed in Part 9 of Schedule 2.

### **Archery**

25. No person shall engage in the sport of archery except in connection with an event organised by or held with the consent of the Council.

### **Field Sports**

26. No person shall throw or put any javelin, hammer, discus or shot except in connection with an event organised by or held with the consent of the Council or on land set aside by the Council for that purpose.

### **Golf**

27. No person shall drive, chip or pitch a hard golf ball except on the golf courses listed in Part 3 of Schedule 2.
28. (1) No person shall play golf on the golf course unless he holds a valid ticket issued by or on behalf of the Council entitling him to do so, which ticket shall be retained and shown on demand to any authorised officer or agent of the Council.
- (2) No person shall enter on to or remain on the golf course unless:
- (a) taking part in the game of golf or accompanying a person so engaged; or
  - (b) doing so in the exercise of a lawful right or privilege.
- (3) No person shall offer his service for hire as an instructor on the golf course without the consent of the Council.

## **PART 5**

### **WATERWAYS**

#### **Interpretation of Part 5**

29. In this Part:  
“boat” means any yacht, motor boat or similar craft but not a model or toy boat;
- “power-driven” means driven by the combustion of petrol vapour or other combustible substances;
- “waterway” means any river, lake, pool, or other body of water, and includes any fountain.

#### **Bathing**

30. No person shall without reasonable excuse bathe or swim in any waterway.

#### **Ice skating**

31. No person shall step onto or otherwise place their weight upon any frozen waterway.

#### **Model boats**

32. No person shall operate a power-driven model boat on any waterway except in the grounds listed in Part 8 of Schedule 2.

#### **Boats**

33. No person shall sail or operate any boat, dinghy, canoe, sailboard, or inflatable on any waterway without the consent of the Council.

#### **Fishing**

34. No person shall in any waterway cast a net or line for the purpose of catching fish or other animals except in the grounds listed in Part 7 of Schedule 2.

#### **Pollution**

35. No person shall foul or pollute any waterway.

## **Blocking of watercourses**

36. No person shall cause or permit the flow of any drain or watercourse in the ground to be obstructed, diverted, open or shut or otherwise move or operate any sluice or similar apparatus.

## **PART 6**

### **MODEL AIRCRAFT**

#### **Interpretation of Part 6**

37. In this Part-

“model aircraft” means an aircraft which weighs not more than 7 kilograms without its fuel;

“power-driven” means driven by:

- (a) the combustion of petrol vapour or other combustible substances;
- (b) jet propulsion or by means of a rocket, other than by means of a small reaction motor powered by a solid fuel pellet not exceeding 2.54 centimetres in length; or
- (c) one or more electric motors or by compressed gas;

“radio-control” means control by a radio signal from a wireless transmitter or similar device.

#### **Model aircraft permitted in designated areas**

38. No person shall cause any power-driven model aircraft to-
- (a) take off or otherwise be released for flight or control the flight of such an aircraft; or
  - (b) land in the ground without reasonable excuse,
- other than in the grounds listed in Part 4 of Schedule 2.

## **PART 7**

### **OTHER REGULATED ACTIVITIES**

#### **Provision of Services**

39. No person shall without the consent of the Council provide or offer to provide any service for which a charge is made.

#### **Excessive noise**

40. (1) No person shall, after being requested to desist by any other person in the ground, make or permit to be made any noise which is so loud or so continuous or repeated as to give reasonable cause for annoyance to other persons in the ground by:

- (a) shouting or singing;
- (b) playing on a musical instrument; or
- (c) by operating or permitting to be operated any radio, amplifier, tape recorder or similar device.

- (2) Byelaw 40(1) does not apply to any person holding or taking part in any entertainment held with the consent of the Council.

#### **Public shows and performances**

41. No person shall without the consent of the Council hold or take part in any public show or performance.

#### **Aircraft, hang-gliders and hot-air balloons**

42. No person shall except in the case of emergency or with the consent of the Council take off from or land in the ground in an aircraft, helicopter, hang-glider or hot-air balloon.

#### **Kites**

43. No person shall fly any kite in such a manner as to cause danger or give reasonable grounds for annoyance to any other person.

#### **Metal detectors**

44. No person shall without the consent of the Council use any device designed or adapted for detecting or locating any metal or mineral in the ground.

## **PART 8**

### **MISCELLANEOUS**

#### **Obstruction**

45. No person shall obstruct:
- (a) any officer of the Council in the proper execution of his duties;
  - (b) any person carrying out an act which is necessary to the proper execution of any contract with the Council; or
  - (c) any other person in the proper use of the ground.

#### **Savings**

46. (1) It shall not be an offence under these byelaws for an officer of the Council or any person acting in accordance with a contract with the Council to do anything necessary to the proper execution of his duty.
- (2) Nothing in or done under these byelaws shall in any respect prejudice or injuriously affect any public right of way through the ground, or the rights of any person acting lawfully by virtue of some estate, right or interest in, over or affecting the ground or any part of the ground.

#### **Removal of offenders**

47. Any person offending against any of these byelaws may be removed from the ground by an officer of the Council or a constable.

#### **Penalty**

48. Any person offending against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

#### **Revocation**

49. The byelaws made by Leeds City Council on 1st March 2006 and confirmed by the Secretary of State for the Department of Communities and Local Government on 31st July 2006 relating to the ground are hereby revoked.

## **SCHEDULES**

**SCHEDULE 1**  
List of Grounds

**PART 1 OF SCHEDULE 2**  
List of secure grounds with opening and closing times

**PART 2 OF SCHEDULE 2**  
Grounds with parking facilities

**PART 3 OF SCHEDULE 2**  
Golf courses

**PART 4 OF SCHEDULE 2**  
Grounds where flying of model aircraft is permitted

**PART 5 OF SCHEDULE 2**  
List of Children's Play Areas

**PART 6 OF SCHEDULE 2**  
Grounds set aside for the purpose of Skateboarding, etc.

**PART 7 OF SCHEDULE 2**  
Grounds where fishing is permitted

**PART 8 OF SCHEDULE 2**  
Grounds where the sailing of model boats is permitted

**PART 9 OF SCHEDULE 2**  
Grounds where the playing of cricket is permitted

**SCHEDULE 3**  
Rules for playing ball games in Designated Areas



THE COMMON SEAL of  
LEEDS CITY COUNCIL  
was hereunto affixed  
on the    day of            2008

Assistant Chief Executive (Corporate Governance)

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### Appendix 3

**From:** gill.marshall@leeds.gov.uk [mailto:gill.marshall@leeds.gov.uk]  
**Sent:** 25 August 2009 12:32  
**To:** Paley-Smith  
**Cc:** peter.marrington@leeds.gov.uk  
**Subject:** RE: WOODHOUSE MOOR - PARK BYELAWS

Dear Mr Paley-Smith

I am aware of the view that Councillor Brett has said there is a no fines policy. However I believe that either this is not the correct interpretation of what he has said or alternatively that he has been misinformed.

The point I was trying to make is that to be a council policy someone has to have made a decision that we will never enforce. That someone could be a council officer or could be a committee of the council. The person or body with the right to make that decision is dependant on who has authority to do that under the council's constitution.

In the case of byelaws that would be the relevant director. That is currently Jean Dent but has in the past been other officers who are no longer at the council. To my knowledge no such officer has made a decision and it would be bizarre to do so when they have instructed us to arrange for new bye-laws to be made.

However that is a different scenario to what I suspect that you are actually concerned about which is that fact that we haven't actually enforced them. That could be for a variety of reasons ranging from the fact that we haven't needed to prosecute because warnings from Council staff and/or police that the bye-laws are being breached have been sufficient to stop the activity, through to the possibility that we haven't enforced them because relevant staff are either not aware of the bye-laws or don't know how to put an evidence pack together.

In the latter case the result would be the one that you are complaining about but it would not be for the reasons you state. There would have been no conscious decision to have a policy but equally there would have been no review of the need to enforce or the skills required by staff.

I hope this clarifies matters somewhat

Gill Marshall  
Section Head Regulatory and Enforcement  
Leeds City Council  
tel 247 8822  
fax 224 3634

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## Report of the Head of Scrutiny and Member Development

### Scrutiny Board (Central & Corporate Functions)

Date: 5<sup>th</sup> October 2009

Subject: Scrutiny Board (Central & Corporate Functions) – Work Programme,  
Executive Board Minutes and Forward Plan of Key Decisions

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**Electoral Wards Affected:**

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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## 1.0 INTRODUCTION

- 1.1 Attached as Appendix 1 is the current Work Programme for this Scrutiny Board. This has been amended to take into account discussions held at the last meeting.
- 1.2 Attached as Appendix 2 and 3 respectively are the Executive Board minutes from 26<sup>th</sup> August 2009 and 17<sup>th</sup> September 2009 and the Council's current Forward Plan relating to this Board's portfolio.

## 2.0 RECOMMENDATIONS

- 2.1 Members are asked to;
- (i) Note the Executive Board minutes and Forward Plan
  - (ii) Agree the Board's work programme.

### Background Papers

None used

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**SCRUTINY BOARD (CENTRAL & CORPORATE FUNCTIONS) - LAST REVISED JUNE 2009**

<b>ITEM</b>	<b>DESCRIPTION</b>	<b>NOTES</b>	<b>TYPE OF ITEM</b>
<b>Suggested Areas for Scrutiny Currently Unscheduled</b>			
<b>Corporate Call Centre Performance</b>			
<b>Corporate approach to efficiency savings</b>			
<b>Carbon Trading</b>			
<b>Services to Disabled Groups</b>			
<b>EASEL - Contract</b>			
<b>Decision making and Consultation</b>			
<b>Information Management</b>			

<b>ITEM</b>	<b>DESCRIPTION</b>	<b>NOTES</b>	<b>TYPE OF ITEM</b>
<b>Meeting date: 5<sup>th</sup> October 2009</b>			
<b>Interpretation and Translation Services</b>	To receive an update on the implementation of 2006 Scrutiny Board Recommendations and the current position of the service.		PR
<b>Request for Scrutiny</b>	Bye-laws on Woodhouse Moor		
<b>Communications</b>			
<b>Meeting date: 2<sup>nd</sup> November 2009</b>			
<b>Review Process for the Gambling Act 2005 – Statement of Licensing Policy</b>	<b>Budget and Policy Framework - Consultation</b>		PR
<b>Scrutiny Inquiry</b>	To undertake Session Two of this Inquiry		PR

**SCRUTINY BOARD (CENTRAL & CORPORATE FUNCTIONS) - LAST REVISED JUNE 2009**

<b>ITEM</b>	<b>DESCRIPTION</b>	<b>NOTES</b>	<b>TYPE OF ITEM</b>
<b>- Use of Consultants</b>			
<b>CIPFA Treasury Management Panel and the CLG Select Committee</b>	Referred by Executive Board		B
<b>Meeting date: 7<sup>th</sup> December 2009</b>			
<b>Scrutiny of the Budget</b>	To receive and consider quarter 2 financial report.		PM
<b>Recommendation Tracking</b>	To monitor progress on meeting the recommendations agreed following Inquiries into; Member Management, Attendance Management & Procurement of Services		MSR
<b>Quarterly Accountability Reports</b>	To receive quarter 2 performance reports		PM
<b>Meeting date: 4<sup>th</sup> January 2010</b>			
<b>Scrutiny of the Budget</b>	To receive budget proposals under the budget and policy framework rules		
<b>Meeting date: 1<sup>st</sup> February 2010</b>			
<b>Scrutiny of the Budget</b>	To receive and consider quarter 3 financial report.		PM
<b>Meeting date: 1<sup>st</sup> March 2010</b>			
<b>Scrutiny of the Budget</b>	To receive and consider quarter 3 financial		PM



**SCRUTINY BOARD (CENTRAL & CORPORATE FUNCTIONS) - LAST REVISED JUNE 2009**

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
	report.		
<b>Recommendation Tracking</b>	To monitor progress on meeting the recommendations agreed following Inquiries into; Member Management, Attendance Management & Procurement of Services		MSR
<b>Quarterly Accountability Reports</b>	To receive quarter 3 performance reports		PM
<b>Meeting date: 29<sup>th</sup> April 2010</b>			
<b>Annual Report</b>			

Key:

CCFA / RFS – Councillor call for action / request for scrutiny

RP – Review of existing policy

DP – Development of new policy

MSR – Monitoring scrutiny recommendations

PM – Performance management

B – Briefings (Including potential areas for scrutiny)

SC – Statutory consultation

CI – Call in

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## EXECUTIVE BOARD

WEDNESDAY, 26TH AUGUST, 2009

**PRESENT:** Councillor R Brett in the Chair

Councillors A Carter, J L Carter, R Finnigan,  
S Golton, R Harker, P Harrand, J Monaghan,  
J Procter and K Wakefield

Councillor R Lewis – Non-Voting Advisory Member

**61 Exempt Information - Possible Exclusion of the Press and Public**

**RESOLVED** – That the public be excluded from the meeting during consideration of the following parts of the agenda designated 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 exempt information so designated as follows:-

- a) Appendices 1 and 2 to the report referred to in minute 73 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 disclosure could prejudice the commercial interests of the Council and other outside bodies.
- 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:-
  - i) Appendices 1 and 2 – The success of the scheme could potentially be prejudiced by speculative investors acquiring properties in advance of the Council's action.
  - ii) Appendix 4 – 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 the owners.
- c) Appendices 1, 2 and 4 to the report referred to in minute 70 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:-

- i) Appendices 1 and 2 – The success of the scheme could potentially be prejudiced by speculative investors acquiring properties in advance of the Council’s action. Each of these appendices identifies the location of the affected properties.
  - ii) Appendix 4 – 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 the owners.
- d) Appendices 1 and 2 to the report referred to in minute 84 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 publication would be detrimental to the finances of the authority and thereby the provision of its services to the public.

**62 Declaration of Interests**

Councillor Finnigan declared a personal interest as a Director of Aire Valley Homes in relation to minutes 67, 68, 69 and 70 of this meeting, as appropriate.

**63 Withdrawal of Item - Playbuilder Initiative Update**

The Chair, with the consent of the Board, withdrew the above report from the agenda.

**64 Minutes**

**RESOLVED** – That the minutes of the meeting held on 22<sup>nd</sup> July 2009 be approved.

**DEVELOPMENT AND REGENERATION**

**65 Adoption of the Supplementary Planning Document of the Street Design Guide and Response to the Deputation of the National Federation of the Blind**

The Director of City Development submitted a report on the outcome of consultation on the Street Design Guide including further discussions following the attendance of the deputation to Council on 10<sup>th</sup> September 2008 on behalf of the National Federation of the Blind. The report presented the amended Street Design Guide and recommended its adoption as a Supplementary Planning Document.

**RESOLVED** – That the Street Design Guide, as now drafted and presented to the Board, be approved as a Supplementary Planning Document, subject to an amendment to paragraph 3.2.2.18 of the guide by deletion of the reference to 25 dwellings and replacement with reference to 10 dwellings and any subsequent associated references.

## **LEISURE**

### **66 Deputation to Council - North Hyde Park Residents' Association, South Headingley Community Association, and Friends of Woodhouse Moor regarding the Council's proposal to Establish Barbeque Areas on Woodhouse Moor**

The Director of City Development submitted a report in response to the deputation to Council from North Hyde Park Residents' Association, South Headingley Community Association and the Friends of Woodhouse Moor organisation on 15<sup>th</sup> July 2009. The report outlined the result of a recent consultation exercise with local residents and stakeholders and presented a proposed solution for the consideration of the Board.

The report appraised 3 options, as follows:-

- Option 1: Provision of a permanent designated barbecue area as outlined in the consultation process
- Option 2: Enforce byelaws preventing barbecue use as outlined in the consultation process
- Option 3: To trial a designated barbecue area

#### **RESOLVED -**

- a) That the analysis and summary consultation activity contained in the report be noted.
- b) That approval be given to the implementation of Option 3: to trial a designated barbecue area, from 1 April 2010 until the end of the barbecue season.

(Under the provisions of Council Procedure Rule 16.5 Councillor Wakefield required it to be recorded that he voted against this decision.)

## **NEIGHBOURHOODS AND HOUSING**

### **67 Response to the Environment and Neighbourhoods Scrutiny Board Inquiry into Older People's Housing**

The Director of Environment and Neighbourhoods submitted a report in response to the recommendations from the Scrutiny Board (Environment and Neighbourhoods) inquiry into older people's housing.

The Chair of the Scrutiny Board attended the meeting, presented the inquiry findings and requested that officers offer a more robust response to recommendation 9.

**RESOLVED** – That the proposed responses to the Scrutiny Board (Environment and Neighbourhoods) recommendations, as contained in the submitted report, be approved and that the request of the Scrutiny Chair be acceded to.

**68 Response to the Environment and Neighbourhoods Scrutiny Board Inquiry into the Private Rented Sector**

The Director of Environment and Neighbourhoods submitted a report in response to the recommendations from the Scrutiny Board (Environment and Neighbourhoods) inquiry into the private rented sector.

The Chair of the Scrutiny Board attended the meeting and presented the inquiry findings.

**RESOLVED** – That the proposed responses to the Scrutiny Board (Environment and Neighbourhoods) recommendations, as contained in the submitted report, be approved.

**69 Regeneration of Holbeck - Phase 4**

The Director of Environment and Neighbourhoods submitted a report outlining the options for regeneration of the Holbeck area and seeking approval of the acquisition and clearance of 20 properties within Holbeck by utilising £1,300,000 of Single Regional Housing Single Regional Housing Pot funding during 2009/11.

The options presented were:-

- a) Do the minimum to meet legal conformity.
- b) Undertake group repair and internal remodelling.
- c) Acquisition, clearance and redevelopment of the site for housing.

Following consideration of Appendices 1, 2 and 4 to the report, designated as exempt under the terms of Access to Information Procedure Rule 10.4(3), which were considered in private at the conclusion of the meeting, it was

**RESOLVED** –

- a) that Scheme expenditure to the to the amount of £1.300,000 be authorised.
- b) That officers proceed in accordance with option C
- c) That the Director of Environment and Neighbourhoods and the Director of City Development authorise and promote any necessary Compulsory Purchase Orders should such become necessary

**70 Regeneration of Cross Green - Phase 3**

The Director of Environment and Neighbourhoods submitted a report outlining the options for regeneration of the Cross Green area and seeking approval of the acquisition and clearance of 14 street lined semi detached properties built in the early 1900s by utilising £1,100,000 of Single Regional Housing Pot funding during 2009/11.

The options presented were:-

- a) Do the minimum to meet legal conformity.
- b) Undertake group repair.
- c) Acquisition, clearance and redevelopment of the site for housing.

Following consideration of Appendices 1, 2 and 4 to the report, are designated as exempt under the terms of Access to Information Procedure Rule 10.4(3), which were considered in private at the conclusion of the meeting, it was

**RESOLVED -**

- a) That Scheme expenditure to the amount of £1,100,000 be authorised.
- b) That officers proceed in accordance with option C.
- c) That the Director of Environment and Neighbourhoods and the Director of City Development authorise and promote any necessary Compulsory Purchase Orders should such become necessary

**DEVELOPMENT AND REGENERATION**

**71 Leeds (River Aire) Flood Alleviation Scheme**

Further to minute 191 of the meeting held on 13<sup>th</sup> February 2009, the Director of City Development submitted a report providing an update on the progress made in relation to the Leeds Flood Alleviation Scheme, outlining the feedback from the public consultation exercise, and presenting for approval the latest version of the Design Vision and Guide, along with a recommended approach to be adopted by the Environment Agency in designing a scheme for the River Aire.

The report outlined the following 5 options identified by the Environment Agency, upon which the Council were invited to express a preference:-

- a) 1 in 200 years plus precautionary climate change: Raised flood defences. Total scheme cost £145m. £0m external funding required.
- b) 1 in 200 years plus precautionary climate change: Upstream Storage. Total scheme cost £180m. £30-35m external funding required.
- c) 1 in 200 years Managed Adaptive approach dealing with climate change in the future. Total scheme cost £145m. Raised defences - £5-10m external funding required.
- d) 1 in 200 years Managed Adaptive approach dealing with climate change in the future. Total scheme cost £150m. Upstream Storage - £15-20m external funding required.

- e) 1 in 200 years Managed Adaptive approach dealing with climate change in the future. Total scheme cost £200m. Bypass Channel - £65m – 70m external funding required.

**RESOLVED –**

- a) That the progress on the Leeds (River Aire) Flood Alleviation Scheme and the comments received during the public consultations be noted.
- b) That the latest version of the Design Vision and Guide document be approved.
- c) That the Environment Agency be informed that a Managed Adaptive approach to protecting Leeds from major flooding should be adopted by the Agency.

**72 The Agenda for Improving Economic Performance**

The Director of City Development submitted a report presenting the draft 'Agenda for Improved Economic Performance' proposed for formal consultation.

**RESOLVED –** That the document, as submitted, be approved for a formal consultation process.

**73 Leeds United - Thorp Arch Academy**

The Director of City Development submitted a report on the history and current position of the Leeds United Thorp Arch Academy and on options for the Council to support Leeds United Football Club in the continuation of the facility.

The report presented the options of declining the Club's request for assistance, of giving the Club a loan to acquire the facility or of the Club novating to the Council its option to purchase and the Council acquiring the facility and leasing it back to the Club.

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

**RESOLVED –**

- a) That the request from Leeds United 2007 for support in exercising its option to acquire the Thorp Arch training facility be noted.
- b) That the option of offering a loan to the Club be discounted.
- c) That the Director of City Development be authorised, in consultation with the Director of Resources, the Assistant Chief Executive



(Corporate Governance) and the Executive Member Development and Regeneration, to enter into discussions with the Club on the lines now discussed in order to explore whether the option of the Club novating to the Council its option to purchase with subsequent acquisition by the Council and lease back to the club can be progressed. Such preliminary discussions to include the need for appropriate guarantees in respect of the income from the lease to the Club, adequate provision for community and educational use, securing levels of Council control appropriate to the City's hosting of international sporting events, necessary maintenance arrangements and such other matters as may be necessary to protect the Council's interests as owner of the facility.

- d) That a meeting of this Board be convened sufficiently in advance of the 10<sup>th</sup> October 2009 deadline, in the event that the discussions referred to in (c) give rise to a recommendation to progress the option to a conclusion.

## **ENVIRONMENTAL SERVICES**

### **74 Response to the Young People's Scrutiny Forum Inquiry entitled, 'Protecting Our Environment'**

The Director of City Development, the Director of Environment and Neighbourhoods and the Chief Executive of Education Leeds submitted a joint report in response to the recommendations of the Young People's Scrutiny Forum inquiry into the protection of the environment.

The Chair of the Scrutiny Board (Children's Services) attended the meeting and presented the inquiry findings.

**RESOLVED** – That the proposed responses to the Young People's Scrutiny Forum's recommendations, as contained in the submitted report be approved.

### **75 Response to the Environment and Neighbourhoods Scrutiny Board Inquiry into Street Cleaning**

The Director of Environment and Neighbourhoods submitted a report in response to the recommendations from the Scrutiny Board (Environment and Neighbourhoods) inquiry into street cleaning.

The Chair of the Scrutiny Board attended the meeting and presented the inquiry findings.

**RESOLVED** – That the proposed responses to the Scrutiny Board (Environment and Neighbourhoods) recommendations, as contained in the submitted report, be approved.

## **CHILDREN'S SERVICES**

### **76 Proposal to close the LEA maintained nursery and change the lower age limit of Christ the King Catholic Primary School, Bramley**

The Chief Executive of Education Leeds submitted a report presenting the outcome of the statutory notice period to close the maintained nursery with effect from 31<sup>st</sup> August 2009 and to change the lower age limit of Bramley Christ the King Catholic Primary School from 3-11 years to 5-11 years of age.

**RESOLVED** – That the lower age of Christ the King Catholic Primary School be changed from 3-11 years to 5-11 years of age and that the LEA maintained nursery be closed.

### **77 Design and Cost Report - Seacroft Children's Centre Accommodation and Extension**

The Acting Chief Officer for Early Years and Integrated Youth Support Service submitted a report on the costs and fees related to the proposed refurbishment and extension of the existing Seacroft Children's Centre.

**RESOLVED** – That authority be given to incur expenditure on construction £819,350 and fees £180,650 on the refurbishment and extension of the existing Seacroft Children's Centre to enable the relocation of children, staff and services from East Leeds Children's Centre and the amalgamation of the two children's centres.

### **78 Response to the Children's Services Scrutiny Board Inquiry into 'Entering the Education System'**

The Director of Children's Services submitted a report in response to the recommendations of the Scrutiny Board (Children's Services) inquiry entitled, 'Education Standards - Entering the Education System'.

The Chair of the Scrutiny Board attended the meeting and presented the findings of the inquiry.

**RESOLVED** – That the proposed responses to the Scrutiny Board (Children's Services) recommendations, as contained in the submitted report, be approved.

## **LEISURE**

### **79 Vision for Council Leisure Centres**

Further to minute 74 of the meeting held on 2<sup>nd</sup> September 2008, the Director of City Development submitted a report proposing a Vision for Leisure Centres following extensive public consultation and a review of Sport England's Facility Planning Model.

**RESOLVED** – That approval be given to the following proposals:-

### **Proposal 1 – The Eight Refurbishment Sites**

- i) Modernisation and improvement to the quality of the facilities provided at the following sites, and detailed in table 3 to the report: Kirkstall, Rothwell, Aireborough, Otley Chippendale Pool, Bramley, Pudsey, Scott Hall\* (\*scheme currently being delivered) and Wetherby with a commitment to deliver and resource this work up to 2020.
- ii) The Director of City Development to submit bids in respect of the Free Swimming Capital Modernisation Programme 2010/11 by 4<sup>th</sup> September 2009.
- iii) The indicative phasing of works, as detailed in table 3 to the report, was noted.

### **Proposal 2 – Inner East**

- iv) Re-provision of Fearnville and East Leeds Leisure Centres in the form of one new, purpose built, well being centre, with a commitment to deliver and resource by 2013/15.
- v) To seek expressions of interest to transfer East Leeds and Fearnville Leisure Centres to a Community Organisation.
- vi) East Leeds Leisure Centre and Fearnville Leisure Centre to remain under Council management until such time that:-
  - a) a new well being centre is confirmed; or
  - b) a suitable community organisation has been identified to whom to transfer the asset(s).
- vii) To seek to transfer the management of Richmond Hill Sports Hall to a Community Organization.

### **Proposal 3 – Outer East**

- viii) To re-provide Kippax and Garforth Leisure Centres in the form of one new or refurbished swimming pool, fitness suite and other appropriate dry side sports facilities to serve the communities of Garforth and Kippax, with a commitment to deliver and resource by 2017.

### **Proposal 4 South Leeds & Middleton**

- ix) To seek expressions of interest to transfer South Leeds Sports Centre to a Community Organisation
- x) To close South Leeds Sports Centre (if no suitable community group is identified) when the new Morley Leisure Centre opens in 2010, and concentrate leisure provision at the John Charles Centre for Sport and Morley

- xi) To provide a new well being facility for Middleton, at or in close proximity to the current St George's Centre, with a commitment to deliver and resource by 2013/15.
- xii) To seek expressions of interest to transfer the existing Middleton Leisure Centre to a Community Organisation
- xiii) Middleton Leisure Centre to remain under Council management until such time that a) a new well being centre is confirmed (at St George's Centre) or b) a suitable community organisation has been identified to whom to transfer the existing Middleton Leisure Centre (asset).

(Under the provisions of Council Procedure Rule 16.5 Councillor Wakefield required it to be recorded that he voted for Proposal 1, abstained from voting on Proposals 2 and 4 and voted against Proposal 3.)

### **ADULT HEALTH AND SOCIAL CARE**

- 80 Leeds - A City for All Ages: Developing a Strategic Approach to Ageing**  
The Director of Adult Social Services submitted a report outlining proposals for the development of a strategic response to the development of demographic change and the ageing society under the banner of "Leeds – a City for all ages".

#### **RESOLVED –**

- a) That consultation be commenced to develop a strategic framework for the city to address demographic change and an ageing society.
- b) That the outline of the strategic framework, as described in section 6 of the submitted report, be supported.
- c) That 'Leeds – a city for all ages' be used as a headline to encourage and engage all age groups, but in particular people over 50, in setting the strategic framework to address the ageing society.

- 81 Response to the Adult Social Care Scrutiny Board Inquiry into Major Adaptations for Disabled People**  
The Director of Adult Social Services and the Director of Environment and Neighbourhoods submitted a joint report in response to the recommendations from the Scrutiny Board (Adult Social Care) inquiry into major adaptations for disabled people.

The Chair of the Scrutiny Board attended the meeting, presented the inquiry findings and reiterated the request at minute 67 that officers offer a more robust response to this same recommendation 9.

**RESOLVED –**

- a) That the proposed responses to the Scrutiny Board (Adult Social Care) recommendations, as contained in the submitted report, be approved and that the request of the Scrutiny Board Chair be noted.
- b) That this Board requests that future Scrutiny Board inquiry reports should, as a matter of course, make reference to any cost implications arising from the recommendations.

**CENTRAL AND CORPORATE**

**82 Design and Cost Report: Demolition of East Leeds Family Learning Centre**

The Chief Officer (Corporate Property Management) submitted a report on proposals for the demolition of the East Leeds Family Learning Centre.

**RESOLVED –**

- a) That approval be given to the proposed demolition of the remaining ELFLC buildings.
- b) That approval be given for the use of the revenue savings following the vacation of the ELFLC site to provide £880,000 of unsupported borrowing to part fund the demolition costs.
- c) That the transfer of £118,505 from the Demolitions and Dilapidations Fund (scheme 15620) to fund the balance of the demolition costs be approved.
- d) That Authority to Spend of £998,505 in respect of the demolition of the ELFLC premises be given.

**83 Financial Health Monitoring 2009/10 - First Quarter Report**

The Director of Resources submitted a report on the Council's financial health position for 2009/10 after the first three months of the financial year.

**RESOLVED –**

- a) That the projected financial position of the authority after three months of the new financial year be noted and that directorates be requested to continue to develop and implement action plans.
- b) That the following budget adjustments be approved:-
  - i) A revenue contribution to capital (RCCOs) to fund decency works on the Woodbridge estate (£500,000) and a projected shortfall in funding for the HICT orchard project (£200,000) within the Housing Revenue Account.

- ii) A virement in the sum of £800,000 within City Development directorate from the Highways Direct Labour Organisation account, as detailed in the City Development report attached to the submitted report.
- iii) The reallocation of the Strategy and Policy budget within City Development as detailed in the City Development report attached to the submitted report.

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

#### **84 Local Taxation Collection Policy, Business Rate Hardship Relief and Discretionary Rate Relief Guidance**

The Director of Resources submitted a report on proposals regarding the categories and criteria used to write off outstanding Council Tax and Business Rates debts, the current guidelines used in respect of hardship relief and the current guidelines used in respect of discretionary rate relief.

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

#### **RESOLVED –**

- a) That approval be given to the revised criteria to be used to write off debts for both Council Tax and Business Rates as outlined in the revised local taxation collection policies in exempt Appendices 1 and 2 to the report.
- b) That the revised guidance for Discretionary Rate relief be approved.
- c) That the current hardship relief guidelines be retained.

DATE OF PUBLICATION: 28<sup>th</sup> August 2009  
LAST DATE FOR CALL IN: 7<sup>th</sup> September 2009

(Scrutiny Support will notify Directors of any items called in by 12:00 noon on 8<sup>th</sup> September 2009.)

## EXECUTIVE BOARD

THURSDAY, 17TH SEPTEMBER, 2009

**PRESENT:** Councillor R Brett in the Chair

Councillors A Carter, J L Carter,  
R Finnigan, S Golton, R Harker, P Harrand,  
J Procter, K Wakefield and J Monaghan

Councillor R Lewis – Non-voting advisory member

**85 Exclusion of the Public**

**RESOLVED** – That the public be excluded from the meeting during the consideration of appendices 2 and 3 to the report referred to in Minute No. 87, 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 disclosure could prejudice the commercial interests of the Council and other outside bodies.

**86 Late Items**

There were no late items submitted for consideration, however, a revised version of exempt appendix 2 and exempt appendix 3 to agenda item 5 were circulated prior to the meeting (Minute No. 87 refers).

### **DEVELOPMENT AND REGENERATION**

**87 Leeds United Thorp Arch Academy**

Further to Minute No. 73, 26<sup>th</sup> August 2009, the Director of Resources, the Director of City Development and the Assistant Chief Executive (Corporate Governance) submitted a joint report regarding an approach received from Leeds United Football Club with respect to possible Council involvement in the purchase of the Thorp Arch training facility.

A revised version of exempt appendix 2 and appendix 3 to the report were circulated prior to the meeting for Members' consideration.

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

**RESOLVED –**

- (a) That the Director of Resources, the Director of City Development and the Assistant Chief Executive (Corporate Governance) be authorised to continue negotiations with the Club with a view to agreeing terms that incorporate the conditions now specified by the Executive Board; and
- (b) That, subject to such terms as finally negotiated being agreed by the Chair, the Executive Member for Development and Regeneration, the Leader of the Morley Borough Independent Group and the Leader of the Labour Group, the officers named above be given delegated

Draft minutes to be approved at the meeting  
to be held on Wednesday, 14th October, 2009

authority to enter into any documentation necessary to conclude the relevant transactions.

DATE OF PUBLICATION: 21<sup>st</sup> September 2009  
LAST DATE FOR CALL IN: 28<sup>th</sup> September 2009

(Scrutiny Support will notify Directors of any items called in by 12.00 noon on 29<sup>th</sup> September 2009)



**LEEDS CITY COUNCIL**

**FORWARD PLAN OF KEY DECISIONS**

For the period 1 October 2009 to 31 January 2010

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
Framework Agreement for Technical Advisors for PFI Projects Approval to issue OJEU notice for the procurement of the framework agreement	Director of Resources	1/10/09	Not applicable (Advisors from Client Departments)	Report to Board	Chief Officer (PPPU) david.outram@leeds.gov.uk
Sanctuary Scheme 2009-11 Authority to Spend Key Decision	Director of Resources	1/10/09	The Sanctuary Scheme has demonstrated that it is both successful in terms of preventing homelessness caused by domestic violence/hate crime but also in relation to reducing the cost of temporary accommodation to the Council. The funding is secured to enable the scheme to continue throughout 2009/11.	DCR & DDN	Director of Resources rob.mccartney@leeds.gov.uk

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
The award of the West Yorkshire sub regional element of the YORbuild Regional Construction Framework	Chief Procurement Officer	1/10/09		Delegated Decision Report	Chief Procurement Officer wayne.baxter@leeds.gov.uk
Frozen Food Contract for Catering and Cleaning Services To proceed with PQQ and Tender specification for renewal of contract	Director of Resources	1/10/09	Taste Panel of Students / Group Consultation on quality of product / Consultation with Existing Supplier	Tender Specifications	Director of Resources mandy.snaith@leeds.gov.uk
The Supply of Parts to Fleet Services To award the contract for the supply of parts to the Stores Division of Fleet Services at Torre Road	Director of Resources	1/10/09		Tender Evaluation Report	Director of Resources julie.meakin@leeds.gov.uk
Grocery Contract for Catering and Cleaning Services To proceed with PQQ and Tender specification for renewal of contract	Director of Resources	1/10/09	Taste Panel of Students / Group consultation on quality of product / Consultation with Existing Supplier	Tender Specifications	Director of Resources mandy.snaith@leeds.gov.uk
Fresh Meat, Cooked meats and Halal provision Contract for Catering and Cleaning Services To proceed with PQQ and Tender specification for renewal of contract	Director of Resources	1/10/09	Group consultation on quality of product / Consultation with Existing Supplier / Muslim Panel	Tender specifications	Director of Resources mandy.snaith@leeds.gov.uk

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
Catering Consumables Contract for Catering and Cleaning Services To proceed with PQQ and Tender specification for renewal of contract	Director of Resources	1/10/09	Group consultation on quality of product / Consultation with Existing Supplier	Tender Specifications	Director of Resources mandy.snaith@leeds.gov.uk
Guiseley High School Approval to provide a new student support centre at Guiseley High School, and to incur expenditure from the approved capital programme	Director of Resources	1/10/09	Guiseley High School, LCC Planning Department	Design and cost report	Director of Resources tony.palmer@leeds.gov.uk
Great Preston CE Primary School Approval to carry out a third phase of refurbishment and remodelling works at Great Preston CE Primary School, and to incur expenditure from the approved capital programme.	Director of Resources	1/10/09	Great Preston CE Primary High School.	Design and Cost Report	Director of Resources tony.palmer@educationleeds.co.uk
Boston Spa High School Approval to construct a new two court indoor tennis centre at Boston Spa High School, and to incur expenditure from the approved capital programme.	Director of Resources	1/10/09	Boston Spa High School.	Design and Cost Report	Director of Resources tony.palmer@educationleeds.co.uk

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
A63 Selby Road / B6137 Leeds Road - Junction Signalisation To incur expenditure and undertake the detailed design and implementation	Director of Resources	6/10/09	Ward Councillors and Emergency Services	Design and Cost Report	Director of Resources john.j.mills@leeds.gov.uk
A653 Dewsbury Road Bus Priority Measures - Ring Road Beeston Park Bus Lane Advance Northern Gas Diversion and Additional Fees Permission to finance Northern Gas Networks Ltd diversion in advance of the proposed main contract work. This diversion is required to enable the efficient construction of the Ring Road Beeston Park Bus Lane Scheme, an intrinsic part of the A653 Dewsbury Road Bus Priority Measures. Additional fees for an enlarged Geotechnical Study and consequent redesign of the scheme.	Director of Resources, Director of City Development	6/10/09	Initial member consultation has taken place	None	Director of City Development david.wilson@leeds.gov.uk

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
Leeds Joint Service Centres - Furniture and Interior Design Solution for two new Joint Service Centres in Leeds Authorisation to procure furniture and fittings and interior design solution as well as IT solution for the Centres.	Executive Board (Portfolio: Central and Corporate)	14/10/09	Consultation with the Leeds Primary Care Trust and with relevant LCC Client Departments.	The report to be issued to the decision maker with the agenda for the meeting	Deputy Chief Executive david.page@leeds.gov.uk
Building Demolition Framework Contract for Property Maintenance To proceed with a tender process to award a framework contract for the supply of Demolition Services	Director of Resources	19/10/09	n/a	Tender Evaluation Report	Director of Resources sarah.martin@leeds.gov.uk
Asbestos Removal Framework Contract for Property Maintenance To proceed with a tender process to award a framework contract for the provision of Asbestos Removal Services	Director of Resources	19/10/09	n/a	Tender Evaluation Reports	Director of Resources sarah.martin@leeds.gov.uk
Agency Workers Contracts To re-let contracts for the provision of agency workers	Director of Resources	1/11/09	Supplier consultation undertaken	The decision will be supported by an evaluation of tenders	Director of Resources alex.watson@leeds.gov.uk

<b>Key Decisions</b>	<b>Decision Maker</b>	<b>Expected Date of Decision</b>	<b>Proposed Consultation</b>	<b>Documents to be Considered by Decision Maker</b>	<b>Lead Officer</b> (To whom representations should be made and email address to send representations to)
Bramley 20 Mph Zone Authority to undertake construction works total cost £345,000.	Director of Resources	2/11/09	Members, Emergency Services etc consulted as part of the scheme development. Public Consultation undertaken	Drawing Numbers HDC/229140/GA/01A, HDC/299140/GA/02A & HDC/299140/GA/03	Director of Resources chris.hickling@leeds.gov.uk
Thorpe Lane/Bradford Road Junction Improvement Authority to undertake construction works total cost £287,500 including S106 contribution of £50,000	Director of Resources	2/11/09	Members, Emergency Services etc consulted as part of the scheme development	None.	Director of Resources richard.hobson@leeds.gov.uk
Financial Health Report - Half Year In noting the financial position after six months for the Authority a decision will be required as to the treatment of any variation identified	Executive Board (Portfolio: Central and Corporate)	4/11/09		The report to be issued to the decision maker with the agenda for the meeting	Director of Resources doug.meeson@leeds.gov.uk
Changing the Workplace Business case approval for phase 1 of programme	Executive Board (Portfolio: Central and Corporate)	9/12/09	Ongoing Officer and Member consultation.	The report to be issued to the decision maker with the agenda for the meeting	Director of Resources alan.gay@leeds.gov.uk

## **NOTES**

Key decisions are those executive decisions:

- which result in the authority incurring expenditure or making savings over £250,000 per annum, or
- are likely to have a significant effect on communities living or working in an area comprising two or more wards

### **Executive Board Portfolios**

### **Executive Member**

Central and Corporate

Councillor Richard Brett

Development and Regeneration

Councillor Andrew Carter

Environmental Services

Councillor James Monaghan

Neighbourhoods and Housing

Councillor John Leslie Carter

Leisure

Councillor John Procter

Children's Services

Councillor Stewart Golton

Learning

Councillor Richard Harker

Adult Health and Social Care

Councillor Peter Harrand

Leader of the Labour Group

Councillor Keith Wakefield

Leader of the Morley Borough  
Independent Group

Councillor Robert Finnigan

Advisory Member

Councillor Richard Lewis

In cases where Key Decisions to be taken by the Executive Board are not included in the Plan, 5 days notice of the intention to take such decisions will be given by way of the agenda for the Executive Board meeting.

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