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## EXECUTIVE BOARD

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Meeting to be held in Civic Hall, Leeds on  
Wednesday, 19th May, 2010 at 1.00 pm

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### Councillors

A Carter (Chair)  
R Brett  
J L Carter  
S Golton  
P Harrand  
J Monaghan  
J Procter  
Vacancy

### MEMBERSHIP

K Wakefield  
R Lewis \*

R Finnigan

\*non voting advisory member

## **CONFIDENTIAL AND EXEMPT ITEMS**

The reason for confidentiality or exemption is stated on the agenda and on each of the reports in terms of Access to Information Procedure Rules 9.2 or 10.4(1) to (7). The number or numbers stated in the agenda and reports correspond to the reasons for exemption / confidentiality below:

### **9.0 Confidential information – requirement to exclude public access**

9.1 The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Likewise, public access to reports, background papers, and minutes will also be excluded.

### **9.2 Confidential information means**

- (a) information given to the Council by a Government Department on terms which forbid its public disclosure or
- (b) information the disclosure of which to the public is prohibited by or under another Act or by Court Order. Generally personal information which identifies an individual, must not be disclosed under the data protection and human rights rules.

### **10.0 Exempt information – discretion to exclude public access**

10.1 The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed provided:

- (a) the meeting resolves so to exclude the public, and that resolution identifies the proceedings or part of the proceedings to which it applies, and
- (b) that resolution states by reference to the descriptions in Schedule 12A to the Local Government Act 1972 (paragraph 10.4 below) the description of the exempt information giving rise to the exclusion of the public.
- (c) that resolution states, by reference to reasons given in a relevant report or otherwise, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

10.2 In these circumstances, public access to reports, background papers and minutes will also be excluded.

10.3 Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

10.4 Exempt information means information falling within the following categories (subject to any condition):

- 1 Information relating to any individual
- 2 Information which is likely to reveal the identity of an individual.
- 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority.
- 5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 6 Information which reveals that the authority proposes –
  - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment
- 7 Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

# A G E N D A

Item No K=Key Decision	Ward	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, written notice of an appeal must be received 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 those parts of the agenda designated as 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.</p>	

Item No K=Key Decision	Ward	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>DECLARATION OF INTERESTS</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>MINUTES</b></p> <p>To confirm as a correct record the minutes of the meetings held on 7<sup>th</sup> April and 28<sup>th</sup> April 2010 respectively.</p> <p><b><u>CHILDREN'S SERVICES</u></b></p>	1 - 12
6 K			<p><b>OUTCOME OF STATUTORY NOTICES FOR CHANGES TO PRIMARY PROVISION FOR SEPTEMBER 2010, 2011 AND 2012</b></p> <p>To consider the report of the Chief Executive of Education Leeds providing the outcomes from the publication of the Statutory Notices on proposals to expand primary provision and establish Special Educational Needs (SEN) provision.</p>	13 - 26
7	Temple Newsam;		<p><b>RESPONSE TO SCRUTINY BOARD (CHILDREN'S SERVICES) INQUIRY REPORT INTO MEADOWFIELD PRIMARY SCHOOL</b></p> <p>To consider the report of the Chief Executive of Education Leeds presenting a response to the recommendations arising from the Scrutiny Board (Children's Services) inquiry into Meadowfield Primary School.</p>	27 - 44

Item No K=Key Decision	Ward	Item Not Open		Page No
8 K			<p><b><u>ADULT HEALTH AND SOCIAL CARE</u></b></p> <p><b>TELECARE EQUIPMENT FOR THE LEEDS TELECARE SERVICE 2010/2011 - CAPITAL SCHEME 15989</b></p> <p>To consider the report of the Director of Adult Social Services outlining proposals to purchase Telecare equipment for the Leeds Telecare Service from April 2010 to March 2011.</p>	45 - 50
9			<p><b>RESPONSE TO SCRUTINY BOARD (ADULT SOCIAL CARE) INQUIRY REPORT INTO SELF DIRECTED SUPPORT AND PERSONAL BUDGETS</b></p> <p>To consider the report of the Director of Adult Social Services presenting a response to the recommendations arising from the Scrutiny Board (Adult Social Care) inquiry into Self Directed Support and Personal Budgets.</p>	51 - 76
10 K			<p><b><u>CENTRAL AND CORPORATE</u></b></p> <p><b>CONSTITUTIONAL MATTERS: AMENDMENTS TO THE EXECUTIVE PROCEDURE RULES AND DELEGATION OF AN EXECUTIVE FUNCTION TO SHEFFIELD CITY COUNCIL</b></p> <p>To consider the report of the Assistant Chief Executive (Corporate Governance) outlining proposed amendments to the Council's Constitution in respect of executive matters following the annual review of the Constitution, and with regard to a proposed delegation of an executive function to another authority.</p>	77 - 88

Item No K=Key Decision	Ward	Item Not Open		Page No
11			<p><b>RESPONSE TO THE SCRUTINY BOARD (CENTRAL AND CORPORATE) INQUIRY REPORT INTO CONSULTANT ENGAGEMENT</b></p> <p>To consider the joint report of the Director of Resources and the Assistant Chief Executive (Corporate Governance) presenting a response to the recommendations arising from the Scrutiny Board (Central and Corporate) inquiry into consultant engagement.</p> <p><b><u>DEVELOPMENT AND REGENERATION</u></b></p>	89 - 100
12 K	Beeston and Holbeck; Middleton Park;		<p><b>A653 DEWSBURY ROAD BUS PRIORITY MEASURES: RING ROAD BEESTON PARK BUS LANE</b></p> <p>To consider the report of the Director of City Development outlining proposals for the implementation of a scheme to provide a new northbound bus lane on Ring Road Beeston Park and to improve the junction of Ring Road Beeston Park with the A653 Dewsbury Road, as part of the Local Transport Plan programme for improving the quality of bus services in the city.</p> <p><b><u>NEIGHBOURHOODS AND HOUSING</u></b></p>	101 - 110
13 K	Burmantofts and Richmond Hill;		<p><b>CROSS GREEN GROUP REPAIR - PHASE 1</b></p> <p>To consider the report of the Director of Environment and Neighbourhoods outlining proposals to utilise Single Regional Housing Pot funding on the first phase of the Group Repair scheme within the Cross Green area.</p>	111 - 118

Item No K=Key Decision	Ward	Item Not Open		Page No
14 K	Burmantofts and Richmond Hill; Gipton and Harehills; Killingbeck and Seacroft; Temple Newsam;		<p><b>ALMO LAND ASSEMBLY IN EAST LEEDS</b></p> <p>To consider the report of the Director of Environment and Neighbourhoods providing an update on the clearance of sites by the council's Arms Length Management Organisations (ALMOs) in the East and South East Leeds (EASEL) area and which seeks approval of the general fund contribution to the costs of acquiring and demolishing houses in private ownerships on these sites.</p>	119 - 126
15 K			<p><b>THE REVIEW OF THE COUNCIL'S LETTINGS POLICY</b></p> <p>To consider the report of the Director of Environment and Neighbourhoods providing an update on the progress made with respect to the reviewing of the Council's lettings policy, the improvements in the management of lettings and tenancies, the development of a framework for lettings to all new affordable housing schemes and the timescales for full consultation and implementation of a revised lettings policy.</p>	127 - 136

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## EXECUTIVE BOARD

WEDNESDAY, 7TH APRIL, 2010

**PRESENT:** Councillor A Carter in the Chair

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

Councillor R Lewis Non-Voting Advisory  
Member

### 211 Exclusion of the Public

**RESOLVED** – That the public be excluded from the meeting during consideration of the following parts of the agenda designated as 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 public were present there would be disclosure to them of exempt information so designated as follows:-

- a) The appendix to the report referred to in minute 228 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that it provides an evaluation of the short listed contractor's stage 1 tenders to develop the arena, summarises the evaluation of the technical advisors tender submissions, details the Council's pre-tender estimate for constructing the arena and reviews the funding strategy for the development of the arena. It is considered that the public interest in maintaining this information as exempt outweighs the public interest in disclosing the information, as disclosure may prejudice the outcome of the procurement process and the cost to the Council of developing the arena, whilst the tender proposals also contain the financial details/business affairs of individual companies.
- b) Appendix B to the report referred to in minute 229 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that it relates to the financial or business affairs of a particular person and of the Council and contains information which if disclosed could prejudice the commercial interests of the Council and other outside bodies.

### 212 Declaration of Interests

Councillor Wakefield declared personal interests in the items referred to in minutes 215 and 221 as a member of the Co-operative Society and a governor of Leeds City College.

Councillors A Carter and Finnigan declared personal interests in the item referred to in minute 221 as members of the co-operative Society.

Councillor Harker declared personal interests in learning related matters associated with school admissions as a member of the Admissions Forum.

A further declaration (Councillor Golton) made during the course of the meeting is referred to in minute 222.

**213 Minutes**

**RESOLVED** – That the minutes of the meeting held on 10<sup>th</sup> March 2010 be approved.

**ENVIRONMENTAL SERVICES**

**214 Proposed Revision to Air Quality Management Orders**

The Chief Environmental Services Officer submitted a report outlining the history and current proposals which related to air quality issues, the process involved in declarations and revocations of Air Quality Management Areas and detailing proposals to declare new areas and revoke those where air quality standards were now being achieved.

**RESOLVED** – That the proposals contained in the report relating to the modification and revocation of existing Air Quality Management Areas, to a new Air Quality Management Order and to additional Air Quality Management Areas be approved.

**CHILDREN'S SERVICES**

**215 Proposals for New Children's Trust Arrangements**

The interim Director of Children's Services submitted a report outlining proposals with respect to new Children's Trust Arrangements for Leeds from April 2010, which included the establishment of a new Children's Trust Board and the revision of the Leeds Safeguarding Children Board.

**RESOLVED –**

- a) That the drivers for change and new statutory requirement for changes to Children's Trust arrangements from April 2010 be noted
- b) That the proposals for a new Leeds Children's Trust Board, as contained in the report, be approved
- c) That the proposals for a revised Leeds Safeguarding Children Board, as contained in the report, be approved
- d) That the proposals contained in section 4 of the report for Council representation on the Boards be endorsed and that the Member Management Committee be requested to approve appointments on the following basis:-
  - i. Three Elected Members including the Lead Executive Member for Children's Services to serve on the Children's Trust Board, and

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- ii. the Lead Executive Member for Children's Services serve on the Safeguarding Children Board.
- e) That an update report be brought to this Board later in the year to highlight progress with the arrangements, to take account of any further changes required as a result of updated Government guidance, and to provide further details of the broader Children's Trust arrangements being proposed

**216 Basic Need Programme for Primary Schools 2010**

The Chief Executive of Education Leeds submitted a report outlining proposals to for the planned expansion of 16 primary schools and on proposed associated expenditure.

**RESOLVED –**

- a) That the proposed works for 16 primary schools, as outlined in the report, be approved, that approval be given for the injection of £1,762,000 of 2010/11 Basic Need Safety Valve Funding grant into the approved Capital Programme and that total scheme expenditure of £8,329,800 from capital scheme numbers 15820 and 15733 be authorised.
- b) That a further report be brought to this Board on the steps to be taken to secure adequate levels of play provision at the 16 schools.

**217 Outcome of consultation on proposals to make changes to Horsforth Primary Schools**

Further to minutes 153 of the meeting held on 9<sup>th</sup> December 2009 and 165 of the meeting held on 6<sup>th</sup> January 2010 the Chief Executive of Education Leeds submitted a report summarising the outcome of the consultation exercise undertaken with respect to proposed changes to primary age education provision in the Horsforth area from September 2011.

The report detailed various options to create additional capacity at Featherbank and Newlaithes schools.

**RESOLVED –**

- a) That, having considered the responses to the consultation, approval be given for the publication of statutory notices for the linked proposals to:-
  - (i) decrease the lower age range of Horsforth Newlaithes Junior School from 7-11 to 5-11, with an admission limit of 60, and with an overall capacity of 420 children and
  - (ii) increase the age range of Horsforth Featherbank Infant School from 4-7 to 4-11, and decrease the admissions number from 60 to 30, with an overall capacity of 210 children.

- b) That proposals to permanently expand West End Primary School in 2011 be withdrawn at the present time, noting that the need for places in the area will continue to be monitored and that the school will continue to be considered as an option for expansion on a temporary or permanent basis at a later stage.
- c) That a further report be brought to this Board on the steps to be taken to secure adequate levels of play provision at the schools.

**218 Outcome of the Statutory Consultation for the Expansion of Primary Provision for September 2011**

Further to minute 153 of the meeting held on 9<sup>th</sup> December 2009 the Chief Executive of Education Leeds submitted a report detailing and responding to the outcome of the consultation exercise undertaken with respect to the proposed permanent expansion of a number of primary schools from September 2011.

**RESOLVED –**

- a) That the outcome of the consultation on possible expansion of the six primary schools: Windmill, Clapgate, Ryecroft, Calverley CE, Blackgates and Cross Gates be noted.
- b) That approval be given to the publication of statutory notices for the expansion of the four primary schools: Windmill, Clapgate, Ryecroft and Blackgates.
- c) That approval be given to the withdrawal of the proposals to expand Cross Gates and Calverley CE primary schools.

**219 Annual Consultation on Admission Arrangements for September 2011**

The Chief Executive of Education Leeds submitted a report outlining the proposed admission numbers, the proposed Local Authority admission policy and proposals relating to general admission arrangements for September 2011.

**RESOLVED –** That proposals in respect of the following, as further detailed in the report, be approved for implementation in the 2011 admission round:-

- a) A coordinated scheme – primary annual cycle.
- b) A coordinated scheme – secondary annual cycle.
- c) A coordinated scheme – in year allocations.
- d) The following changes to school admission numbers:-

Farsley Farfield	50 to 60
Valley View	30 to 60
Windmill	45 to 60

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Clapgate	45 to 60
Blackgates	45 to 60
St Bartholomew's	60 to 75
Ryecroft	30 to 60
Allerton CE	45 to 60
Gildersome	30 to 60.

- e) Increases to admission numbers at Cross Gates Primary, West End Primary and Calverley CE Primary be not progressed at this time.
- f) Statutory notice to be published where planned admission numbers are below the indicated admission numbers.

**220 Outcome of Consultation on the Provision of Girls-Only Education in Leeds**

Further to minute 161 of the meeting held on 6<sup>th</sup> January 2010 the Chief Executive of Education Leeds submitted a report on the outcome of the city wide public consultation exercise undertaken on the future provision of government funded, girls only, secondary education in Leeds.

**RESOLVED –**

- a) That the outcome of the public consultation on a proposal to stop providing girls-only education in Leeds be noted.
- b) That an exercise be undertaken to determine the viability and business case around providing girls-only provision in the centre of the City with a report back to this Board in May 2011.

**221 Outcome of Consultation on the Future of Primrose High School**

Further to minute 161 of the meeting held on 6<sup>th</sup> January 2010 the Chief Executive of Education Leeds submitted a report on the results from the public consultation exercise undertaken with respect to the future of Primrose High School.

In introducing this item the Chair reported that he had received a petition opposing the proposals which would be provided to Education Leeds.

**RESOLVED –**

- a) That the Board notes the outcome of consultation on proposals to close Primrose High School to be replaced by an academy on the same site, sponsored by the Co-operative Society with Leeds City College as an education partner.
- b) That approval be given for the publication of a statutory notice to close Primrose High School on August 31<sup>st</sup> 2011, conditional upon DCSF approval to establish an academy from 1<sup>st</sup> September 2011.

- 222 Outcome of Consultation on the Future of Parklands Girls High School**  
Further to minute 161 of the meeting held on 6<sup>th</sup> January 2010 the Chief Executive of Education Leeds submitted a report on the results from the consultation exercise undertaken with respect to the future of Parklands Girls High School.

**RESOLVED –**

- a) That the Board notes the outcome of the consultation on proposals to close Parklands Girls High School, to be replaced on the same site by a co-educational academy sponsored by EACT.
- b) That approval be given for the publication of a statutory notice to close Parklands Girls High School on 31<sup>st</sup> August 2011, conditional upon DCSF approval to open an academy on that site on 1<sup>st</sup> September 2011.

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

(During the course of the discussion on this matter Councillor Golton declared a personal interest as a trustee of South Leeds Academy and as a governor at Royds High School.)

- 223 Outcome of Consultation on the Future of City of Leeds High School**  
Further to minute 161 of the meeting held on 6<sup>th</sup> January 2010 the Chief Executive of Education Leeds submitted a report on the results from the public consultation exercise undertaken with respect to the future of City of Leeds High School.

**RESOLVED –**

- a) That the outcome of the consultation on proposals to close City of Leeds High School on 31<sup>st</sup> August 2011 be noted.
- b) That this Board notes the alternative plan put forward by the governors of City of Leeds High School and partners.
- c) That approval be given for the publication of a statutory notice to close City of Leeds High School on 31<sup>st</sup> August 2011.
- d) That Education Leeds be requested to bring a report to this Board in July 2010, based on consultations with the governors of City of Leeds High School and other stake holders during the period of the statutory consultation exploring all options to ensure the continued use of the site for educational purposes.

## **LEISURE**

### **224 Design and Cost Report - Leisure Centre Refurbishment and Free Swimming Capital Modernisation - Pot 4 Round 2: Aireborough Leisure Centre 15730 and Kirkstall Leisure Centre 15731**

The Director of City Development submitted a report on proposals for the refurbishment of both Kirkstall Leisure Centre and Aireborough Leisure Centre.

#### **RESOLVED –**

- a) That approval be given to the injection into the capital programme of £221,000, being additional Free Swimming Capital Modernisation Programme grant, and release from reserve of the original estimated Free Swimming Capital Modernisation grant of £1,696,000, plus a further injection of Prudential Borrowing of £473,000.
- b) That authority be given to spend £811,000 on the refurbishment of the changing rooms and reception area at Kirkstall Leisure Centre and £1,951,000 at Aireborough Leisure Centre on the refurbishment of the swimming changing rooms, replacement of the curtain walling to the swimming pools, access works, reception and entrance works, and extension of the Bodyline Gym, thus achieving the criteria set by the Free Swimming Modernisation Programme for the award of this funding.
- c) That the approvals at (a) and (b) above are subject to final confirmation of external funding approval and are given at this point because of timescales for the completion of the works, with grant regulations requiring spend by 31 March 2011.

## **ADULT HEALTH AND SOCIAL CARE**

### **225 Joint Appointment of a Director of Public Health**

The Director of Adult Social Services submitted a report on proposals for the joint appointment of a Director of Public Health between the City Council and NHS Leeds and on the related accountability arrangements for such an appointment.

#### **RESOLVED –**

- a) That approval be given to the principle of a joint appointment of the Director of Public Health with NHS Leeds.
- b) That the Chief Executive be authorised to prepare a Memorandum of Understanding, to include arrangements for an integrated public health team, supporting the work of a Joint Director of Public Health.

**226 Joint Strategic Needs Assessment Progress Report: March 2010**

With reference to minute 224 of the meeting held on 4<sup>th</sup> March 2009 the Director of Adult Social Services, interim Director of Children's Services and the Director of Public Health submitted a joint report detailing the progress made following the publication of the first Joint Strategic Needs Assessment (JSNA).

**RESOLVED –**

- a) That the progress that has been made in delivering the work programme identified in the first JSNA report published in April 2009 be noted.
- b) That the main findings and implications for the future planning of services arising from the strategic needs assessment on people with a learning disability, child and maternity services and drug users be noted.

**227 Delivery of the Changing Places Project**

Further to minute 17 of the meeting held on 17<sup>th</sup> June 2009 the Director of Adult Social Services submitted a report providing an update on the delivery of the Changing Places initiative throughout the City.

**RESOLVED –** That the progress made to provide Changing Places toilet facilities across Leeds and the plan to deliver 8 such facilities in 2010/11 be noted.

**DEVELOPMENT AND REGENERATION**

**228 Leeds Arena Project - Progress Update**

The Director of City Development submitted a report providing an update and outlining further proposals to progress the development of an arena in Leeds.

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

**RESOLVED –**

- a) That approval be given to incur expenditure of £3,000,000 from existing budget provision (Capital Scheme No 13307) on the proposed design and construction of the arena.
- b) That endorsement be given to the selection of the preferred and reserve contractor for the proposed building works contract for the arena as detailed in the exempt appendix to the report.
- c) That endorsement be given to the appointment of a technical advisor to monitor the preferred contractor's (or reserve contractor's) design team



outputs on the arena project as detailed in the exempt appendix to the report

- d) That the progress made in securing outline planning consent for the proposed arena development at Clay Pit Lane be noted.
- e) That these decisions be exempt from the provisions of Call In for the cost efficiency reasons detailed in the report.
- f) That a further report be brought to this Board detailing provisions for disabled users of the arena.

## **229 World Cup 2018 - Update**

The Director of City Development submitted a report providing an update on the progress made regarding the Leeds City Region bid to become a candidate host city for the FIFA World Cup 2018 and advising of the human and financial resource requirement for Leeds City Council during the overall bidding process which concludes in December 2010.

Following consideration of Appendix B to the report designated as exempt under Access to Information Procedure Rule 10.4(3) which was considered in private at the conclusion of the meeting it was

### **RESOLVED –**

- a) That the success of the Leeds Bid to become a candidate host city for World Cup 2018 be noted.
- b) That the need to assist England 2018 with its bid to FIFA be noted and the commitment be given to making key Members and officers available to England 2018 during the bid period.
- c) That officers be authorised to make such arrangements as are appropriate with regard to the eve of match training sites as discussed in exempt Appendix B to the report.

## **230 Leeds West Academy, Bramley, Leeds**

The Chief Asset Management Officer submitted a report on the proposed leasing by the Edutrast Academies Charitable Trust (E-ACT) of the replacement school building to be built in the grounds of the former Intake High School for use as the Leeds West Academy.

**RESOLVED –** That approval be given to the disposal of the site of the former Intake High School to the Edutrast Academies Charitable Trust (E-ACT) for the Leeds West Academy on a 125 year lease at nil consideration and that the Director of City Development be authorised to agree the final terms outlined in paragraph 3 of the submitted report.

DATE OF PUBLICATION 9<sup>th</sup> April 2010  
LAST DATE FOR CALL IN 16<sup>TH</sup> April 2010

(Scrutiny Support will notify Directors of any items called in by 12:00 noon on 19<sup>th</sup> April 2010)

Draft minutes to be approved at the meeting  
to be held on Wednesday, 19th May, 2010

## EXECUTIVE BOARD

WEDNESDAY, 28TH APRIL, 2010

**PRESENT:** Councillor A Carter in the Chair

Councillors R Brett, J L Carter, S Golton,  
R Harker, P Harrand and K Wakefield

Councillor R Lewis - Non-voting advisory member

### 231 Exclusion of the Press and Public

**RESOLVED** – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as 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:-

Appendix 1 to the report referred to in minute 234 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 disclosure as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information) which if disclosed to the public would, or would be likely to prejudice the commercial interests of that person or of the Council.

### 232 Late Items

The Chair had agreed that the meeting be called at short notice in order to consider the one item of business considered to be urgent because the Administrator had advised the Council that the offers it had received needed to be determined in the next few days otherwise one or more of them may be withdrawn. On this basis the Council's stance whether to support any of the offers or not could not wait until the next scheduled Executive Board (19 May 2010).

### 233 Declaration of Interests

Councillor Wakefield declared a personal and prejudicial interest as a consequence of a close personal association connected to Farsley Celtic. Having declared his interest Councillor Wakefield left the meeting.

### 234 Farsley Celtic Administration

The Director of City Development submitted a report on the potential acquisition of the site of Farsley Celtic Football Club from the Administrator to ensure the continued use of the site for football for the benefit of the West Leeds area.

The report presented the options of supporting a third party offer to purchase the site, of taking no action or of the Council acquiring the site.

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Following consideration of Appendix 1 to the report designated as exempt under Access to information Procedure Rule 10.4 (3) and considered in private at the conclusion of the meeting it was

**RESOLVED –**

- (a) That the acquisition of the Throstle Nest site identified on Plan 1 attached to the report from the Administrator (at the value identified in the report and on final terms approved by the Chief Asset Management Officer) be approved.
- (b) That approval be given to the immediate sub-sale of the main football ground identified on Plan 2 as circulated at the meeting and as set out in the report with the conditions outlined in Option 3 imposed to restrict future use with final terms delegated to the Chief Asset Management Officer.
- (c) That the Council land shown in Plan 2 be provided to facilitate the Chartford Homes S106 Agreement through the provision of a lease for twenty five years at less than best consideration (Members being satisfied that to do so would promote/improve the social, economic or environmental wellbeing of the area/local residents).
- (d) That approval be given to the provision of the sports hall and associated car park through the provision of a lease for 25 years at less than best consideration on the basis that the tenant meets the community use obligations of the Council (Members being satisfied that to do so would promote/improve the social, economic or environmental wellbeing of the area/local residents).
- (e) That approval be given to the injection of the amount identified in the report into the Capital Programme and that Authority to Spend in the same amount be given to finance the above transactions, of which an amount as identified in the report is unfunded and will be addressed during the Quarter 1 Review of the Capital Programme in July 2010.
- (f) That the Board notes that reference to the report was not included in the Forward Plan of Key Decisions and agrees that the decision be exempt from Call In.

Agenda Item:

Originator: George Turnbull

Telephone: 2243239

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### REPORT OF THE CHIEF EXECUTIVE OF EDUCATION LEEDS

**EXECUTIVE BOARD: 19 May 2010**

**SUBJECT: Outcome of statutory notices for changes to primary provision for September 2010, 2011 and 2012.**

#### EXECUTIVE SUMMARY

##### PURPOSE OF THIS REPORT

- 1 In February 2010 the Executive Board approved the publication of statutory notices on prescribed alterations to:
  - permanently expand 17 primary schools with effect from September 2010;
  - establish community specialist provision for up to 14 pupils with Special Educational Needs (SEN) arising from physical disabilities at New Bewerley Primary School, and also at Whitkirk Primary School;
  - permanently expand Gildersome Primary School with effect from September 2011;
  - permanently expand Richmond Hill Primary School with effect from September 2012.
- 2 This report details the representations received in response to those notices, and recommends a final decision be taken to make these changes.

##### BACKGROUND INFORMATION

- 3 Under the Education and Inspections Act 2006 the Local Authority has until 22 May 2010 to make a final decision on the expansion proposals. It has until 4 June 2010 to make a final decision on the linked proposals for the expansion and SEN provision at Whitkirk and at New Bewerley.
- 4 There were seven responses to the statutory notices;
  - three objections to the expansion of Victoria Primary;
  - two objections to the expansion of Whitkirk Primary; and
  - two in support of the expansion of Gildersome PrimaryThe Executive Board is the decision maker for these proposals. It has chosen to set up the School Organisation Advisory Board (SOAB) to consider school organisation proposals when objections are received. They met on 10<sup>th</sup> May 2010 and considered the proposals for expansion of Victoria and linked proposals for expansion and SEN provision at Whitkirk with due regard to statutory guidance. The minutes of that meeting are in Appendix 1. Copies of the Statutory notices are in Appendix 2.

## **RESOURCE IMPLICATIONS**

- 5 The capital works required to deliver the proposals for the 19 schools outlined in this report, including the two linked proposals for establishing community specialist provision, will be funded through the Education Capital Programme. This includes £1.7m allocated by the DCSF following a bid of over £10m for additional resources. The estimated costs are £12.3m at this stage, and will be subject to review and development. Further reports, seeking financial approval for specific schemes will be brought to the Board.

## **RECOMMENDATIONS**

- 7 The Executive Board is asked to:
- i) note the responses to the statutory notices;
  - ii) note the views of SOAB in regard of the proposals where objections were received;
  - iii) approve the proposed alterations at the 18 of the 19 schools detailed in paragraph 3.2 of this report, namely:
    - a. permanently expand 14 primary schools for 2010, and
    - b. linked permanent expansion, and establishment of community specialist provision for up to 14 pupils with SEN arising from physical disabilities, at New Bewerley Primary School for 2010, and
    - c. linked permanent expansion, and establishment of community specialist provision for up to 14 pupils with SEN arising from physical disabilities, at Whitkirk Primary School for 2010, and
    - d. permanently expand Gildersome Primary School for 2011, and
    - e. permanently expand Richmond Hill Primary School for 2012.
  - iv) approve the withdrawal of the proposal for expansion of Brudenell.

## REPORT OF THE CHIEF EXECUTIVE OF EDUCATION LEEDS

**EXECUTIVE BOARD: 19 May 2010**

**SUBJECT: Outcome of statutory notices for changes to primary provision for September 2010, 2011 and 2012.**

### Electoral Wards Affected:

All

Ward Members consulted  
(referred to in report)

### Specific Implications For:

Equality & Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call-in

Not Eligible for Call-in  
(Details contained in the Report)

## 1 PURPOSE OF THIS REPORT

- 1.1 In February 2010 the Executive Board approved the publication of statutory notices on prescribed alterations to:
- permanently expand 15 primary schools for 2010, and
  - linked permanent expansion, and establishment of community specialist provision for up to 14 pupils with SEN arising from physical disabilities, at New Beverley Primary School for 2010, and
  - linked permanent expansion, and establishment of community specialist provision for up to 14 pupils with SEN arising from physical disabilities, at Whitkirk Primary School for 2010, and
  - permanently expand Gildersome Primary School for 2011, and
  - permanently expand Richmond Hill Primary School for 2012
- 1.2 This report details the representations received in response to those notices, and recommends a final decision be taken to make these changes.

## 2 BACKGROUND INFORMATION

- 2.1 In July 2009, the Executive Board approved plans to change admissions limits at a

number of primary schools across Leeds in order to meet increasing demand for primary places for September 2010. The Schools Adjudicator has indicated the Local Authority has the power to admit over the published admission number to these increased numbers, which it has done. In most cases however, a further statutory process is required to expand a school's physical capacity to make these changes permanent. Executive Board gave permission to consult on these proposals in October 2009.

- 2.2 In addition, a statutory process is required for the establishment of community specialist provision for children with Special Educational Needs arising from physical disability at New Bewerley and at Whitkirk. In each case the proposal for the establishment of the SEN provision is linked to the separate proposal for expansion of the schools and must be considered together. Permission to consult on these proposals at the same time was also given in October 2009.
- 2.3 Permission to consult on expansion at Gildersome Primary for September 2011 was given by Executive Board in November 2009. The school is being extensively refurbished under the Primary Capital Program (PCP). If the proposal proceeds the expansion will be incorporated into these plans. Permission to consult on expansion at Richmond Hill for September 2012 was given by Executive Board in October 2009. The school is being rebuilt under the PCP. If the proposal proceeds the expansion will be incorporated into these plans. Costs detailed in this report relate only to the expansion element of the PCP related schemes.
- 2.4 Following consultation on all these proposals, the Executive Board approved the publication of statutory notices at its meeting in February 2010. The notices for the expansion ran from Monday 22 February 2010 to Sunday 21 March 2010. Under the Education and Inspections Act 2006 the Local Authority has until 22 May 2010 to make a final decision on the proposals. The linked notices for the expansion and SEN provision at Whitkirk and at New Bewerley ran from Monday 22 February 2010 to Sunday 4 April 2010. The Authority has until 4 June 2010 to make a final decision on these proposals.
- 2.5 There were seven responses to the statutory notices;
- three objections to the expansion of Victoria Primary;
  - two objections to the expansion of Whitkirk Primary; and
  - two in support of the expansion of Gildersome Primary.
- 2.6 The Executive Board is the decision maker for these proposals. It has set up the School Organisation Advisory Board (SOAB) to consider school organisation proposals when objections are received. SOAB considered the proposal for the expansion of Victoria, and the linked proposals for expansion and SEN provision at Whitkirk. Statutory guidance requires the decision maker to consider four key issues:
- Is there any information missing?
  - Does the published notice comply with statutory requirements?
  - Has the public consultation been carried out prior to the publication of the statutory notice?
  - Are the proposals 'related' to other published proposals and should therefore be considered together?
- 2.7 The SOAB met on 10<sup>th</sup> May 2010 and minutes of that meeting are in Appendix 1. Copies of the statutory notices are in Appendix 2.

### 3 THE MAIN ISSUES



3.1 The local authority has a duty to ensure sufficiency of school provision. These proposals have been brought forward in response to a sustained increase in the pre school population in the city. They are brought forward as permanent expansions in the belief that they are sustainable in the long term. The details of the proposals being considered here are as follows:

Primary School	Admission Limit	change from	Capacity	Linked proposal for SEN provision?
1 Ireland Wood	30 to 60	2010	210 to 420	No
2 Iveson	30 to 45	2010	210 to 315	No
3 Mill Field	45 to 60	2010	258 to 420	No
4 Blenheim	30 to 60	2010	210 to 420	No
5 Brudenell	40 to 45	2010	239 to 315	No
6 Ingram Road	30 to 45	2010	210 to 315	No
7 Greenmount	45 to 60	2010	343 to 420	No
8 New Beverley	45 to 60	2010	315 to 420	Yes – 14 places, physical disabilities
9 Beeston	60 to 90	2010	420 to 630	No
10 Hugh Gaitskell	75 to 90	2010	525 to 630	No
11 Ebor Gardens	30 to 60	2010	210 to 420	No
12 Victoria	50 to 60	2010	318 to 420	No
13 Highfield	45 to 60	2010	315 to 420	No
14 Moor Allerton Hall	45 to 60	2010	315 to 420	No
15 Swarcliffe	30 to 45	2010	210 to 315	No
16 Whitkirk	45 to 60	2010	315 to 420	Yes – 14 places, physical disabilities
17 Thorner CE	20 to 30	2010	156 to 210	No
18 Gildersome	30 to 60	2011	210 to 420	No
19 Richmond Hill	60 to 90	2012	420 to 630	No

3.3 The consultation period for all the proposals except at Gildersome ran from 2 November 2009 to 11 Dec 2009. The consultation period on the expansion of Gildersome Primary School ran from 9 November 2009 to 18 December 2009. The consultation documents include detail of the demographic demand for places, and are available at [www.educationleeds.co.uk/schoolorganisation](http://www.educationleeds.co.uk/schoolorganisation). Hard copies have previously been supplied to all ward members, and were made available to SOAB.

3.4 Full details of the consultees and the responses to these consultations can be found in the following Executive Board reports:

- 12 February 2010 Outcome of consultation for the expansion of primary provision for September 2010.
- 12 February 2010 Outcome of consultations on the expansion of primary provision at Gildersome Primary School in 2011 and at Richmond Hill Primary School in 2012.

3.5 Since the consultation, project managers have been working with the schools to agree the details of the building and remodelling work which will be delivered to meet these needs. This includes considering a range of issues brought up in consultation, including:

- traffic and site access issues
- protection of green space and play areas
- infrastructure needs over and above basic classroom provision

Detailed planning applications are being prepared to be submitted for consideration by the relevant agencies and statutory consultees. The detailed project work at Brudenell Primary suggests a cost effective scheme cannot be delivered, and so it is recommended that the scheme is withdrawn.

- 3.6 The initial allocation of places for September 2010 has taken place since the consultation, in line with the Schools Adjudicator's direction. This shows most of the additional places being filled, with the exception of Swarcliffe and Hugh Gaitskell. These schools are both in areas where a significant number of late applicants often emerge, and it is expected that more of these additional places will be taken up. There is no evidence of a detrimental effect on neighbouring schools. Brudenell has also not filled to its existing admission number of 40 and the pressure in this area may well have been in part relieved by the very high take up of additional places at Blenheim Primary.
- 3.7 **Victoria Primary School** - three objections.  
There were three objections to this proposal, all from residents. One stated a clear objection to the proposal, the other two raised concerns.
- 3.8 **Objection:** The objections focussed on how the proposal may compound existing issues with traffic and road safety, litter and noise. This was mainly associated with parents dropping off and collecting children, but also from deliveries to the school, school buses and staff/school visitors. It was stated that this had interfered with emergency vehicle access. Specific questions about what risk assessment had been carried out, what officers had observed and reported on this issue, and what consultation had taken place/would take place were asked. One noted the prior engagement with local ward members which had thus far been unable to resolve the issues.
- 3.9 **Reply:** The school is situated at the bottom of a cul de sac, which does create certain pressures, however the relatively small increase in pupil numbers will not add significantly to this. Officers have not visited the school specifically to observe or report on this issue, but have visited at peak times. Measures have been introduced to encourage safer and more considerate parking and driving, and the school and local residents would need to explore options for enforcement of parking restrictions and speed limits with the police and highways agency. The school have not requested any risk assessments regarding traffic issues from Education Leeds. Officers have visited the school and are satisfied that a viable building scheme exists at the school, however detailed feasibility work is not conducted in the early stages. The expansion is likely to require additional buildings, and these would be subject to the formal planning process, requiring public and statutory consultation including highways department. In addition, Education Leeds and with highways and the school in advance of the application.
- 3.10 **Objection:** One respondent asked about where the buildings would go, raising concerns about the protection of existing green space and trees.
- 3.11 **Reply:** Initial appraisal suggests the capacity could be created by replacing an existing modular unit with 3 classrooms to the rear of the school, with a 2 storey unit of 5 classrooms. This would have no adverse impact on the play area of the school, or on existing trees. The school has been successful in its bid for Early Years Quality Improvement Funding Panel (QIFP) funding to add to and improve the layout of the foundation stage area, providing a joined up solution for the school.
- 3.12 **Note:** The governing body noted that their original response to the consultation had not been acknowledged in the report on the outcome of the consultation. Education Leeds acknowledges this error. Supportive of the expansion in principle, they noted that Education Leeds will continue to work closely with the school to ensure the plans take account of the pressures schools face regarding staffing,

resource allocation, facilities and the impact on the local community. Education Leeds will continue to provide support to the school. The governing body were also positive about the SEN inclusion facilities proposed at Richmond Hill. However these facilities are not included in this proposal and have already been approved.

- 3.14 **Whitkirk Primary School expansion** – two objections, both from residents.
- 3.15 **Objection:** Both objections were concerned about traffic and road safety issues. They noted inconsiderate, unsafe and aggressive behaviour, that emergency vehicles had been unable to gain access, and that the ice cream van contributes to access issues.
- 3.16 **Reply:** This objection has been raised in relation to the expansion proposal, but the issues should also be considered in relation to the linked proposal for SEN provision for children with physical disabilities, in respect of access to the site for the transportation of children in wheelchairs. The issues are as addressed in paragraph 3.9 above in relation to Victoria Primary and will be subject to a formal planning process involving public and statutory consultation.
- 3.17 **Gildersome Primary** – two responses in support.
- 3.18 **Response:** The responses, from the governing body, and from an individual parent governor, noted their support for the proposals based on the demographics and need to provide local places for local children. They also ask that consideration of expansion of the nursery at the school be given.
- 3.19 **Reply:** Legally this proposal is an expansion, and cannot be considered as a 'reversion' to its previous size, as both responses suggest. This request has been passed to the Early Years team who are responsible for nursery provision. The school has been advised on the need to consult further on the proposals, and the request is likely to be decided in the summer.

## 4 LEGAL AND RESOURCE IMPLICATIONS

- 4.1 The capital works required to deliver the expansion of the 19 schools outlined in this report, and the two linked proposals for establishing SEN provision, will be funded through the Education Capital Programme. This includes £1.7m allocated by the DCSF following a bid of over £10m for additional resources. The estimated costs are £12.3m at this stage, and will be subject to review and development. Further reports, seeking financial approval for specific schemes will be brought to the Board.

## 5 RECOMMENDATIONS

- 5.1 The Executive Board is asked to:
- i) note the responses to the statutory notices;
  - ii) note the views of SOAB in regard of the proposals where objections were received;
  - iii) approve the proposed alterations at 18 of the 19 schools detailed in paragraph 3.2 of this report, namely:
    - a. permanently expand 14 primary schools for 2010, and
    - b. linked permanent expansion, and establishment of community specialist

- provision for up to 14 pupils with SEN arising from physical disabilities, at New Bewerley Primary School for 2010, and
  - c. linked permanent expansion, and establishment of community specialist provision for up to 14 pupils with SEN arising from physical disabilities, at Whitkirk Primary School for 2010, and
  - d. permanently expand Gildersome Primary School for 2011, and
  - e. permanently expand Richmond Hill Primary School for 2012.
- iv) approve the withdrawal of the proposal for expansion of Brudenell.

## **6 BACKGROUND REPORTS**

17 June 2009 Expanding Primary Place Provision

17 June 2009 Proposal to add specialist community provision at Whitkirk Primary School for pupils with complex physical difficulties and medical needs.

22 July 2009 Proposed increases in Admissions Limits for September 2010

14 October 2009 Proposals for changes to primary provision in the Richmond Hill Area

14 October 2009 Proposal for statutory consultation for the expansion of primary provision for September 2010

4 November 2009 Proposal for consultation on expansion of Gildersome Primary School

12 February 2010 Outcome of consultation for the expansion of primary provision for September 2010.

12 February 2010 Outcome of consultations on the expansion of primary provision at Gildersome Primary School in 2011 and at Richmond Hill Primary School in 2012.

**APPENDIX 1**

**Minutes of meeting of School Organisation Advisory Board (SOAB) held 10<sup>th</sup> May 2010 to consider proposals for Victoria Primary School and Whitkirk Primary School**

## **APPENDIX 2**

### **Copy of the statutory notices for all proposals**

Note: These are the published notices. Full detail can be obtained from [www.educationleeds.co.uk/schoolorganisation](http://www.educationleeds.co.uk/schoolorganisation) as indicated in these extracts.

#### **PROPOSALS TO EXPAND PRIMARY PROVISION IN 17 SCHOOLS IN LEEDS**

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that Leeds City Council intends to make prescribed alterations to 17 primary schools in Leeds. These proposals are not linked; that is they are not related and each will be considered on its own merits.

##### **1. PROPOSAL TO EXPAND BEESTON PRIMARY SCHOOL**

A prescribed alteration to Beeston (Community) Primary School, Town Street, Leeds, LS11 8PN from 1<sup>st</sup> September 2010.

The proposal is to expand the school from its current capacity of 420 pupils to 630 pupils, by increasing its admission limit from 60 to 90 pupils.

The school will gradually increase to its maximum capacity by taking increased reception intakes from 1<sup>st</sup> September 2010.

The current capacity of the school is 420 and the proposed capacity will be 630. The number of pupils registered at the school at the census at Jan 2009 is 385. The current admission number for the school is 60 and the proposed admission number will be 90.

##### **2. PROPOSAL TO EXPAND BLENHEIM PRIMARY SCHOOL**

A prescribed alteration to Blenheim (Community) Primary School, Lofthouse Place, Leeds, LS2 9EX from 1<sup>st</sup> September 2010.

The proposal is to expand the school from its current capacity of 210 pupils to 420 pupils, by increasing its admission limit from 30 to 60 pupils.

The school will gradually increase to its maximum capacity by taking increased reception intakes from 1<sup>st</sup> September 2010.

The current capacity of the school is 210 and the proposed capacity will be 420. The number of pupils registered at the school at the census at Jan 2009 is 138. The current admission number for the school is 30 and the proposed admission number will be 60.

##### **3. PROPOSAL TO EXPAND BRUDENELL PRIMARY SCHOOL**

A prescribed alteration to Brudenell (Community) Primary School, Welton Place, Leeds, LS6 1EW from 1<sup>st</sup> September 2010.

The proposal is to expand the school from its current capacity of 239 pupils to 315 pupils, by increasing its admission limit from 40 to 45 pupils.

The school will gradually increase to its maximum capacity by taking increased reception intakes from 1<sup>st</sup> September 2010.

The current capacity of the school is 239 and the proposed capacity will be 315. The number of pupils registered at the school at the census at Jan 2009 is 204. The current admission number for the school is 40 and the proposed admission number will be 45.

##### **4. PROPOSAL TO EXPAND EBOR GARDENS PRIMARY SCHOOL**

A prescribed alteration to Ebor Gardens (Community) Primary School, Rigton Drive, Leeds, LS9 7PY from 1<sup>st</sup> September 2010.

The proposal is to expand the school from its current capacity of 210 pupils to 420 pupils, by increasing its admission limit from 30 to 60 pupils.

The school will gradually increase to its maximum capacity by taking increased reception intakes from 1<sup>st</sup> September 2010.

The current capacity of the school is 210 and the proposed capacity will be 420. The number of pupils registered at the school at the census at Jan 2009 is 197. The current admission number for the school is 30 and the proposed admission number will be 60.

##### **5. PROPOSAL TO EXPAND GREENMOUNT PRIMARY SCHOOL**

A prescribed alteration to Greenmount (Community) Primary School, Lodge Lane, Leeds, LS11 6BA from 1<sup>st</sup> September 2010.

The proposal is to expand the school from its current capacity of 343 pupils to 420 pupils, by increasing its admission limit from 45 to 60 pupils.

The school will gradually increase to its maximum capacity by taking increased reception intakes from 1<sup>st</sup> September 2010.

The current capacity of the school is 343 and the proposed capacity will be 420. The number of pupils registered at the school at the census at Jan 2009 is 313. The current admission number for the school is 45 and the proposed admission number will be 60.

#### 6. PROPOSAL TO EXPAND HIGHFIELD PRIMARY SCHOOL

A prescribed alteration to Highfield (Community) Primary School, Sandringham Green, LS17 8DJ from 1<sup>st</sup> September 2010.

The proposal is to expand the school from its current capacity of 315 pupils to 420 pupils, by increasing its admission limit from 45 to 60 pupils.

The school will gradually increase to its maximum capacity by taking increased reception intakes from 1<sup>st</sup> September 2010.

The current capacity of the school is 315 and the proposed capacity will be 420. The number of pupils registered at the school at the census at Jan 2009 is 302. The current admission number for the school is 45 and the proposed admission number will be 60.

#### 7. PROPOSAL TO EXPAND HUGH GAITSKELL PRIMARY SCHOOL

A prescribed alteration to Hugh Gaitskell (Community) Primary School, St Anthony's Drive, Leeds, LS11 8AB from 1<sup>st</sup> September 2010.

The proposal is to expand the school from its current capacity of 525 pupils to 630 pupils, by increasing its admission limit from 75 to 90 pupils.

The school will gradually increase to its maximum capacity by taking increased reception intakes from 1<sup>st</sup> September 2010.

The current capacity of the school is 525 and the proposed capacity will be 630. The number of pupils registered at the school at the census at Jan 2009 is 444. The current admission number for the school is 75 and the proposed admission number will be 90.

#### 8. PROPOSAL TO EXPAND IRELAND WOOD PRIMARY SCHOOL

A prescribed alteration to Ireland Wood (Community) Primary School, Raynel Gardens, Leeds, LS16 6BW from 1<sup>st</sup> September 2010.

The proposal is to expand the school from its current capacity of 210 pupils to 420 pupils, by increasing its admission limit from 30 to 60 pupils.

The school will gradually increase to its maximum capacity by taking increased reception intakes from 1<sup>st</sup> September 2010.

The current capacity of the school is 210 and the proposed capacity will be 420. The number of pupils registered at the school at the census at Jan 2009 is 207. The current admission number for the school is 30 and the proposed admission number will be 60.

#### 9. PROPOSAL TO EXPAND INGRAM ROAD PRIMARY SCHOOL

A prescribed alteration to Ingram Road (Community) Primary School, Brown Lane East, Leeds, LS11 9LA from 1<sup>st</sup> September 2010.

The proposal is to expand the school from its current capacity of 210 pupils to 315 pupils, by increasing its admission limit from 30 to 45 pupils.

The school will gradually increase to its maximum capacity by taking increased reception intakes from 1<sup>st</sup> September 2010.

The current capacity of the school is 210 and the proposed capacity will be 315. The number of pupils registered at the school at the census at Jan 2009 is 155. The current admission number for the school is 30 and the proposed admission number will be 45.

#### 10. PROPOSAL TO EXPAND IVESON PRIMARY SCHOOL

A prescribed alteration to Iveson (Community) Primary School, Iveson Rise, Leeds, LS16 6LW from 1<sup>st</sup> September 2010.

The proposal is to expand the school from its current capacity of 210 pupils to 315 pupils, by increasing its admission limit from 30 to 45 pupils.

The school will gradually increase to its maximum capacity by taking increased reception intakes from 1<sup>st</sup> September 2010.

The current capacity of the school is 210 and the proposed capacity will be 315. The number of pupils registered at the school at the census at Jan 2009 is 191. The current admission number for the school is 30 and the proposed admission number will be 45.

#### 11. PROPOSAL TO EXPAND MILL FIELD PRIMARY SCHOOL

A prescribed alteration to Mill Field (Community) Primary School, Potternewton Mount, Leeds, LS7 2DR from 1<sup>st</sup> September 2010.

The proposal is to expand the school from its current capacity of 258 pupils to 420 pupils, by increasing its admission limit from 45 to 60 pupils.

The school will gradually increase to its maximum capacity by taking increased reception intakes from 1<sup>st</sup> September 2010.

The current capacity of the school is 258 and the proposed capacity will be 420. The number of pupils registered at the school at the census at Jan 2009 is 191. The current admission number for the school is 45 and the proposed admission number will be 60.

#### 12. PROPOSAL TO EXPAND MOOR ALLERTON HALL PRIMARY SCHOOL

A prescribed alteration to Moor Allerton Hall (Community) Primary School, Lidgett Lane, Leeds, LS17 6QP from 1<sup>st</sup> September 2010.

The proposal is to expand the school from its current capacity of 315 pupils to 420 pupils, by increasing its admission limit from 45 to 60 pupils.

The school will gradually increase to its maximum capacity by taking increased reception intakes from 1<sup>st</sup> September 2010.

The current capacity of the school is 315 and the proposed capacity will be 420. The number of pupils registered at the school at the census at Jan 2009 is 301. The current admission number for the school is 45 and the proposed admission number will be 60.

#### 13. PROPOSAL TO EXPAND SWARCLIFFE PRIMARY SCHOOL

A prescribed alteration to Swarcliffe (Community) Primary School, Swarcliffe Drive, Leeds, LS14 5JW from 1<sup>st</sup> September 2010.

The proposal is to expand the school from its current capacity of 210 pupils to 315 pupils, by increasing its admission limit from 30 to 45 pupils.

The school will gradually increase to its maximum capacity by taking increased reception intakes from 1<sup>st</sup> September 2010.

The current capacity of the school is 210 and the proposed capacity will be 315. The number of pupils registered at the school at the census at Jan 2009 is 185. The current admission number for the school is 30 and the proposed admission number will be 45.

#### 14. PROPOSAL TO EXPAND VICTORIA PRIMARY SCHOOL

A prescribed alteration to Victoria (Community) Primary School, Ivy Avenue, Leeds, LS9 9ER from 1<sup>st</sup> September 2010.

The proposal is to expand the school from its current capacity of 318 pupils to 420 pupils, by increasing its admission limit from 50 to 60 pupils.

The school will gradually increase to its maximum capacity by taking increased reception intakes from 1<sup>st</sup> September 2010.

The current capacity of the school is 318 and the proposed capacity will be 420. The number of pupils registered at the school at the census at Jan 2009 is 316. The current admission number for the school is 50 and the proposed admission number will be 60.

#### 15. PROPOSAL TO EXPAND THORNER CHURCH OF ENGLAND (VOLUNTARY CONTROLLED) PRIMARY SCHOOL

A prescribed alteration to Thorne Church of England (Voluntary Controlled) Primary School, Kirkhills, Thorne, Leeds, LS14 3JD from 1<sup>st</sup> September 2010.

The proposal is to expand the school from its current capacity of 156 pupils to 210 pupils, by increasing its admission limit from 20 to 30 pupils.

The school will gradually increase to its maximum capacity by taking increased reception intakes from 1<sup>st</sup> September 2010.

The current capacity of the school is 156 and the proposed capacity will be 210. The number of pupils registered at the school at the census at Jan 2009 is 139. The current admission number for the school is 20 and the proposed admission number will be 30.

#### 16. PROPOSAL TO EXPAND GILDERSOME PRIMARY SCHOOL

A prescribed alteration to Gildersome (Community) Primary School, Town Street, Gildersome, Leeds, LS27 7AB from 1<sup>st</sup> September 2011.

The proposal is to expand the school from its current capacity of 210 pupils to 420 pupils, by increasing its admission limit from 30 to 60 pupils.

The school will gradually increase to its maximum capacity by taking increased reception intakes from 1<sup>st</sup> September 2011.

The current capacity of the school is 210 and the proposed capacity will be 420. The number of pupils registered at the school at the census at Jan 2009 is 201. The current admission number for the school is 30 and the proposed admission number will be 60.

#### 17. PROPOSAL TO EXPAND RICHMOND HILL PRIMARY SCHOOL

A prescribed alteration to Richmond Hill (Community) Primary School, Clark Crescent, Leeds, LS9 8QF from 1<sup>st</sup> September 2012.

The proposal is to expand the school from its current planned capacity in 2012 of 420 pupils to 630 pupils, by increasing its admission limit from 60 to 90 pupils.

The school will gradually increase to its maximum capacity by taking increased reception intakes from 1<sup>st</sup> September 2012.

The current planned capacity of the school in 2012 is 420, and the proposed capacity will be 630. The number of pupils registered at the school at the census at Jan 2009 is 173. The current planned admission number for the school in 2012 is 60 and the proposed admission number will be 90.

#### COMMENTS COMMON TO ALL OF THE PROPOSALS

Any remodeling or new buildings to support the expansions will be phased in agreement with the school to ensure sufficiency whilst minimising any temporary over capacity and disruption. They will be subject to the normal planning permission process.



## OBJECTIONS AND COMMENTS ON ALL OF THE PROPOSALS

These Notices are an extract from the complete proposals. Copies of the complete proposals can be obtained from: School Organisation Team, 9th Floor West Merrion House, 110 Merrion Centre, Leeds LS2 8DT, or from [www.educationleeds.co.uk/schoolorganisation](http://www.educationleeds.co.uk/schoolorganisation)

Within four weeks from the date of publication of these proposals, any person may object to or make comments on the proposal by sending them to The Chief Executive, c/o School Organisation Team, 9th Floor West Merrion House, 110 Merrion Centre, Leeds LS2 8DT, or to [educ.school.organisation@educationleeds.co.uk](mailto:educ.school.organisation@educationleeds.co.uk).

Signed: Sandie Keene

Title: Interim Director of Children's Services, Leeds City Council

Publication Date: Monday 22<sup>nd</sup> February 2010

## **NOTICE OF TWO LINKED PROPOSALS TO EXPAND WHITKIRK PRIMARY SCHOOL, AND ALSO TO PROVIDE COMMUNITY SPECIALIST PROVISION FOR CHILDREN WITH SPECIAL EDUCATIONAL NEEDS AT WHITKIRK PRIMARY SCHOOL**

### PART 1

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that Leeds intends to make a prescribed alteration to Whitkirk Primary (Community) School, Templegate Walk, Leeds, LS15 0EU. from 01 September 2010.

It is intended that the school will make provision for the following type(s) of special educational needs (SEN) provision that would be recognized by the local education authority as reserved for SEN pupils: Physical Disability.

The proposal is to add designated specialist provision for up to 14 children with SEN arising from physical difficulties and complex medical needs to serve the East of Leeds. Under the proposal the children will be on roll at Whitkirk Primary School.

### PART 2

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that Leeds City Council intends to make a prescribed alteration to Whitkirk Primary (Community) School, Templegate Walk, Leeds, LS15 0EU from 01 September 2010.

The proposal is to expand the school from its current capacity of 315 pupils to 420 pupils over seven years, by increasing its admission limit from 45 to 60 pupils.

The school will gradually increase to its maximum capacity by taking increased reception intakes from 1st September 2010.

The current capacity of the school is 315 and the proposed capacity will be 420. The number of pupils registered at the school at January 2009 census is 284. The current admission number for the school is 45 and the proposed admission number will be 60.

Any remodeling or new buildings to support the expansion will be planned in phases in agreement with the school to ensure sufficiency, and minimise any temporary over capacity and disruption. They will be subject to the normal planning permission process.

## OBJECTIONS AND COMMENTS ON BOTH PARTS OF THE PROPOSALS

This Notice is an extract from the complete proposals. Copies of the complete proposals can be obtained from: School Organisation Team, 9th Floor West Merrion House, 110 Merrion Centre, Leeds LS2 8DT, or [www.educationleeds.co.uk/schoolorganisation](http://www.educationleeds.co.uk/schoolorganisation)

Within six weeks from the date of publication of these proposals, any person may object to or make comments on the proposal by sending them to The Chief Executive, c/o School Organisation Team, 9th Floor West Merrion House, 110 Merrion Centre, Leeds LS2 8DT, or to [educ.school.organisation@educationleeds.co.uk](mailto:educ.school.organisation@educationleeds.co.uk).

Signed: Sandie Keene

Title: Interim Director of Children's Services, Leeds City Council

Publication Date: Monday 22<sup>nd</sup> February 2010

## **NOTICE OF TWO LINKED PROPOSALS TO EXPAND NEW BEWERLEY PRIMARY SCHOOL, AND ALSO TO PROVIDE COMMUNITY SPECIALIST PROVISION FOR CHILDREN WITH SPECIAL EDUCATIONAL NEEDS AT NEW BEWERLEY PRIMARY SCHOOL**

### PART 1

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that Leeds intends to make a prescribed alteration to New Beverley (Community) School, Bismarck Drive, Leeds, LS11 6TB from 1<sup>st</sup> September 2010.

It is intended that the school will make provision for the following type(s) of special educational needs (SEN) provision that would be recognized by the local education authority as reserved for SEN pupils: Physical Disability.

The proposal is to add designated specialist provision for up to 14 children with SEN arising from physical difficulties and complex medical needs to serve the South of Leeds. Under the proposal the

children will be on roll at New Bewerley Primary School.

#### PART 2

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that Leeds City Council intends to make a prescribed alteration to New Bewerley (Community) School, Bismarck Drive, Leeds, LS11 6TB from 1<sup>st</sup> September 2010.

The proposal is to expand the school from its current capacity of 315 pupils to 420 pupils over seven years, by increasing its admission limit from 45 to 60 pupils.

The school will gradually increase to its maximum capacity by taking increased reception intakes from 1<sup>st</sup> September 2010.

The current capacity of the school is 315 and the proposed capacity will be 420. The number of pupils registered at the school at January 2009 census is 276. The current admission number for the school is 45 and the proposed admission number will be 60.

Any remodeling or new buildings to support the expansion will be planned in phases in agreement with the school to ensure sufficiency, and minimise any temporary over capacity and disruption. They will be subject to the normal planning permission process.

#### OBJECTIONS AND COMMENTS ON BOTH PARTS OF THE PROPOSALS

This Notice is an extract from the complete proposals. Copies of the complete proposals can be obtained from: School Organisation Team, 9th Floor West Merrion House, 110 Merrion Centre, Leeds LS2 8DT, or [www.educationleeds.co.uk/schoolorganisation](http://www.educationleeds.co.uk/schoolorganisation)

Within six weeks from the date of publication of these proposals, any person may object to or make comments on the proposal by sending them to The Chief Executive, c/o School Organisation Team, 9th Floor West Merrion House, 110 Merrion Centre, Leeds LS2 8DT, or to [educ.school.organisation@educationleeds.co.uk](mailto:educ.school.organisation@educationleeds.co.uk).

Signed: Sandie Keene

Title: Interim Director Of Children's Services, Leeds City Council

Publication Date: Monday 22<sup>nd</sup> February 2010



**Agenda Item:**

**Originator: Jackie Green**

**Telephone: 247**

## REPORT OF THE CHIEF EXECUTIVE OF EDUCATION LEEDS

**EXECUTIVE BOARD: 19 May 2010**

**SUBJECT: : Response to the Children's Services Scrutiny Inquiry Report on Meadowfield Primary School**

### EXECUTIVE SUMMARY

#### 1.0 PURPOSE OF THIS REPORT

1.1 This report provides Executive Board with a summary of the recommendations from the recent Children's Services Scrutiny Inquiry into Meadowfield Primary School (reported at the Board's meeting on 10 February 2010) and summarises how Education Leeds, on behalf of the Director of Children's Services, proposes to respond to the recommendations. The report asks the Executive Board to approve the proposed response.

#### 2.0 BACKGROUND INFORMATION

2.1 In January 2009, Mike Shaw Chair of Governors at Meadowfield School requested a scrutiny inquiry into issues relating to the capital building project to deliver Meadowfield Primary School and Children's Centre in 2005, following the amalgamation of two primary schools.

2.2 Scrutiny Board appointed a working party to identify and recommend the areas of focus for the inquiry. The working party identified and the Board agreed the scope of the inquiry.

2.4 The report identifies six recommendations for action. Education Leeds, on behalf of the Director of Children's Services, has accepted these recommendations and actions are underway or planned to address them. The issues identified during the inquiry have contributed to the lessons learned in respect of the delivery of current and future capital projects.

#### 6.0 RECOMMENDATIONS

6.1 Executive Board is asked to approve the proposed responses to the Scrutiny Board's recommendations.

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**Agenda Item:**

**Originator:** Jackie Green

**Telephone:** 247 5912

**REPORT OF THE CHIEF EXECUTIVE OF EDUCATION LEEDS**

**EXECUTIVE BOARD: 19 May 2010**

**SUBJECT: Response to the Children’s Services Scrutiny Inquiry Report on Meadowfield Primary School**

**Electoral Wards Affected:**

All Temple Newsam Ward Members consulted (referred to in report)

**Specific Implications For:**

Equality & Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call-in

Not Eligible for Call-in (Details contained in the Report)

**1.0 PURPOSE OF THIS REPORT**

1.1 This report provides Executive Board with a summary of the recommendations from the recent Children’s Services Scrutiny Inquiry into Meadowfield Primary School (reported at the Board’s meeting on 10 February 2010) and summarises how Education Leeds, on behalf of the Director of Children’s Services, proposes to respond to the recommendations. The report asks the Executive Board to approve the proposed response.

**2.0 BACKGROUND INFORMATION**

2.1 In January 2009, Mike Shaw Chair of Governors at Meadowfield School requested a scrutiny inquiry into issues relating to the capital building project to deliver Meadowfield Primary School and Children’s Centre in 2005, following the amalgamation of two primary schools.

2.2 Scrutiny Board appointed a working party to identify and recommend the areas of focus for the inquiry. The working party identified and the Board agreed the scope of the inquiry would consider:

- Project Management arrangements
- The Education Leeds complaints procedure
- How relationship issues are addressed through the accountability arrangements between Leeds City Council and Education Leeds
- Fees in respect of the capital building project
- The new school playing field

2.3 The full scrutiny inquiry report is attached at appendix 1.

2.4 The report identifies six recommendations for action. Education Leeds, on behalf of the Director of Children's Services, has accepted these recommendations and actions are underway or planned to address them. The issues identified during the inquiry have contributed to the lessons learned in respect of the delivery of current and future capital projects.

### 3.0 **MAIN ISSUES**

3.1 Each of the Scrutiny Board's six recommendations is summarised below with a response from Education Leeds. The implementation of the Children's Services review will incorporate some of the processes described in the recommendations, leading to new performance management and other procedures.

#### 3.2 Recommendation One

*That Education Leeds revises its complaints procedure to incorporate a specific section for school complaints, including an appropriate third stage review process.*

Education Leeds will work within the context of Children's Services to ensure that the recommendation is incorporated into the Leeds City Council procedure.

#### 3.3 Recommendation Two

*That the revised complaints procedure referred to in recommendation 1 includes information about how a school may refer a matter such as a building project concern to the accountability arrangements between Education Leeds and Leeds City Council.*

A complaint or concern about a building related matter will be reported through the revised complaints procedure detailed above. These issues can be raised with the Chief Executive of Education Leeds at any time and with the Director of Children's Services.

#### 3.4 Recommendation Three

*That Education Leeds ensures that the amount of fees to be allocated from within each building project budget is made clear to all parties.*

This issue has already been addressed and is now part of the project management governance for a scheme.

#### 3.5 Recommendation Four

*That Education Leeds confirms the actions agreed with the school to sign off the agreed list of outstanding issues at paragraph 43, and the timetable to complete these actions.*

The Director of Learning Environments and Planning met with the Headteacher and Chair of Governors of Meadowfield School on 13 May 2009 and agreed a list

of six actions in respect of Meadowfield School. These are either completed or in the process of resolution.

3.6 Recommendation Five

*That Education Leeds benchmarks the maintenance costs at Meadowfield Primary School with other similar schools in order to assess whether they are significantly higher.*

Meadowfield Primary School provided information in January 2010 and one of the other two schools in the procurement package in February 2010. Education Leeds will scope, obtain comparative data and commence a benchmarking exercise to be completed by the start of September 2010.

3.7 Recommendation Six

*That Education Leeds reports back to the Scrutiny Board on the handover process for new school buildings and alterations to existing buildings where appropriate.*

Education Leeds expects five new build schools to be handed over by different partners, the Strategic Design Alliance (SDA) and Leeds Local Education Partnership (LEP) during 2010, 2011 and 2012, and for three major capital projects at primary schools and the Leeds West Academy to be handed over by the LEP during 2011/12. Education Leeds will report back to the Scrutiny Board on the handover process with different partners in respect of these major projects after their completion.

4.0 **IMPLICATIONS FOR COUNCIL POLICY AND GOVERNANCE**

4.1 There are no specific implications for Council Policy and Governance.

5.0 **LEGAL AND RESOURCE IMPLICATIONS**

5.1 There is no specific budget provision for any works at Meadowfield or either of the other two schools. The reimbursement of the cost of flooring at Meadowfield will be met from the general refurbishment budget.

6.0 **RECOMMENDATIONS**

6.1 Executive Board is asked to approve the proposed responses to the Scrutiny Board's recommendations.

**Background Papers**

There are no background papers relating to this report other than the Scrutiny Inquiry report included at appendix 1.

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# Scrutiny Inquiry Report

## Meadowfield Primary School

Scrutiny Board (Children's Services)  
February 2010





# Introduction and Scope

## Introduction

1. In January 2009 Mike Shaw, Chair of Governors at Meadowfield Primary School, presented a request for scrutiny to the full Board.
2. Meadowfield Primary School and Children's Centre opened in a new building in November 2005, following the merger of two Primary Schools. The Chair of governors explained that there had been a long history of dispute with Education Leeds about certain aspects of the building project.
3. In addition to presenting his request at the Board, Mr Shaw provided extensive background information regarding the history of his concerns to the Chair of the Scrutiny Board.
4. The Scrutiny Board decided that the best way to progress the request was to appoint a small working group to consider the background information provided, and then make a recommendation back to the full Scrutiny Board regarding what specific areas a scrutiny inquiry should focus on.
5. The working group met with Mr Shaw and a senior officer from Education Leeds to explore potential areas that the Board might usefully scrutinise.
6. Having reviewed the information submitted by the Chair of Governors, the working group agreed that there were a number of issues that merited further scrutiny.
7. Whilst it was agreed that the focus of any scrutiny work should be on ensuring that future relationships and responsibilities are clearly defined for

the benefit of future similar school building projects, the working group also identified two specific aspects of the Meadowfield project that members felt warranted further investigation.

## Scope of the Inquiry

8. The Scrutiny Board agreed with the working group's proposed remit for this additional work:
  - Project management arrangements for building projects, and complaints procedures for managing the relationship between schools and Education Leeds.
  - How school/company relationship issues are covered by the accountability arrangements between Education Leeds and Leeds City Council.
  - The costing of fees for the three schools project which included Meadowfield Primary School.
  - The playing field at Meadowfield Primary School.
9. The working group subsequently met on two further occasions to consider the specific aspects identified for further inquiry.



# Conclusions and Recommendations

## Project Management Arrangements

10. From our own experience as governors at schools experiencing building projects, we acknowledged that it was almost certain that there would be some snags and changes during the lifetime of a project, and that all parties needed to work together to find a satisfactory and realistic outcome, despite the disappointment and frustration we might feel at times.
11. Whilst the building of a new school offers choices about design decisions, there is also the challenge of financial limitations. As the project progresses and the specification is tightened up, costs can be more accurately identified, and choices have to be made about what can be afforded within the overall budget.
12. Officers accepted that the management of expectations from the available funding had not been well handled in this case, on the face of the evidence provided.
13. New ways of working should ensure that these issues are more clearly understood by all parties in current and future projects, with schools more closely engaged at every stage of the process.
14. A handbook was being developed for schools and governing bodies, which will set out what each partner in a Building Schools for the Future (BSF) project could expect from the others. This could usefully be extended or replicated to cover other building projects.
15. None of the improvements could guarantee that a school would be happy with all aspects of a building project, but it should ensure that they are involved in deciding the best way forward.
16. In particular, we learned that a tailored project management process, based on the widely recognised PRINCE2 system, was introduced by Education Leeds during 2006/07. This is similar to the 'Delivering Successful Change' process adopted by the Council, which is also based on PRINCE2 methodology.
17. This process should ensure that all parties including stakeholders and procurement partners have a common understanding of the following key elements of a project:
  - Organisation and governance arrangements
  - The timing of the programme and the activities to be undertaken
  - The level of responsibility, authority and accountability of those involved
18. Formal controls are built in to ensure proper communication takes place; that changes to the project are properly managed; and that risks are addressed. School projects over £2m in budget have a Project Board including the Headteacher and a governor representative.
19. The application of the project management process is also separately quality assured for each project.



# Conclusions and Recommendations

20. In particular we welcomed the commitment to improved communication and stakeholder engagement, including clarity around expectations and the scope of the project.
21. The process is based on a customer/client/supplier relationship, where the school is the customer, but Education Leeds is the client who specifies the project.
22. Education Leeds provided copies of correspondence from Bankside Primary School - a current building project – endorsing the Project Board approach and project management methodology now used by Education Leeds.
23. This correspondence highlighted how the Project Board approach had secured school and governor buy in to the process and “allowed the school to understand the complexities and challenges of project management as co-drivers in the process rather than baffled bystanders”.
24. The working group was also provided with a file of documents containing examples of the new project management process in relation to five other school building projects. Copies of reports, meeting minutes and correspondence were included to demonstrate how problems arising during the projects or the subsequent snagging period were responded to in line with these new procedures. The intention was to demonstrate an improved and systematic process for addressing such issues. Everyone agreed that such procedures should produce a much more satisfactory experience than had been the case with Meadowfield Primary School, which pre-dated their introduction.
25. Members commented on the frequency of unforeseen site issues arising once construction started, and the subsequent demands on contingency budgets. Officers confirmed that contingency budgets are usually set at a level shaped by experience and industry norms. These budgets exist to manage unplanned expenditure and to be able to respond to changes in any project specification, against agreed criteria.
26. Officers assured us that several of these examples had started to be developed before the new project management methodology had been brought in, and that the new methodology had therefore only been applied to later stages of the project. More detailed planning and investigation of potential risks now took place up front. Nevertheless, it was still a challenging area given the pressure on budgets, and the cost of changes once a design had been ‘frozen’.
27. Education Leeds officers also stressed that part of the project management process now includes proactively reviewing lessons from each individual project to be implemented in future projects.

## Complaints Procedure

28. We considered the Education Leeds complaints procedure. This is a general procedure and is available to schools as well as to individuals. However, the Chair of Meadowfield governors pointed out that schools were not able to take their complaints to the Local



# Conclusions and Recommendations

Government Ombudsman as advised in the procedure for complainants dissatisfied with the outcome of the Education Leeds stage 2 review of a complaint.

29. We agreed that, as currently written, the Education Leeds complaints procedure is not applicable to schools in the same way as an individual customer, particularly in relation to the independent stage three involving the Local Government Ombudsman, which is not a route available to a school. Schools needed a route to resolve complaints about Education Leeds, including complaints relating to building projects.

**Recommendation 1 – That Education Leeds revises its complaints procedure to incorporate a specific section for school complaints, including an appropriate third stage review process.**

## Leeds City Council/ Education Leeds Relationship

30. We received information about the accountability arrangements between Education Leeds and Leeds City Council. We were told that the framework for the accountability arrangements derives from the contract that exists between Leeds City Council and Education Leeds. Two senior council officers sit on the Board of Education Leeds and the Chief Executive of Education Leeds is a member of the council's Corporate

Leadership Team. Education Leeds is accountable for meeting certain performance targets and for delivery of relevant elements of the Leeds Strategic Plan in a similar way to departments of the City Council.

31. We were particularly concerned in this instance with how the accountability arrangements would address any relationship issues between schools and Education Leeds.
32. It was explained to us that such issues could be raised, by either party, at the monthly accountability meetings between the Deputy Director of Children's Services (formerly the Chief Education Officer) and the Chief Executive of Education Leeds. In such cases the Deputy Director of Children's Services would look to work with Education Leeds to secure a productive way forward, taking an objective view of the matter.
33. We learned that Meadowfield Primary School had been discussed at these meetings on a number of occasions dating back over several years, although Mr Shaw had not been aware of this until December 2008, when he was provided with a copy of a letter from the council's Chief Executive to the council's external auditors, KPMG, which referred to these meetings.
34. This information had been provided in response to the auditor's query about accountability arrangements following an approach from Mr Shaw about his ongoing concerns. The external auditor concluded that this was the only aspect of Mr Shaw's concerns over which he had jurisdiction, and he was satisfied with the response provided by the council.



# Conclusions and Recommendations

**Recommendation 2 – That the revised complaints procedure referred to in recommendation 1 includes information about how a school may refer a matter such as a building project concern to the accountability arrangements between Education Leeds and Leeds City Council.**

## Fees

35. The point of contention regarding fees was whether, as suggested by Mr Shaw, the school project was scaled down as a consequence of the three school scheme not having been costed to allow for professional fees.
36. Officers stated to the working group that a framework contract for consultants was set up by the City Council following formal procurement; this framework provided a consistent and fixed fee arrangement for all projects. This fixed fee was set at 10% of the budget with a further nominal allowance to include for planning permission, building control and site supervision.
37. The Chair of Governors provided correspondence from 2004 which acknowledged that a misunderstanding about whether or not figures included fees had meant that minor changes had to be made to the external design for the school, although it was stressed that none of the key features of the design had been compromised. The letter also confirmed that steps had been taken to ensure that this situation did not occur again.

38. We agreed that it was important that the documentation on building projects clarified the amount of fees to be allocated from within the budget so that all parties were clear at all stages how much funding was available for other aspects of the project.

**Recommendation 3 – That Education Leeds ensures that the amount of fees to be allocated from within each building project budget is made clear to all parties.**

## The Playing Field

39. The Chair of Governors provided extensive evidence relating to the difficulties experienced with the playing field, and the various stages in resolving the matter in order to have a field the children could safely use.
40. There was a general acceptance from officers that there were problems with the playing fields and that in hindsight more specialist advice should have been sought on the development of the playing fields, particularly with regard to the best time for planting.
41. Officers also stated that a more rigorous inspection regime for such work had now been put in place and that problems of the type experienced were now less likely to occur.
42. The working group was advised by Mr Shaw that the playing fields were now in use by children.



# Conclusions and Recommendations

## Resolving outstanding issues

43. At the working group's meeting in May, Education Leeds officers circulated a draft note of a recent meeting they had attended with Mr Shaw and the Head and Deputy Head of Meadowfield Primary School. The purpose of the meeting had been to identify all the outstanding issues that the leadership of the school had identified in relation to the building. These were:
- the high cost of annual repairs and maintenance
  - water heaters
  - vinyl floor in early years and reception
  - smells
  - window actuators
  - dead trees
44. It was agreed that Education Leeds would provide options for resolving these issues following the scrutiny working group meeting. It was clarified that this did not automatically mean that Education Leeds would pay for all changes. Mr Shaw stated that he would welcome a more positive approach as was being suggested to resolving these outstanding issues.
45. We felt that it was important for the school and Education Leeds to be able to move on from the current situation. At the same time as Education Leeds need to agree solutions to the list of outstanding issues, the school also needs to draw a line, stop adding to the list of issues being raised and take ownership of the building for itself and its community.

**Recommendation 4 – That Education Leeds confirms the actions agreed with the school to sign off the agreed list of outstanding issues at paragraph 43, and the timetable to complete these actions.**

46. Officers agreed to benchmark maintenance costs for Meadowfield Primary with other similar schools.
47. It was also acknowledged that client officers needed to ensure that they are protecting the school's long-term interests at the design stage of a building project by considering the likely future costs or savings to the school of particular design or material choices. BREEAM regulations now required a cost analysis of the building over the course of its projected lifetime. These were not in place when Meadowfield Primary School was designed.
48. It was further noted that a school would be built according to the guidelines in place at the design freeze stage, and any subsequent requirements would need to be addressed separately.
49. Nevertheless there needed to be some way of addressing a situation where a new school found itself facing significant unexpected maintenance costs. Possible solutions might include changes to the building to alleviate the impact, or a review of the school funding formula in relation to the allocation of maintenance budgets for all schools to redistribute funding.





# Conclusions and Recommendations

**Recommendation 5 – That Education Leeds benchmarks the maintenance costs at Meadowfield Primary School with other similar schools in order to assess whether they are significantly higher.**

50. Officers clarified that the ‘snagging’ period only lasts for one year from the building handover date to Education Leeds. Education Leeds officers routinely monitor faults during this period, but after this time they would only respond to reports from the school, as appropriate.
51. Officers accepted that it had taken too long to resolve some of the problems at Meadowfield. They agreed that they would consider funding the cost of the proposed new flooring as a goodwill gesture, but that this did not constitute an acceptance of liability for the underlying cause, which remained a matter of disagreement.
52. The importance of the school experiencing an effective handover, with clear manuals and training for the operation of the building was stressed. A DVD was suggested as a helpful guide for schools. Officers indicated that they were continuously reviewing the handover process. This was welcomed by the Chair of Governors and by the working group.

**Recommendation 6 – That Education Leeds reports back to the Scrutiny Board on the handover process for new school buildings, and alterations to existing buildings where appropriate.**



# Evidence

## Monitoring arrangements

Standard arrangements for monitoring the outcome of the Board's recommendations will apply. The decision-makers to whom the recommendations are addressed will be asked to submit a formal response to the recommendations, including an action plan and timetable, normally within two months.

Following this the Scrutiny Board will determine any further detailed monitoring, over and above the standard quarterly monitoring of all scrutiny recommendations.

## Reports and Publications Submitted

- Index of Meadowfield evidence – listing approximately 60 documents submitted by Mr Shaw (Please note that some of these documents are confidential)
- Education Leeds Compliments and Complaints Procedure April 2002
- Report of the Director of Children's Services – Meadowfield Primary School Review – 23 April 2009 (plus appendices)
- "3 Schools" building project – Some building concerns raised by schools
- Report of the Meadowfield Working Group – 23 April 2009
- Education Leeds Estate Management Team – Project Management Process Examples for Meadowfield Inquiry (some of these documents contain confidential information)
- Meadowfield Primary School: Scrutiny Review – Note of meeting Wednesday 13 May 2009

## Witnesses Heard

**Mr Mike Shaw, Chair of Governors, Meadowfield Primary School**  
**Jackie Green, Director of Planning and Learning Environments, Education Leeds**  
**Beverly Spooner, Principal Development Officer, Estates Management, Education Leeds**

## Dates of Scrutiny

**8 January 2009 – Request for Scrutiny presented at Scrutiny Board meeting**  
**23 February 2009 – Working Group meeting**  
**5 March 2009 – Scrutiny Board meeting**  
**23 April 2009 – Working Group meeting**  
**18 May 2009 – Working Group meeting**

**Members of working group – Councillor Ronnie Feldman (Chair), Cllr Judith Elliott, Mr Tony Britten and Mr Ian Falkingham**

**Scrutiny Board (Children's Services)  
Meadowfield Primary School Inquiry  
February 2010  
Report author: Kate Arscott**

**[www.scrutiny.unit@leeds.gov.uk](mailto:www.scrutiny.unit@leeds.gov.uk)**

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Originators: T.Butterfield /  
M. Kennard

Tel: 24 77917

**Report of the: Director of Adult Social Services**

**Executive Board**

**Date: 19<sup>th</sup> May 2010**

**Subject: Telecare Equipment for the Leeds Telecare Service 2010'11 – Capital Scheme 15989**

**Electoral Wards Affected:**

City Wide

Ward Members consulted (referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call in

Not Eligible for Call In (Details contained in the report)

**Executive Summary**

To seek Executive Board authority to release capital expenditure of £1,000,000 on Telecare equipment for the Leeds Telecare Service from April 2010 to March 2011.

The funds are required to purchase Telecare equipment to meet the demand resulting from an anticipated significant increase in requests for Telecare from assessors. This increase in requests is expected to arise from a requirement that assessors will consider the use of Telecare as a first option to support people to live independently wherever possible. Approval has been given to establish six new posts to undertake the associated significantly increased installation and related administrative tasks.

The spending of this money will be closely monitored. Staff requesting Telecare will be required to complete a form asking them to identify the services they might have had to use if Telecare had not been available. The cost of these alternative services will be calculated and compared with the cost of the Telecare package provided.

## **1. Purpose of This Report**

- 1.1 To seek Executive Board authority to release capital expenditure of £1,000,000 on Telecare equipment for the Leeds Telecare Service from April 2010 to March 2011.

## **2. Background Information**

- 2.1 Telecare is the continuous, automatic and remote monitoring of real time emergencies and lifestyle changes over time in order to manage the risks associated with independent living.
- 2.2 Sensors are placed around the home on ceilings, doors and walls or may be worn by the service user in the form of a pendant, watch or belt. Sensors include smoke detectors, flood detectors, fall sensors, medication dispensers and wandering alerts. If a Telecare sensor activates in an individual's home an alert is automatically raised to a 24 hour response centre who will maintain contact with the service user to check on their safety. Often, practical advice and reassurance is all that is required but on some occasions physical help may be needed. On these occasions the response centre staff will arrange the appropriate support by contacting the mobile response service, a family member, or if necessary an emergency service. The response centre have access to information on the service user and can identify what sensor in the home has activated to ensure the appropriate responses are arranged promptly.
- 2.3 The Preventative Telecare Grant was announced by the Department of Health in 2004 and was paid to Local Authorities in 2006. This provided the opportunity to develop Telecare services in Leeds. As a result a new service was established and significant experience and expertise has been gained.
- 2.4 From 1<sup>st</sup> April 2009 the Leeds Telecare Service has been a mainstream service funded by Leeds Adult Social Care. The current controllable budget is £526,150. Of this £100,000 is from Supporting People for the provision of the Mobile Response Service.
- 2.5 Initially the Leeds Telecare Service was run as a project overseen by a project board. The service employed two Telecare Technical Advisors (TTA). In addition to the task of equipment installation the TTA's have built up considerable knowledge and expertise, including keeping up to date with new developments, and are able to advise referrers who have identified a need, but may be unsure about the best combination of equipment. They work closely with equipment providers including trialing new equipment and in some instances providers have accepted their suggestions about how equipment can be improved. These posts have now been made permanent.
- 2.6 In December 2008 a report was provided to the Adult Social Care Directorate Management team which outlined the work of the Telecare team, and provided the justification for the Telecare team to attract mainstream funding after the Preventative Technology grant expired.
- 2.7 The main financial justification for the Telecare team to attract mainstream Adult Social Care funding, was the savings that Telecare equipment could make to other care budgets.
- 2.8 The justification was produced by asking Occupational Therapists to outline the likely 'Alternative Outcome' that would have occurred in the absence of Telecare for

each recipient of Telecare equipment. The alternative outcome might have been that the service user would have required residential care or additional Home Care hours for example.

- 2.9 Although there is no way of telling whether or not the Alternative Outcomes would have actually occurred or not, the findings indicated that providing telecare services would often result in different longer term care plans for customers.
- 2.10 For every week that someone is kept out of Residential Care for example, the department would save approximately £115. If Telecare equipment helped to keep a service user out of residential care for a year then this place would be freed up for an additional customer, thus reducing pressures on service purchasing budgets for residential care.
- 2.11 Similarly for every Home Care hour that is saved per week as a result of Telecare, the Department will have £424 worth of reduced expenditure pressures on home care services in the first year and £754 per year after that.
- 2.12 In setting a budget for 2010/11 it was identified that because telecare services were likely to reduce pressure on other services, the increased cost to the department from the mainstreaming of the Telecare service would be more than offset by reductions in the pressures on the Residential Care and Home care service purchasing budgets.
- 2.13 The Telecare Service is continuing to gather information / evidence about the benefits of Telecare provision from both quality and cost effectiveness perspectives.
- 2.14 As Telecare in Leeds developed it became apparent that the TTAs needed full time administrative support. Also that another member of staff whose sole job would be equipment installation would help the service meet the ever increasing demand for Telecare. The establishment of these posts was agreed in June 2009.
- 2.15 Notwithstanding the need to respond to additional demand created by the directives for assessors, the level of activity has been increasing significantly of late. Thus, even without a particular approach designed to increase take up, increased resources would be required as awareness of the existence of Telecare and what it can achieve increases.

### **3. Main Issues**

- 3.1 As stated, the plan is to further stimulate demand for Telecare via a process of increased promotion and training but, in particular, by requiring assessors to consider the merits of using Telecare to support people to remain living independently in all cases.

### **4. Implications for Council Policy and Governance**

- 4.1 There are no implications for either Council Policy or Governance.

5. **Legal and Resource Implications**

5.1 The following table gives details of where in the budget the £1,000,000 would be placed.

Previous total Authority to Spend on this scheme	TOTAL £000's	TO MARCH 2009 £000's	FORECAST				
							2013
			2009/10 £000's	2010/11 £000's	2011/12 £000's	2012/13 £000's	on £000's
Land (1)	0.0						
Construction (3)	0.0						
Furn & eqpt (5)	0.0						
Design fees (6)	0.0						
Other costs (7)	0.0						
<b>Totals</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2009 £000's	FORECAST				
							2013
			2009/10 £000's	2010/11 £000's	2011/12 £000's	2012/13 £000's	on £000's
Land (1)	0.0						
Construction (3)	0.0						
Furn & eqpt (5)	1,000.0		1,000.0				
Design fees (6)	0.0						
Other costs (7)							
<b>Totals</b>	<b>1,000.0</b>	<b>0.0</b>	<b>0.0</b>	<b>1,000.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2009 £000's	FORECAST				
							2013
			2009/10 £000's	2010/11 £000's	2011/12 £000's	2012/13 £000's	on £000's
LCC Funded Borrowing	3,100.0		1000.0	700.0	700.0	700.0	
Total Funding	3,100.0	0.0	0.0	1,000.0	700.0	700.0	700.0
<b>Balance / Shortfall =</b>	<b>2,100.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>700.0</b>	<b>700.0</b>	<b>700.0</b>

Parent Scheme: Telecare  
15989/000/000



## 5.2 Revenue Effects

	2010'11 £000's	SUBSEQUENT YEARS £000'S
Deffered Charge -Write Off	1000.0	

## 6. Conclusions

- 6.1 The provision of additional capital funding alongside the establishment of, and subsequent recruitment to, the additional post will enable the Leeds Telecare Service to meet the anticipated increase in demand.

## 7. Recommendations

- 7.1 That the Executive Board authorise capital expenditure of £1,000,000 for the Leeds Telecare Service from April 2010 to March 2011.

## 8. Background Documents

Delegated Decision Report: to create six new posts for the Leeds Telecare Service'

Report to Directorate Management Team December 2008

Delegated Decision Report: 'Proposal to create two new posts for the Leeds Telecare Service' – agreed 11<sup>th</sup> June 2009

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Originator: John Lennon

Tel: 0113 2478665

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## Report of the Director of Adult Social Services

### Executive Board

Date: 19 May 2010

### Subject: Scrutiny Board (Adult Social Care) Inquiry on Self Directed Support and Personal Budgets

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#### Electoral Wards Affected:

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

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## Executive Summary

This report provides the Executive Board with details of the recommendations from the recent Adult Social Care Scrutiny Board inquiry into Self Directed Support and Personal Budgets, and details how the Director proposes to respond to these. The report asks the Board to approve the proposed response.

### 1.0 Purpose of Report

1.1 The purpose of this report is to provide the Executive Board with the response of the Director of Adult Social Services to the recommendations resulting from the Scrutiny Board (Adult Social Care) inquiry into Self Directed Support and Personal Budgets.

### 2.0 Background

2.1 At its meeting on 8 October 2008, the Executive Board received an update on the work undertaken in Leeds to prepare for the personalisation agenda, since the publication of the concordat "Putting People First" in December 2007. At that meeting, the Executive Board resolved that the Scrutiny Board (Adult Social Care) be requested to monitor progress of the personalisation agenda.

2.2 The inquiry commenced in the 2008/9 municipal year, and consisted of eight working group sessions, the presentation of written information and feedback from individuals who have been involved in the pilot of Self Directed Support in Leeds. On 17 March

2010, the report resulting from the Inquiry into Self Directed Support and Personal Budgets was published.

- 2.3 The report makes nine recommendations for action. The Director of Adult Social Services has accepted these recommendations and actions are underway or planned to address them. Progress will be monitored by the board as part of its regular recommendation monitoring activity.

### **3.0 Recommendations**

- 3.1 This section lists each of the Scrutiny Board's nine recommendations, along with a response from the Director of Adult Social Services.

#### **3.2 Recommendation One:**

*That the Director of Adult Social Services ensures best practice guidance, the requirement for a single assessment process and feedback from service users continue to be considered to improve the structure and composition of the Self Directed Assessment Questionnaire which will aid completion and remove barriers for service users.*

This recommendation is agreed. Business Change resource will remain allocated to Self Directed Support until, and after, full implementation in order to monitor progress and feedback, and make further improvements to systems, processes and documentation including the Self Directed Assessment Questionnaire. This will include review of best practice guidance and feedback from service users. In terms of developing a single assessment process, we are continuing to work with our partners to further develop this documentation, make such changes as are required from time to time and extend its use through the health and voluntary sector. This work will continue, led through an interagency working group.

#### **3.3 Recommendation Two:**

*That the Director of Adult Social Services updates the Adult Social Care Scrutiny Board (or its successor board) on the resource impact of Self Directed Support and the capacity to provide timely case assessments and reviews for service users within the constraints of current or planned staffing structures. This information is to be provided in conjunction with the quarterly performance report.*

This recommendation is agreed. Extensive monitoring of the uptake and impact of Self Directed Support is being undertaken on an ongoing basis, including the time taken by front line staff to complete assessment and support planning processes with service users. In addition, performance against National Indicators 132 and 133 (timeliness of assessments and service provision) is captured and monitored on an ongoing basis. The Director of Adult Social Services will provide the Adult Social Care Scrutiny Board with information as to performance in this area in conjunction with the quarterly performance report.

#### **3.4 Recommendation Three:**

*That the Director of Adult Social Services ensures the support functions utilised by customers (provided either directly or commissioned by Leeds City Council) are adequately skilled to overcome the barriers of understanding that may prevent access to Self Directed Support.*

This recommendation is agreed. The department recognises the importance of ensuring Self Directed Support is accessible to all, so that all individuals may exercise increased choice and control. In addition, we are aware of the cultural and language difficulties that may cause difficulties for some individuals going through the assessment and support planning processes.

In order to mitigate against this, all documentation can be made available in different languages, in line with the corporate policy which states that translations can be produced on request, in cases where providing an interpreter will not meet the service user's need. Translation and interpreting services are available through the council's Central Interpreting and Translation Unit (CITU), including British Sign Language interpretation, and are utilised as needed. ASIST, who are commissioned to provide help and guidance to service users throughout the process, also provide interpreters through CITU whenever this is needed. In addition, various members of the ASIST team speak Punjabi, Putwari, Urdu, Miirpuri and Polish, and two have been trained to Level 2 British Sign Language.

In all cases, gender specific staff can be provided if required, and extra time and meetings can be provided for anyone who needs more time to fully understand the information and advice provided, for example, people who have learning difficulties and/or mental health issues. Workers will always consult and involve family members, friends and advocates if a service user wants this, and arrange meetings in a venue of the service user's choice.

### 3.5 Recommendation Four:

*That the Director of Adult Social Services reviews the Representations Process before October 2010, to incorporate clearly defined timescales in which a disagreement regarding funding allocations would aim to be resolved. In addition the rights of the individual to request a review by the Representations Panel should be stressed and clearly communicated during the assessment/review process.*

This recommendation is agreed. In the case of a disagreement regarding funding, or any other element of the process, the aim is to ensure early resolution through discussion between the service user, their care manager and the relevant team manager. If necessary, the matter can then be escalated through the line management structure to Head of Service, and an independent assessment can be commissioned if required. In addition to this, Adult Social Care has a representations process, which was developed when the FACS (Fair Access to Care) reviewing process was implemented, and allows cases to be considered by a panel of managers. The Directorate is currently reviewing this arrangement, alongside processes for dealing with disputes around risk (see recommendation six), to ensure any representation can be considered and resolved in an effective and timely manner. This review will be completed by July 2010. It should be noted that service users can also access the formal complaints procedure at any time; the timescales for response in such cases are currently under review

### 3.6 Recommendation Five:

*That the Director of Adult Social Services updates the Adult Social Care Scrutiny Board (or its successor board) on a quarterly basis on the budgetary impact of Self Directed Support and financial pressures created throughout the municipal years 2010/11 and 2011/12.*

This recommendation is agreed. Extensive monitoring of the uptake and impact of Self Directed Support is being undertaken on an ongoing basis, including the budgetary impact. The Director of Adult Social Services will provide the Adult Social Care Scrutiny Board with information about this and any related financial pressures, throughout 2010/11 and 2011/12.

3.7 Recommendation Six:

*That the Director of Adult Social Services reviews the current procedure for resolving risk disputes before October 2010, to empower the service user with the right to request their case be reviewed in accordance with a defined time process and also provides the opportunity for the service user to make representation.*

This recommendation is agreed. Scrutiny Working Group received a report regarding the new risk management policy, which applies across all assessment and care management functions, as part of their inquiry. This policy and associated risk screening and risk management tools is currently being piloted, and will be rolled out from April 2010. In addition to this, and linked to the review of the overall representations process, work is being undertaken to ensure any disputes over risk can be resolved in an effective and timely manner. Further reports will be provided to Scrutiny as this concludes.

3.8 Recommendation Seven:

*That the Director of Adult Social Services updates the Adult Social Care Scrutiny Board (or its successor board) on performance against NI 130 on a quarterly basis in conjunction with the quarterly Performance Monitoring Report.*

This recommendation is agreed. Robust monitoring procedures are already in place to capture performance against NI130, and the Director of Adult Social Services will provide the Adult Social Care Scrutiny Board with information as to performance in this area in conjunction with the quarterly performance report.

3.9 Recommendation Eight:

*That the Director of Adult Social Services delivers a targeted campaign before December 2010 aimed at older people to raise awareness and to promote the benefits of Self Directed Support.*

This recommendation is agreed. Adult Social Care recognises that older people have been under-represented during the pilot of Self Directed Support, and are seeking to address this during Phase One of the implementation, which takes place from April to July 2010. Staff are being encouraged to discuss and promote Self Directed Support with older people, through reviews with existing service users and initial discussions with new service users.

Significant work has already been undertaken in terms of communications around self directed support, including the development of promotional material, and consultation with a wide range of stakeholders. This will continue in terms of both universal communications, aimed at all service users, potential service users and the general public, and targeted campaigns aimed at specific groups. One such group will be older people, and staff are currently considering how best this can be achieved, through the use of publications such as the About Leeds paper, and work with a wide range of partners and stakeholders including The Alliance of Service Users and Carers and the

Neighbourhood Networks. The Director of Adult Social Services will provide an update to Scrutiny regarding the strategy and subsequent campaign.

### 3.10 Recommendation Nine:

*The Director of Adult Social Services makes necessary provision to ensure individual support plans clearly identify the short term and emergency back up arrangements should a breakdown in care occur. Arrangements should be stressed and clearly communicated to those in receipt of Self Directed Support and where appropriate to carers and family members.*

This recommendation is agreed. The finalised version of the support plan template includes a section entitled 'How I will manage my life/care/budget if things go wrong', which ensures that short term and emergency back up arrangements are clearly identified.

In addition, the support plan policy makes clear that:

"The support plan should also include a costed contingency plan and describe what will happen if an anticipated risk occurs, e.g. a carer being unavailable. Minimum levels of care/ support should be identified together with plans for how these will be met".

Further, guidance for staff and managers states that:

"Support plans will not be agreed unless all identified risks have clear, robust and agreed plans in place to manage those risks, as well as agreed contingency plans".

This management oversight will ensure that any proposed plans are in place and viable. Arrangements and plans will be discussed and agreed with service users, carers and family members prior to the plan being submitted for approval, and copies provided for reference, which will include all contingency measures.

## **4.0 Implications for Council Policy and Governance**

4.1 There are no immediate implications for Council Policy and Governance.

## **5.0 Legal and Resource Implications**

5.1 The recommendations will be resourced from within existing Adult Social Care staffing and budgets, and funding is secured within the approved budget for 2010/11.

## **6.0 Conclusions**

6.1 The Adult Social Care Scrutiny Board inquiry into Self Directed Support and Personal Budgets has identified some important learning for Adult Social Care as it continues to implement the Putting People First agenda. The recommendations it makes will help the service to strengthen practice and enable the Scrutiny Board to monitor progress in this area. The actions proposed in response to these recommendations will ensure that this is the case, and that work with staff and service users relating to Self Directed Support and Personal Budgets is taken forward effectively in the future.

## **7.0 Recommendations**

7.1 Members are requested to approve the proposed responses as outlined in this report.

**Background Papers** -There are no specific background papers relating to this report

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# Scrutiny Inquiry Report

## Self Directed Support and Personal Budgets

Scrutiny Board – Adult Social Care  
17<sup>th</sup> March 2010

# **Scrutiny Inquiry Final report Self Directed Support and Personal Budgets.**

**17<sup>th</sup> March 2010**



# Introduction and Scope

## Introduction

1. At its meeting on 8 October 2008, the Executive Board received an update on the work undertaken in Leeds to prepare for the personalisation agenda, since the publication of the concordat "Putting People First" in December 2007. At that meeting, the Executive Board resolved that the Scrutiny Board (Adult Social Care) be requested to monitor progress of the personalisation agenda.
2. The concordat outlined the vision and direction for the development of adult social care services in the future and summarised the main issues to be addressed by all Local Authorities if they are to deliver successful change. We acknowledge that the need to modernise social care services is essential to facilitate the provision and funding of a more flexible service, which in turn will enable people to have more choice and control over their care services.
3. One of a number of initiatives contributing to service transformation is Self Directed Support (SDS) and personal budgets. Throughout this inquiry we have gained an insight into the significant level of change required in the way assessment and care management should be delivered by the council and our partners.
4. To assist the Adult Social Care Scrutiny Board in monitoring progress of the personalisation agenda, in line with the Executive Board request, the Scrutiny Board requested that a scoping paper be presented for discussion. An initial scoping discussion was held at the Proposals Working Group meeting on 12 December 2008. The working group agreed to focus on the following areas:
  - The common assessment framework;
  - Resource allocation system
  - Progress of the early implementer project.
5. Terms of reference for this inquiry were agreed at our Board meeting on the 7<sup>th</sup> January 2009 and further updated terms were agreed on the 29<sup>th</sup> July 2009.
6. We considered the best approach for carrying out this inquiry and concluded that by establishing a personalisation working group we would have the capacity to undertake the inquiry in greater detail. The members of the working group were:

Cllr Judith Chapman - Chair  
Cllr Stuart Andrew – until 21/05/2009  
Cllr Suzie Armitage- until 21/05/2009  
Cllr Penny Ewens  
Joy Fisher  
Sally Morgan  
Cllr Alan Taylor – until 16/11/2009  
Cllr James McKenna – from 17/06/2009  
Cllr Vonnie Morgan – from 17/06/2009  
Cllr Valerie Kendall – from 29/07/2009
7. Throughout the inquiry the working group regularly reviewed the terms of reference and where necessary introduced other areas for consideration to facilitate a thorough inquiry into this complex area.
8. This inquiry commenced in the 2008/9 municipal year. The modernisation of Adult Social Care is a long term change programme of which Self Directed Support is a major influential factor. Due consideration of evidence has taken place over a ten month period during



# Introduction and Scope

which we have witnessed the evolution of the Early Implementer Pilot project and the many benefits that a personalised budget can bring to an individual wishing to have more choice and control over the services they wish to receive.

9. We feel it is important to recognise the roles and responsibilities which the Adult Social Services Department has for the delivery of Self Directed Support and Personal Budgets. We also feel it is important to recognise the significant work already undertaken and which continues on a daily basis to further develop and deliver this objective.
10. At the time the inquiry was undertaken the provision of Personal Budgets were due to become a mainstream service in April 2010. Subsequently the Early Implementer Pilot project has been extended to invite under represented groups to join such as Older People and Mental Health Service Users. Personal Budgets will now be offered to the wider public including all new customers from July 2010. The cultural and transformation change for Adult Social Services and partners will continue to evolve long after this date. In addition lessons can still be learnt from projects such as the Early Implementer Pilot and feedback can be obtained and evaluated from service users and experts.
11. We are very grateful to everyone who gave their time to participate in this inquiry and for their commitment in helping us to understand, review and monitor this area.

## Scope of the Inquiry

12. Recognising the range of stakeholders involved and responsible for the delivery and success of Self Directed Support, we received a range of evidence both in written and verbal form from the following:
  - Officers from Adult Social Services
  - Experts by Experience
  - Personal Assistants
  - Peer Support Group
13. The Experts by Experience who joined us provided a valuable insight into their involvement in the Early Implementer Pilot. During one session we asked 'What change if any has a personal budget made to your life?' We did not truly appreciate until this point that enabling a person to control their social care investment can add significant value and enjoyment when doing things in life which most of us take for granted.

'I can't wait to have a Personal Assistant to help me to look after my grandson. This will also give my husband some respite and also enable me to visit places such as art galleries or attend poetry readings.'

'I am looking forward to being able to go to the quiz night, which was something I previously enjoyed doing. I like to go out and about, a personal assistant will help me to do this.'



# Introduction and Scope

14. The inquiry consisted of eight working group sessions, the presentation of written information and feedback from individuals who are involved in the pilot, provide care and support to those in receipt of a personal budget or provide peer support. Further information relating to each of these sessions is detailed at the end of this report.
15. In order to promote our level of understanding we were advised about Leeds City Council's vision to transform Adult Social Care Services to incorporate a system of Self Directed Support at the very beginning of the inquiry.



# Conclusions and Recommendations

## Introduction

16. During the course of this inquiry we conducted investigations into many aspects of Self Directed Support. The focus of our conclusions and recommendations is predominantly on those aspects which we felt required attention and does not reflect every aspect of the inquiry itself.

17. A very timely and important report was provided to us at the latter end of the inquiry, the Phase 1 Early Implementer Evaluation Report. This encompassed the views of an evaluation team which comprised of Audit, an Expert by Experience and a Consultant who focused on the following areas

- Self Directed Assessment Questionnaire
- Resource Allocation System
- Support Planning
- Accessing Budget
- Organising Support
- Review

18. Five high priority areas highlighted in the report caused us significant concern particularly around budgets and financial management. We welcome this report as it specifies defined areas for improvement and also supports some of the conclusions determined by the Adult Social Care Scrutiny Board.

## Case Assessment and Review

19. A fundamental part of the assessment process is the completion of an assessment questionnaire which enables the service user to quantify the

scope and range of personal care they require.

20. We were advised that the format of the Self Directed Assessment Questionnaire (SDAQ) is based on forms produced by other authorities, also taking advice from 'In Control' (supports local authorities to deliver SDS) and those users who had completed the SDAQ.

21. The second version of the SDAQ was presented to us and the Experts for discussion. It was acknowledged that version two of the form reflected considerable improvement in structure and simplicity however we consider that Part B would still be difficult to quantify.

22. We were concerned that it would be very difficult for many people to express a situation or a way of life on paper. The Experts advised us that they would not be able to fill the form in on their own and would have to seek assistance from parents, friends or associates. One Expert added that both she and her husband are articulate, literate people and it took two hours to complete the form. Subsequently the Care Manager still found inconsistencies, which highlighted how arduous the form is to complete.

23. We are acutely aware that service users are routinely required to provide repetitive information when applying for local authority or NHS support. We were determined to identify what steps were being taken to minimise this. We were informed that a single assessment process should be in place across health and social care in Leeds. It is acknowledged that further attention is required to the whole process of assessment to ensure that all those



# Conclusions and Recommendations

wishing to access Social Care or Health Services can do so by going through one assessment process, which we welcome.

**Recommendation 1 – That the Director of Adult Social Services ensures best practice guidance, the requirement for a single assessment process and feedback from service users continue to be considered to improve the structure and composition of the Self Directed Assessment Questionnaire which will aid completion and remove barriers for service users.**

24. We are aware that services users are not left to their own devices when completing the SDAQ and that care manager support is provided over an average of two visits. Once a support plan is in place there is a requirement for this to be reviewed, which includes a spending audit. A review will be conducted 3 months after the first assessment followed by regular reviews which in most cases will be annually.
25. Leeds City Council Care Managers involved in the process may recommend that a review is undertaken at more regular intervals where necessary, particularly if there is a concern about an individual's ability to manage their own budget. The Experts added that it is essential that there is input from both a Care Manager and Carer(s) when filling out the questionnaire to ensure that all aspects of care are covered realistically and that forms are filled in correctly.
26. We expressed apprehension about the high demand for local authority care manager support required to complete the SDAQ and support plans, which the

Experts and ourselves consider to be fundamental. We are further concerned that there will be a substantial requirement for this resource intensive service from July 2010 onwards, when the number of service users will significantly increase. At the time of the investigation it was not possible to accurately quantify the resource impact personal budgets would have on care manager resources once the service is extended to the wider public.

**Recommendation 2 – That the Director of Adult Social Services updates the Adult Social Care Scrutiny Board (or its successor board) on the resource impact of Self Directed Support and the capacity to provide timely case assessments and reviews for service users within the constraints of current or planned staffing structures. This information is to be provided in conjunction with the quarterly performance report.**

27. Self Directed Support should be accessible to all in order to enable people to choose services in line with their preferences and improve quality of life. We determined that other sectors of the community may struggle to complete the SDAQ due to language barriers making it difficult for service users to define their own needs.
28. We were advised that the department is aware of the cultural and language issues that may cause difficulties and that the questionnaire can be produced in different languages upon request. However this is only part of the assessment process as service users cannot complete forms unaided. We therefore feel it important that provision is made to deliver support which is



# Conclusions and Recommendations

adaptable and sufficiently skilled to communicate in different languages, including sign language, to enable the competition of the SDAQ.

**Recommendation 3 – That the Director of Adult Social Services ensures the support functions utilised by customers (provided either directly or commissioned by Leeds City Council) are adequately skilled to overcome the barriers of understanding that may prevent access to Self Directed Support.**

## The Resource Allocation System (RAS), Financial Management and Value for Money.

29. We were advised that The Resource Allocation System is an Adult Social Services tool for calculating the allocation of money to service users so that they can have greater levels of choice and control over the services they receive.

30. The resource allocation system uses a points system which determines how much money is allocated based on a persons completed questionnaire (SDAQ). The SDAQ is point scored and funding is allocated on a pounds per point basis. The RAS has been accurate in calculating a personal budget in 80 – 90% of cases. Where an individual has complex needs an alternative method of calculation was being utilised.

31. Local Authorities in general have developed their own RAS. We were advised however of the potential development of a national RAS which should create consistency. It is evident to us however that this will not remove disparity in funding between different authority areas whilst financial support is provided from Adult Social Services budgets which are within the control of the local authority.

32. We acknowledge that the RAS was being trialled throughout the inquiry in order to iron out anomalies. A contingency is in place to minimise detrimental impact however we were concerned by the Internal Audit findings, as detailed in the Early Implementer Report, which specified that there is a significantly high level of human error when inputting information and questioned if the calculation process is open, transparent and fair. We were reassured that no one taking part in the Early Implementer pilot is being disadvantaged financially, however we expect further work to be undertaken to rectify the significant issue raised.

33. We sought clarity to identify what system is in place should the service user disagree with the resource allocated. We were dissatisfied by the absence of a clear and defined time period for the convening of the Representations Panel. We believe that the documented process should be clearly time defined to remove uncertainty for employees, service users and carers. Those going down the Self Directed Support route should have access to information which advises them of the process in the event of a disagreement.





# Conclusions and Recommendations

**Recommendation 4 - That the Director of Adult Social Services reviews the Representations Process before October 2010, to incorporate clearly defined timescales in which a disagreement regarding funding allocations would aim to be resolved. In addition the rights of the individual to request a review by the Representations Panel should be stressed and clearly communicated during the assessment/review process.**

34. It is acknowledged that the modernisation of the Social Care system in this country will generate significant challenges ahead and to generate funding for personal budgets it is necessary to release funds by reconfiguring existing services.
35. At the time evidence was presented to us 21 budgets had been assessed, however we were very concerned there was a £55,449 cost increase when compared to the previous care packages provided. We appreciate that the majority of the increase was attributable to 3 specific atypical cases. However, this significant increase, factored with the requirement to substantially amplify the number of service users in receipt of self directed support, raises considerable concerns around affordability particularly with the current economic pressures faced by Leeds City Council. Our concerns are echoed in the Early Implementer Evaluation report.
36. It is evident that choice and control cannot be delivered at any cost, particularly when there is a finite budget

to work within. We are aware of the potential significant financial pressures that could be created during this transitional period of change, and that a careful balance of expenditure on traditional care services and Self Directed Support will need to be carefully managed to minimise financial risk and ensure service sustainability.

37. An action plan has been put in place to rectify and remove some of the concerns raised from the evaluation, including the budget and financial planning concerns. We have determined however that this area should be closely monitored by the Adult Social Care Scrutiny Board.

**Recommendation 5 – That the Director of Adult Social Services updates the Adult Social Care Scrutiny Board (or its successor board) on a quarterly basis on the budgetary impact of Self Directed Support and financial pressures created throughout the municipal years 2010/11 and 2011/12.**

## The Risk Enablement Framework and Safeguarding.

38. During a number of working group sessions we have expressed our concern about obtaining the right balance between choice and control and the potential for increased risk to the service user. We also expressed our reservations about the inconsistencies in the freedoms for an individual to spend their budget on what they deem appropriate and the authority view on what is appropriate. We were advised



# Conclusions and Recommendations

an individual has the right to choose how they spend their budget within an acceptable and agreed level of risk.

have been made. If problems are identified then an assessment review is undertaken.

39. Some activities may seem initially to have little apparent social care benefit, the example given was the purchase of a season ticket for the football. However, on reflection activities such as this can be therapeutic, provide social interaction for the individual and provide some respite for main carers. The Early Implementer Evaluation Report specifies that there should be a Support Plan Policy which defines the types of support which are acceptable/not acceptable and offers clear guidance to care managers and service users. We agree that this policy is fundamental and necessary to provide clarity to service users and those employed to deliver care and support.

42. It was stated to us that accountability in risk management needs to be embedded to ensure that front line staff feel confident to make judgments and remain accountable for decisions made without the need for escalation. We hope that this is implemented successfully in order to minimise unnecessary delays in the assessment process.

40. A copy of the draft risk policy was presented to us which defines how risk is identified and how this can be managed at an acceptable level. It was explained to us that risk cannot be completely eliminated without removing an individual's choice and control and that risk taking is inevitable and a part of every day life. However, service users who wish to utilise a personal budget will undergo a risk assessment to make sure risk is reduced to an acceptable level ensuring adequate safeguarding arrangements are put into place.

43. We were keen to identify what recourse the service user would have if there was a disagreement about the acceptable level of risk. We were advised that if no agreed strategy to reduce risk to an acceptable level can be found, and the service user wishes to proceed, then referral to a manager will be required. Where this step fails a manager may refer the case up the line management structure to an appropriate senior manager, who will assist in a final decision as to whether the organisation is willing to accept the risk or not. Potentially the matter could be escalated to the Local Authority Ombudsman.

41. We were reassured that funding is not released before an agreed support plan has been seen which includes identification and analysis of risk. Such risk assessments are monitored to ensure that everything is operating within the known boundaries and to guarantee that the correct decisions

44. We have determined that there is a level of ambiguity about this method of resolution with regard to time scales. It is in the interest of the service user to be able to request that disputes be dealt with in a structured and time defined manner, an example being the Representations Procedure (with reference to recommendation 4). The process should be clear and transparent, particularly as monies will not be released until such time as a care plan is agreed.



# Conclusions and Recommendations

**Recommendation 6 – That the Director of Adult Social Services reviews the current procedure for resolving risk disputes before October 2010, to empower the service user with the right to request their case be reviewed in accordance with a defined time process and also provides the opportunity for the service user to make representation.**

## Performance Management and Reporting Mechanisms

45. The Department of Health has stated that local authorities must have a minimum of 30% of users, who are eligible for community based support, using Self Directed Support by the 31<sup>st</sup> of March 2011 to ensure a good performance rating. National Indicator 130 measures the number of adults, older people and carers receiving self-directed support (personal budget or a direct payment) in the year to 31<sup>st</sup> March as a percentage of clients receiving community based services and carers receiving carer's specific services aged 18 and over.

46. We have been reassured that Leeds City Council will achieve 15% by 31<sup>st</sup> March 2010 initially and 30% by 2011.

**Recommendation 7 – That the Director of Adult Social Services updates the Adult Social Care Scrutiny Board (or its successor board) on performance against NI 130 on a quarterly basis in conjunction with the quarterly Performance Monitoring Report.**

## Stakeholder Engagement, Communication and Consultation.

47. We were reassured by the presentation of the Communications Strategy which clearly defined the planned promotion of the service and engagement with stakeholders. Published flyers, booklets and the most recent newsletter were exhibited to us. In addition we were advised of awareness raising media planned for production.

48. We stated that I.T. based assistance will be of no benefit for those without I.T. skills however we were reassured that quality information would be provided in both hard copy and online and that hard copy information would be bespoke to suit the users needs, i.e. large print or Braille.

49. Experience has unfortunately led us to the conclusion that information is not always in adequate supply or properly displayed and we feel it is important to stress that hard copy information should be readily available at all our publicly accessible buildings.

50. It was reported to us that all those taking part in the pilot are doing so voluntarily. We were advised that there is an under representation of older people and mental health service users and that steps have already been taken to employ a temporary specialist mental health worker to work with the Early Implementer team to encourage take up from those who have mental health support needs. We are aware that as part of the overall Self Directed Support



# Conclusions and Recommendations

Communications Strategy a range of communications materials will be produced to target specific groups including existing and potential service users and different stakeholder groups as appropriate.

51. We consider that the pilot would have benefited from the inclusion of older service users, and welcome the news that the project will be extended until the end of June 2010 to provide the opportunity for inclusion. We appreciate the benefit of general communication to the public initially in order to reach the wider audience but once the focus becomes specific this stakeholder group should be prioritised in order to promote take up and feedback.

**Recommendation 8 – That the Director of Adult Social Services delivers a targeted campaign before December 2010 aimed at older people to raise awareness and to promote the benefits of Self Directed Support.**

## Brokerage Services and the Pathways to Establishing and Managing Support.

52. Brokerage involves assisting people who have personal budgets or who fund their own services by finding out what options are available or providing information (signposting). It can also involve giving technical advice, encouraging and developing informal support, coordinating support and resources, helping manage obligations and

responsibilities in relation to budgets and more importantly making things happen.

53. This facilitating function covers a wide range of individuals, such as friends or family, and organisations who provide help. This function is not restricted to specialised independent support organisations. We found it encouraging that progress has been made for Leeds Centre for Integrated Living to provide an external brokerage function in addition to that provided by council care managers.
54. Representatives from the Peer Support Group provided an overview of their role in giving assistance to those who manage their own social care services. In order to provide an effective service across Leeds a dedicated phone line was established which became operational on the 1<sup>st</sup> of June 2009. Interestingly they advised us that the majority of callers were from the older community, 50% aged 70+. A website was also in construction to enable internet access to information.
55. It was evident that the employment of staff to enable flexibility in conducting every day events or social activities was a very important factor to the experts, particularly the employment of Personal Assistants. We were interested to identify what assistance would be provided in helping a service user employ the right person and was advised that ASIST can provide valuable help (ASIST = Leeds City Council's Actively Seeking Independence Support Team, part of the Leeds Centre for Independent Living). It is also strongly recommended that people take up Criminal Record Bureau checks which ASIST will facilitate, however it is up to



# Conclusions and Recommendations

the individual to decide if this is necessary. There are circumstances where the potential employee may be a long and trusted friend or relative.

56. When discussing the potential for a breakdown in care arrangement we asked the experts if they would know where to go if they needed assistance or support. Unfortunately they were not aware of the help available to them should this occur and assumed that they would have to call on friends and family to provide the emergency care they needed. We were advised that if there was a problem long term with support arrangements this would trigger a care review.

**Recommendation 9 – The Director of Adult Social Services makes necessary provision to ensure individual support plans clearly identify the short term and emergency back up arrangements should a breakdown in care occur. Arrangements should be stressed and clearly communicated to those in receipt of Self Directed Support and where appropriate to carers and family members.**

57. We are concerned that there may not be sufficiently trained personal assistants in the market place to meet the demand that Self Directed Support will create, particularly to provide emergency support, and consider that Leeds City Council has a clear responsibility in helping to shape the market.

## Partnership Working, Commissioning and Social Enterprise.

58. It is evident that involvement of other organisations is fundamental to the success of Self Directed Support. We were particularly pleased to know that extensive work had already been undertaken to form partnerships and set up a project board with organisations such as NHS Leeds, NHS Care Services, Leeds Partnership Foundation Trust, other Leeds City Council service areas and the voluntary sector. Work is also being undertaken to review commissioning arrangements with a view to arrange joint service contracts in the future.

59. Recognising that service transformation will have a great impact on commissioned services we asked what was being done to support service providers through this uncertain process and also develop local social enterprise.

60. It was explained that the potential increase of relatively small contacts will be more intensive to monitor for quality and value for money compared to a lower number of large scale contacts. However small service providers can deliver a more focused and localised service. We were advised that Leeds City Council is working with providers to help them adapt their services to meet the needs of those with personal budgets and we hope that Council procurement processes do not hinder this development. The need to move away from block contracting was also highlighted to us whilst stimulating the market to fill any gaps in service provision.



# Conclusions and Recommendations

61. We welcomed the news that a Social Enterprise Development Officer is now situated in procurement whose role it is to promote social enterprise and that all companies will eventually be required to undergo assessment by the Care Quality Commission which should create reassurance of their viability and capabilities. In addition Leeds City Council has undergone a process of costing in house provision to enable those on personal budgets to buy services direct.

line staff within our partner organisations to have the necessary skills to provide advice and therefore we encourage the continued delivery of training to our partner organisations by Adult Social Services.

## Workforce Transformation and Development

62. We were advised that a suite of training has been developed to meet the requirements of a range of staff. We were also reassured that customer service staff at West Gate and the One Stop Shops would also be offered a tailored version of Self Directed Support training so that they are prepared to respond to the wider public from April 2010.

63. We did express some concern that not all training, including risk assessment training would be delivered before April 2010, we therefore feel that the delayed introduction of Personal Budgets to the wider population will provide further opportunity to deliver training in the intervening period.

64. It is also evident to us that the first point of contact for a service user seeking Self Directed Support advice would not always be directly with Adult Social Services. We feel it important for front



## Monitoring arrangements

Standard arrangements for monitoring the outcome of the Board's recommendations will apply.

The decision-makers to whom the recommendations are addressed will be asked to submit a formal response to the recommendations, including an action plan and timetable, normally within two months.

Following this the Scrutiny Board will determine any further detailed monitoring, over and above the standard quarterly monitoring of all scrutiny recommendations.

## Reports and Publications Submitted

- Report of the Head of Scrutiny and Member Development, Personalisation – 12<sup>th</sup> December 2008
- Report of the Head of Scrutiny and Member Development, Personalisation – 7<sup>th</sup> January 2009
- Report of the Director of Adult Social Services, Personalisation Task Group (previously named Self Direct Members Forum) – 16<sup>th</sup> March 2009
- Report of the Director of Adult Social Services, Self Directed Support – Resource Allocation System (RAS) – 22<sup>nd</sup> April 2009
- Report of the Director of Adult Social Services, Update on the Implementation of Self Directed Support for Leeds – 22<sup>nd</sup> April 2009
- Report of the Director of Adult Social Services, Early Implementer Progress Update – 30<sup>th</sup> July 2009
- Report of the Head of Scrutiny and Member Development, Personalisation – Update to Terms of Reference and Appointment of co-opted member to the Personalisation Working Group – 29<sup>th</sup> July 2009
- Report of the Director of Adult Social Services, Self Directed Support The Assessment and Review Processes – 30<sup>th</sup> July 2009
- Report of the Director of Adult Social Services, Customer Engagement, Involvement and Consultation – 14<sup>th</sup> August 2009
- Report of the Director of Adult Social Services, Self Directed Support – Partnership Working Update – 18<sup>th</sup> September 2009
- Report of the Director of Adult Social Services, The Single Assessment Process - so people 'only need to tell their story once' – 18<sup>th</sup> September 2009.
- Report of the Director of Adult Social Services, Brokerage update – 18<sup>th</sup> September 2009
- Report of the Head of Scrutiny and Member Development, Personalisation Working Group – Update Report – 7<sup>th</sup> October 2009
- Report of the Director of Adult Social Services, Self Directed Support – Resource Allocation System (RAS) – 15<sup>th</sup> October 2009



## **Reports and Publications Submitted (continued)**

- Report of the Director of Adult Social Services, Early Implementer Update, Evaluation and Experiences of Care Managers and Support Officers – 15<sup>th</sup> October 2009
- Report of the Head of Service, Support and Enablement, Self Directed Support and Adaptations – 11<sup>th</sup> November 2009
- Report of Chief Officer for Access and Inclusion, Adult Social Care Workforce development update Self Directed Support Programme – 11<sup>th</sup> November 2009
- Report of the Director of Adult Social Services, Performance Management and Performance Reporting Mechanisms: How the Challenge of Meeting Government SDS targets will be Met – 11<sup>th</sup> November 2009
- Report of the Director of Adult Social Services, Commissioned Services and Social Enterprise, The Requirement to Adapt and Change – 11<sup>th</sup> November 2009
- Report of the Director of Adult Social Services, Risk Management Framework and Protecting the Customer – 10<sup>th</sup> December 2009
- Report of the Director of Adult Social Services, Early Implementer Evaluation and Action Plan – 10<sup>th</sup> December 2009
- Report of the Head of Scrutiny and Member Development, Scrutiny Inquiry: Personalisation Working Group Update Report – 13<sup>th</sup> January 2010

## **Presentations**

Personalisation in Leeds – 16<sup>th</sup> March 2009

The Resource Allocation System – 22<sup>nd</sup> April 2009

Personalisation of Adult Social Care – 30<sup>th</sup> July 2009

## **Action Plans and Guidance Documents**

Terms of Reference - Adult Social Care Self Directed Support Working Group

Guidance and Notes for Support Planning

Green Paper – July 2009 Shaping the Future of Care Together – A Brief Summary & Key Issues.

The Self Directed Support Operating Model

Risk Policy - Risk: Identification, assessment and management in Adult Social Care

Early Implementer Evaluation - Final Report November 2009

Action Plan - Evaluation of Early Implementer





## **Working Group Sessions**

### **1<sup>st</sup> Session – 16<sup>th</sup> March 2009**

- Self Directed Support Overview
- Personalisation Task Group (previously The Self Directed Support Members Forum)

### **2<sup>nd</sup> Session – 22<sup>nd</sup> April 2009**

- Personalisation Update Report
- The Resource Allocation System

### **3<sup>rd</sup> Session – 30<sup>th</sup> July 2009**

- Self Directed Assessment Questionnaire (SDAQ)
- The Process of Assessment and Review
- Early Implementer Pilot Progress Update

### **4<sup>th</sup> Session – 14<sup>th</sup> August 2009**

- Customer Engagement, Involvement and Consultation
- Peer Group Support

### **5<sup>th</sup> Session – 18<sup>th</sup> September 2009**

- Partnership Working
- Brokerage Services and the Pathways to Establishing and Managing Support
- The Single Assessment Process, so people 'only need to tell their story once'

### **6<sup>th</sup> Session – 15<sup>th</sup> October 2009**

- Early Implementer Update, Evaluation and Experiences of Care Managers and Support Officers
- Financial Budgets and Value for Money

### **7<sup>th</sup> Session – 11<sup>th</sup> November 2009**

- Performance management and reporting mechanisms and meeting the challenge of Government SDS targets
- Commissioned Services and Social Enterprise. The requirement to adapt and change
- Workforce Transformation and Development update

### **8<sup>th</sup> Session – 10<sup>th</sup> December 2009**

- Risk Enablement Framework and safeguarding
- Early Implementer Evaluation Report



## **Witnesses Heard**

John Lennon – Chief Officer, Access and Inclusion  
Jemima Sparks – Service Delivery Manager West, Adult Social Care  
Robert Russell – Principal Financial Manager  
Sarfraz Khan – Financial Manager  
Emma Lewis – Business Change Manager  
Tizzy Taylor – Expert from Experience  
Julie Rose – Expert from Experience  
Joanne Smith - P.A to Julie Rose  
Leonie Gregson – Communications Officer  
Rob Moriarty – Expert from Experience, Peer Group Support  
Sandra O'Donovan – Expert from Experience, Peer Group Support  
Ann – Marie Simms – Care Manager  
Claire Matson – Business Change Leader  
Susan Morrell – Leeds Centre for Integrated Living  
Tony Callaghan – Commissioning Officer  
Graham Sephton – Deputy Head of HR  
Richard Graham – Senior Quality Assurance Officer  
Alex Firth – Principal Audit Manager  
Jason Brook – Audit Manager

## **Dates of Scrutiny**

12<sup>th</sup> December 2008 – Proposals Working Group  
7<sup>th</sup> January 2009 – Adult Social Care Scrutiny Board  
16<sup>th</sup> March 2009 – Personalisation Working Group  
22<sup>nd</sup> April 2009 – Personalisation Working Group  
29<sup>th</sup> July 2009 – Adult Social Care Scrutiny Board  
30<sup>th</sup> July 2009 – Personalisation Working Group  
14<sup>th</sup> August 2009 – Personalisation Working Group  
18<sup>th</sup> September 2009 – Personalisation Working Group  
7<sup>th</sup> October 2009 – Adult Social Care Scrutiny Board  
15<sup>th</sup> October 2009 – Personalisation Working Group  
11<sup>th</sup> November 2009 – Personalisation Working Group  
10<sup>th</sup> December 2009 – Personalisation Working Group  
13<sup>th</sup> January 2010 – Adult Social Care Scrutiny Board

**Scrutiny Board (Adult Social Care)  
Self Directed Support and Personal Budgets  
17<sup>th</sup> March 2010**

**Report author: Sandra Newbould**

**[www.scrutiny.unit@leeds.gov.uk](mailto:www.scrutiny.unit@leeds.gov.uk)**



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Originator: N Jackson

Tel: 0113 24 74537

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## Report of the Assistant Chief Executive (Corporate Governance)

### Executive Board

Date: 19 May 2010

**Subject: Constitutional Matters: Amendments to the Executive Procedure Rules and Delegation of an Executive Function to Sheffield City Council**

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#### Electoral Wards Affected:

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

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## EXECUTIVE SUMMARY

1. This report sets out a number of proposed amendments to the Constitution relating to executive matters, following the annual review of the constitution and a proposed delegation of a function to another authority.
2. The amendments relate to:
  - a) Executive Procedure Rules, namely:
    - the appointment of Executive Members;
    - the frequency of Executive Board meetings;
    - the location of Executive Committee meetings; and
    - the quorum for Executive Committee meetings.
  - b) Delegation to Sheffield City Council of an executive function relating to housing.
3. The proposed amendments to the Executive Procedure Rules are minor, but need to be approved by the Executive Board.
4. It is proposed that amendments to the Executive Procedure Rules are approved with effect from the date of the annual meeting, so that they can be implemented at the same time as other amendments to the constitution approved by full Council. It is proposed that the delegation of the function to Sheffield City Council takes effect immediately.

## **1.0 Proposed Amendments to the Executive Procedure Rules**

### **2.0 Background Information**

- 2.1 Full Council was notified at its extraordinary meeting in November 2009, of amendments which the Assistant Chief Executive (Corporate Governance) proposed to approve to the Executive Procedure Rules to reflect the new executive arrangements. The Executive Procedure Rules were, accordingly, updated on 9 May 2010, when the new arrangements came into operation, following a delegated decision by the Assistant Chief Executive (Corporate Governance), to approve those amendments.
- 2.2 The Assistant Chief Executive (Corporate Governance) carries out an annual review of the constitution before the annual meeting. This report proposes a number of minor amendments to the Executive Procedure Rules, following the annual review. The proposed amendments are not specifically related to the new executive arrangements, but arise from a review against relevant legislation.
- 2.3 The amendments are attached as appendix 1 to this report.

### **3.0 Main Issues**

#### The appointment of Executive Members

- 3.1 Legislation<sup>1</sup> requires the constitution to include “any rules governing the appointment of members of the Executive”. The current provisions, (contained in Article 7 and the Executive Procedure Rules) follow the wording suggested in the ODPM modular guidance. They provide for the appointment of Executive Members to be reported to the annual meeting. They do not however explicitly provide for the appointment of Executive Members during the municipal year.
- 3.2 It is therefore proposed that Executive Procedure Rule 1.2 is amended to provide for this, together with a new requirement for appointments to be reported to the Chief Executive and subsequently to full Council.
- 3.3 Similar provisions are proposed in relation to the in-year appointment of the post of Deputy Leader<sup>2</sup>.

#### Frequency of Executive Board meetings

- 3.4 Rule 1.6 currently requires the Executive to meet “at least 12 times per year”. However, this requirement is not always met, because of the need to avoid clashes with the party conference season, in September.
- 3.5 It is proposed to amend the Rules to ensure compliance with them. The best option appears for the Executive to continue with its current position of one meeting a month in principle. However, since the best achievable appears to be 11, a constitutional requirement of 10 meetings a year would allow a little flexibility.
- 3.6 The Rules refer to a minimum number of meetings, so additional meetings could be called if they were needed.

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<sup>1</sup> The Local Government Act 2000 (Constitutions) (England) Direction 2000

<sup>2</sup> The Leader is required by law to appoint a Deputy Executive Leader, under the new executive arrangements.

### Location of Executive Committees

- 3.7 Legislation requires the constitution to specify where meetings of the Executive and Executive Committees will be held. It is therefore proposed that Rule 1.6 (which specifies that “the Executive shall meet at the Council’s main offices or another location to be agreed by the Leader”) is extended so that the provision covers Executive Committees.

### Quorum of Executive Committees

- 3.8 At the end of the last meeting of the Access to Information Appeals Committee, Members raised a query about the quorum of this Committee, which is currently four<sup>3</sup>. Since four members are invited to attend each Committee, it is recommended that the quorum to be reduced to three, to allow for non-attendance.
- 3.9 It is therefore recommended that Rule 1.8 is amended accordingly. The Access to Information Appeals Committee is currently the only Executive Committee.

### **4.0 Proposed delegation of an executive function.**

- 4.1 Under the Private Sector Housing Assistance Policy, vulnerable owner occupiers are offered financial assistance via a Home Appreciation loan (HAL). This allows an owner occupier to release equity from their property to undertake home improvements without having to repay the amount borrowed until the property is sold. At this point the loan is repaid and can be recycled back into the loans budget to assist further owners.
- 4.2 On the 17<sup>th</sup> February 2006, the Executive Board agreed to delegate the function of administering Home Appreciation Loans (HAL) to Sheffield City Council under the Yorkshire and Humber Homes and Loans Service. This allowed the Council to continue to offer equity release loans to vulnerable owner occupiers in the Leeds City Council by providing access to regional funding for private sector improvements.
- 4.3 Since the introduction of the regional HAL, the South and West Yorkshire Housing Officers Loan Group have been considering other options to assist vulnerable owner occupiers undertake improvements to their homes. Unfortunately not all owners have the available equity in the property. Some owners may wish to repay the monies borrowed rather than have a secured debt against their property. Also the works may not be so extensive so making the release of equity onerous to the owner compared to the monies borrowed or not seen by them as value for money.
- 4.4 Officers from The South and West Yorkshire Housing Loan Group have considered the feed back from individuals and looked at good practice across the country and proposed the Home Improvement Loan (HIL). This allows an owner to borrow an unsecured loan of up to £5,000 interest free over a maximum of 5 years. This would be administered in partnership with the regional loans scheme and a local credit union. It is proposed that the region undertakes 4 pilot schemes to determine how to make such a scheme operate to meet the needs of owners and develop best practice. It is proposed a budget of £200,000 be made available regionally with each of the 4 pilot authorities having a budget of £50,000 each in 2010/11. Leeds City Council has been approached to be one of the 4 pilot authorities.

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<sup>3</sup> Rule 1.8

- 4.5 For the HIL pilot to occur in Leeds a tripartite agreement between the Council, Sheffield City Council and Leeds Credit Union Ltd will be required. This will be drawn up by Sheffield City Council on behalf of the Regional Scheme. It will then require to be approved by all parties prior to the pilot commencing.
- 4.6 Prior to such a legal agreement between the parties, Leeds City Council will need to delegate authority to Sheffield City Council to administer the Home Improvement Loan scheme in order for the funding to be approved and accessible from regional Housing Board
- 4.7 It is proposed that the delegation be drafted in such a way as to be future proofed such to allow the delegation of this and any similar new schemes and payments to assist vulnerable households within the regional framework under the Private Sector Housing Assistance Policy. Any such new schemes would be identified by the Director of Environment and Neighbourhoods in consultation with the Executive Member.

## **5.0 Implications For Council Policy And Governance**

- 5.1 It is in accordance with good governance principles to review and update the constitution regularly. The revised provisions would promote accountability and transparency.
- 5.2 The proposed scheme to allow Leeds City Council to offer HIL as part of the programme to support vulnerable households compliments the options already available under the Private Sector Housing Assistance Policy adopted by the authority. It will contribute towards the "Narrowing the Gap" agenda by supporting individuals to continue to live independently in homes in good repair without undue financial burden being placed upon them.

## **6.0 Legal And Resource Implications**

- 6.1 These amendments to the Executive Procedure Rules and the proposed delegation of a function to another authority must be approved by the Executive Board. It is proposed that the former would be of effect from the date of the annual meeting, so that the revised Rules could be re-issued with the constitution for the new municipal year and that the latter takes effect immediately.
- 6.2 The proposed amendments to Rule 1.2 and 1.6 will promote compliance with relevant legislation.

## **7.0 Recommendations**

Executive Board are recommended :

- (a) to approve the revised Executive Procedure Rules, with the amendments shown in appendix 1 to this report, with effect from the 27 May 2010 and
- (b) under the provisions of the Local Government Act 2000 and Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2000, to delegate to the executive of Sheffield City Council , the executive function of making payments of Home Improvement Loans (or similar new schemes and payments identified by the Director of Environment and Neighbourhoods, in consultation with the Executive Member) ,approved under the Leeds City Council Private Sector Housing



Assistance Policy in accordance with the Regulatory Reform (Housing Assistance) Order 2002

- (c) to authorise officers , subject to legal advice, to enter into a tripartite agreement with Sheffield City Council and Leeds City Credit Union Ltd to allow the provision of Home Improvement Loans within Leeds.

### **Background Papers**

Report of the Assistant Chief Executive to extraordinary meeting of full Council, 18 November 2009.

Report and delegated decision notice of the Assistant Chief Executive (Corporate Governance) dated 18 March 2010.

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<b>EXECUTIVE PROCEDURE RULES</b>
----------------------------------

**1.0 HOW DOES THE EXECUTIVE OPERATE****1.1 Who may make executive decisions**

The Leader may discharge any functions which are the responsibility of the Executive<sup>1</sup>; or

He/she may provide for executive functions to be discharged by:

- the Executive as a whole;
- an individual Executive Member;
- a committee of the Executive;
- an officer;
- an Area Committee;
- joint arrangements; or
- another local authority.

**1.2 Appointments and delegation by the Leader**

At the annual meeting of the Council, the Leader will present to the Council the names, addresses and wards of the Members appointed to the Executive by the Leader<sup>2</sup>.

The Leader may remove an Executive Member or the Deputy Leader from office. To do so, the Leader must give written notice to the Chief Executive in accordance with Article 7. The Assistant Chief Executive (Corporate Governance) will report this to the next ordinary meeting of the Council.

Subject to Article 7.2, the Leader may appoint Executive Members at any time. The Leader must report any such appointment to the Chief Executive as and when it is made. The Assistant Chief Executive (Corporate Governance) will report any such appointment to the next ordinary meeting of the Council.

Where a vacancy occurs in the office of Deputy Leader, and the Leader appoints a Deputy Leader in accordance with Article 7.5, the Leader must report any such appointment to the Chief Executive as and when it is made. The Assistant Chief Executive (Corporate Governance) will report any such appointment to the next ordinary meeting of the Council.

At the annual meeting, the Leader will also present to the Council a written record of delegations made by him/her for inclusion in the Council's scheme of delegation at Part 3 to this Constitution. The document presented by the Leader will contain the following information about executive functions in relation to the coming year:

<sup>1</sup> Subject to any provisions made under Section 18,19 or 20 Local Government Act 2000 (discharge of functions by area committees, another local authority or jointly).

<sup>2</sup> Including the Executive Member who is the Deputy Leader.

### *Executive Procedure Rules*

- the extent of authority of the Executive as a whole;
- the extent of any authority delegated to individual Executive Members, including details of any limitation on their authority;
- the terms of reference and constitution of such executive committees as the Leader appoints and the names of Executive Members appointed to them;
- the nature and extent of any delegation of executive functions to Area Committees, any other authority or any joint arrangements and the names of those Executive Members appointed to any joint committee for the coming year; and
- the nature and extent of any delegation to officers with details of any limitation on that delegation, and the title of the officer to whom the delegation is made.

#### 1.3 Sub-delegation of executive functions

Subject to any statutory provisions about the discharge of functions to area committees, by another local authority, or the joint exercise of functions:

- if the Leader delegates functions to the executive, then unless he/she directs otherwise, the executive may delegate further to a committee of the executive, to an officer;
- if the Leader delegates functions to an Executive Member, then unless the Leader otherwise directs, that Executive Member may delegate further to an officer.
- if the Leader delegates functions to a committee of the executive, then unless he/she directs otherwise, the committee may delegate further to an officer.

Where executive functions have been delegated, that fact does not prevent the discharge of delegated functions by the person or body who delegated them.

#### 1.4 The Council's scheme of delegation and executive functions

- (a) Subject to (b) below the Council's scheme of delegation will be subject to adoption by the Council and may only be amended by the Council. It will contain the details required in Article 7 (the executive) and set out in Part 3 of this Constitution.
- (b) The Leader may amend the scheme of delegation relating to executive functions at any time during the year. To do so, the Leader must give written notice to the Assistant Chief Executive (Corporate Governance) and to the person, body or committee concerned. The notice must set out the extent of the amendment to the scheme of delegation, and whether it entails the withdrawal of delegation from any person, body, committee or the Executive as a whole. The Assistant Chief Executive (Corporate Governance) will present a report to the next ordinary meeting of the Council setting out the changes made by the Leader.

- (c) Where the Leader seeks to withdraw delegation from a committee, notice will be deemed to be served on that committee when he/she has served it on its chair.

#### 1.5 Personal and Prejudicial Interests

- (a) Where the Leader has a personal or prejudicial interest this should be dealt with as set out in the Council's Code of Conduct for Members in Part 5 of this Constitution.
- (b) If every member of the Executive has a personal or prejudicial interest this should be dealt with as set out in the Council's Code of Conduct for Members in Part 5 of this Constitution.
- (c) If the exercise of an executive function has been delegated to a committee of the Executive, or an officer, and should a conflict of interest arise, then the function will be exercised in the first instance by the person or body by whom the delegation was made and otherwise as set out in the Council's Code of Conduct for Members in Part 5 of this Constitution.

#### 1.6 Executive Meetings – when and where

The Executive will meet at least 10 times per year at times to be agreed by the Leader. The Executive and its committees shall meet at the Council's main offices or another location to be agreed by the Leader.

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#### 1.7 Public or private meetings of the executive

The Access to Information Rules in Part 4 of this Constitution set out the requirements covering public and private meetings. Other than the legal requirements, relating to confidential and exempt information, all meetings of the Executive will be in public.

#### 1.8 Quorum

The quorum for a meeting of the Executive shall be four. The quorum for a meeting of a committee of the Executive shall be three.

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#### 1.9 How decisions are to be taken by the Executive

Executive decisions which have been delegated to the Executive as a whole will be taken at a meeting convened in accordance with the Access to Information Procedure Rules in Part 4 of this Constitution.<sup>3</sup>

Where executive decisions are delegated to a committee of the Executive, the rules applying to executive decisions taken by them shall be the same as those applying to those taken by the Executive as a whole.

<sup>3</sup> Particular care must be taken to ensure that Key decisions are taken in accordance with the relevant provisions of those rules, particularly where they are not contained within the Forward Plan.

## *Executive Procedure Rules*

### 1.10 Executive decisions outside the budget or policy framework

1.10.1 The Executive (or any other decision making body of Council) may take a decision which is contrary to the Council's policy framework, or is not wholly in accordance with the budget approved by full Council, if the decision is a matter of urgency. However, the decision may only be taken:

- 1.10.1.1 if it is not practical to convene a quorate meeting of the full Council;  
and
- 1.10.1.2 if the Chair of the relevant Scrutiny Board agrees that the decision is a matter of urgency.

1.10.2 The reasons why it is not practical to convene a quorate meeting of full Council and the consent of the relevant Scrutiny Board Chair to the decision being taken as a matter of urgency must be noted on the record of the decision. In the absence of the Chair of the relevant Scrutiny Board, the consent of the Lord Mayor, and in the absence of both, the Deputy Lord Mayor, will be sufficient.

1.10.3 Following the decision, the decision taker will provide a full report to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

## **2.0 HOW ARE EXECUTIVE MEETINGS CONDUCTED**

### 2.1 Who presides

The Leader and in his/her absence, the Deputy Leader will preside at any meeting of the Executive or its committees at which he/she is present. In the absence of both, the Leader may appoint another person to do so. If no such appointment is made, those present at the meeting shall decide by majority who should preside.

### 2.2 Who may attend

As stated above, with the exception of parts of the agenda where the public may be removed due to the likely disclosure of confidential or exempt information, meetings of the Executive will be in public.

### 2.3 Substitutes

A non-executive Member cannot substitute for an Executive Member at a meeting of the Executive or any of its committees. The Executive may invite any Member it considers appropriate to attend its meetings and to speak on behalf of an absent member of the Executive. However that Member will not be able to take decisions and will not be a co-opted member of the Executive.

### 2.4 Advisory Member

The Executive will invite a non-executive member of the Labour group to attend and speak at its meetings to assist the Labour Executive Member. However, the

advisory Member will not be able to take decisions and will not be a co-opted member of the Executive.

## 2.5 What business

At each meeting of the Executive the following business will be conducted:

- consideration of the minutes of the last meeting;
- declarations of interest, if any;
- matters referred to the Executive (whether by a Scrutiny Board or by the Council) for reconsideration by the Executive in accordance with the provisions contained in relevant Procedure Rules or the Budget and Policy Framework Procedure Rules set out in Part 4 of this Constitution;
- consideration of reports from Scrutiny Boards; and
- matters set out in the agenda for the meeting, and which shall indicate which are Key Decisions and which are not in accordance with the Access to Information Procedure Rules set out in Part 4 of this Constitution.

## 2.6 Consultation

All reports to the Executive from any Member of the Executive, or an officer, on proposals relating to the Budget and Policy Framework must contain details of the nature and extent of consultation with stakeholders and relevant Scrutiny Boards and the outcome of that consultation. Reports about other matters will set out the details and outcome of consultation as appropriate. The level of consultation required will be appropriate to the nature of the matter under consideration.

## 2.7 Who can put items on the Executive agenda

- (a) The Leader will decide upon the schedule for the meetings of the Executive. He/she may put on the agenda of any Executive meeting any matter which he/ she wishes, whether or not authority has been delegated to the Executive, a committee of it or any officer in respect of that matter. The Chief Executive will comply with the Leader's requests in this respect.
- (b) The Chief Executive will make sure that an item is placed on the agenda of the next available meeting of the Executive where a relevant Scrutiny Board or the full Council have resolved that an item be considered by the Executive.
- (c) The Monitoring Officer and/or the Chief Finance Officer may include an item for consideration on the agenda of an Executive meeting and may require the Chief Executive to call such a meeting in pursuance of their statutory duties. In other circumstances where any two of the head of paid service, Chief Finance Officer and Monitoring Officer are of the opinion that a meeting of the Executive needs to be called to consider a matter that requires a decision, they may jointly include an item on the agenda of an Executive meeting. If there is no meeting of the Executive soon enough to deal with the issue in question, then the person(s) entitled to include an item on the agenda may also require that a meeting be convened at which the matter will be considered.

**3.0 MOTIONS AFFECTING COUNCIL EMPLOYEES**

- 3.1 If any question arises at a meeting of the Executive or any sub-groups thereof open to the public, as to the appointment, promotion, dismissal, salary, superannuation or conditions of service, the question shall not be the subject of discussion until the Executive or other body as the case may be, has decided whether or not the power of exclusion of the public under section 100A of the Local Government Act 1972 shall be exercised in accordance with Rule 10.4 of Access to Information Procedure Rules.





**Report of the Director of Resources and Assistant Chief Executive (Corporate Governance)**

**Executive Board**

**Date: 19<sup>th</sup> May 2010**

**Subject: Scrutiny Board (Central & Corporate) – Consultant Engagement**

**Electoral Wards Affected:**

Ward Members consulted (referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In (Details contained in the report)

**1. Purpose of this Report**

- 1.1 In March 2010 Scrutiny Board (Central & Corporate) published a report on Consultant Engagement. The Council's Constitution requires that findings of Scrutiny Boards be put to the Executive Board together with the views of the appropriate Directorate following consultation with the respective Executive Member.
- 1.2 The purpose of this report is to outline to Executive Board the recommendations made by the Scrutiny Board and the responses of the Director of Resources and Assistant Chief Executive (Corporate Governance).

**2. Background Information**

- 2.1 As the attached report identifies, in 2008/09 the City Council spent £5,6m on procuring the services of external consultants, although this was a reduction on the previous financial year, The Council uses the services of external consultants to deliver professional expertise, support and advice for a variety of purposes. A major use of consultants has been in the delivery of major capital projects, and this accounted for nearly £2,5m in 2008/09. They have also been utilised to provide specialist professional technical, financial and legal expertise in the development, negotiation and delivery of major PFI contracts, and in 2008/09, the use of consultants connected to the delivery of PFI schemes amounted to nearly £2m,. A further use of consultants has been to provide specialist services and to undertake

specific assignments, such as undertaking research projects and providing specialist advice on major transactions and operations. In some instances, these major transactions, including the expenditure on consultants, are funded from grants or other associated external income.

- 2.2 Whilst, the Council generally strives to carry out project work internally whenever feasible, the services of consultants are often required because they can provide specialist technical expertise that is not available in-house or are used to supplement available internal capacity. In some cases, the use of external, independent professionals is a stipulated requirement.

### **3. Main Issues**

The Directorate's comments to each of the recommendations are as follows:-

***Recommendation 1 – That the Director of Resources and Assistant Chief Executive (Corporate Governance) develops a standard definition of what consultants are and what work they undertake. This definition should be adopted by all departments.***

The Director of Resources and Assistant Chief Executive (Corporate Governance) agrees with Recommendation 1 and will provide a standard or range of standard definitions of a consultant. In determining a definition, consideration will be given to the different functions “consultants” carry out including the use of “interim, agency and specialist resources.”

***Recommendation 2 – That the Director of Resources issues guidance to all departments on the correct expenditure code to use for Consultants.***

The Director agrees with Recommendation 2.

***Recommendation 3 – That the Director of Resources instructs Directorates to review expenditure on consultants to assess the extent to which they are used.***

The Director agrees with Recommendation 3.

***Recommendation 4 – That the Director of Resources and Assistant Chief Executive (Corporate Governance) incorporates within Contract Procedure Rules clear guidance regarding the use and appointment of consultants.***

The Director of Resources and Assistant Chief Executive (Corporate Governance) agrees with Recommendation 4.

***Recommendation 5 – That a database to record all details of consultants, including ratings, to be shared between departments and potentially with other authorities is set up.***

The Director of Resources and Assistant Chief Executive (Corporate Governance) agrees with Recommendation 5.

### **4. Recommendation**

- 4.1 That the Executive Board note the responses from the Director of Resources and Assistant Chief Executive (Corporate Governance) as outlined in this report.

### **Background papers**

Scrutiny Inquiry Final report: Inquiry into Consultant Engagement March 2010.

**Scrutiny Inquiry Final report  
Inquiry into Consultant Engagement  
March 2010**



# Introduction and Scope

## Introduction

1. Leeds City Council uses the services of external consultants to deliver professional expertise, support and advice for a number of purposes. A major use of their services has been in the delivery of some major capital projects. They have also been utilised to provide specialist professional technical, financial and legal expertise in the development, negotiation and delivery of major PFI contracts.
2. Consultants have also been used to provide specialist services and to carry out a number of specific assignments, such as carrying out specific research projects and providing specialist advice on major transactions and operations. In some instances, these major transactions, including the expenditure on consultants, are funded from grants or other associated external income.
3. At its meeting on 8<sup>th</sup> June 2009 Scrutiny Board (Corporate And Central Functions) resolved to undertake an Inquiry into Consultant Engagement within the Council.
4. We wished to review the process by which consultants are engaged and how they are evaluated. We were concerned to ensure that engaging consultants provides a cost effective method of producing the required outcomes to a sufficiently high standard.
5. We make no judgement as to whether using consultants is right or wrong. Clearly, there will be a case for buying in the necessary skills at different times. However, Members did wish to establish whether there is a consistent approach to the use of consultants and whether there is regular evaluation of the Council's required skills base.
6. The purpose of the Inquiry therefore was to make an assessment of and, where appropriate, make recommendations on the following areas:
  - A definition of Consultants
  - The extent to which consultants are used (in the widest sense) in the Council and how this compares with other authorities
  - The reasons for the use of consultants
  - The methods of monitoring and evaluating the outcomes and the value for money provided by consultants
  - The differences in practice between departments and whether there is consistent information sharing across the council



# Conclusions and Recommendations

7. There are no national data sets produced by or on behalf of local government analysing Councils' use of consultants and other external input to their work. It is not possible therefore to assess our spend on consultants relative to any of our usual comparator groups (Core Cities). This is mainly down to different definitions and accounting processes.
  8. However it is estimated that local authorities collectively spend £1.8bn per annum on external consultants. A saving of just 1% could release £18m. There is, therefore, a common interest in ensuring that the best value for money is achieved from consultancy use.
- schemes and contracts, so appropriate expenditure on other votes on PFI development cost centres is included in such analyses.
13. For capital expenditure, the designated code is  
  
Cprh 7 (Other Costs), sub-code 62 (Other Consultants Fees)
  14. For both Revenue and Capital expenditure, a distinction is made between bought-in external professional services and broader consultancy services. The former would cover normal professional services such as engineers, surveyors, solicitors recruitment and IT specialists that are engaged regularly as part of the Authority's ongoing business. Such expenditure is charged to subjective accounting codes for professional services rather than to the consultancy accounting codes.

## Expenditure and Cost Coding

9. For the purposes of financial analyses of the Council's use of external consultants, there is an assumption that such expenditure is appropriately charged to the specific designated revenue and capital subjective codes.
  10. For revenue expenditure, the specific code is  
  
Vote 259 Consultancy Services.
  11. This vote was specifically created for this purpose in 2002/03 in order to facilitate monitoring and reporting of expenditure on consultancy services.
  12. There is an awareness that substantive use of external consultants is made on developing and negotiating PFI
15. The table below details a summary of expenditure on consultancy services for 2007/08 and 2008/09



# Conclusions and Recommendations

## Expenditure on Consultancy Services – Summary

	<b>Revenue Expenditure</b>	<b>PFI Schemes</b>	<b>Capital Expenditure</b>	<b>Total</b>
<b>2007/08</b>	£000s	£000s	£000s	£000s
City Development	1,409	135	661	2,205
Environment & Neighbourhoods	288	457	96	841
Children's Services	127	706	707	1,540
Adult Social Services	14	268	0	282
Central & Corporate Functions	194	0	0	194
<b>TOTAL</b>	<b>2,032</b>	<b>1,566</b>	<b>1,464</b>	<b>5,062</b>
HRA	98	567	99	764
<b>Grand Total</b>	<b>2,130</b>	<b>2,133</b>	<b>1,563</b>	<b>5,826</b>
<b>2008/09</b>	£000s	£000s	£000s	£000s
City Development	550	104	1,014	1,668
Environment & Neighbourhoods	283	499	177	959
Children's Services	151	457	547	1,155
Adult Social Services	76	64	0	140
Central & Corporate Functions	55	0	0	55
<b>TOTAL</b>	<b>1,115</b>	<b>1,124</b>	<b>1,738</b>	<b>3,977</b>
HRA	23	858	750	1,631
<b>Grand Total</b>	<b>1,138</b>	<b>1,982</b>	<b>2,488</b>	<b>5,608</b>



# Conclusions and Recommendations

16. We were advised that PFI related expenditure covers the use of professional and specialist services to formulate and finalise PFI contracts for the building of new facilities such as new schools. Professional services used include legal and financial advice, and architectural and other technical expertise.

17. Capital expenditure involves major infrastructure projects such as the new City of Leeds Museum, Leeds Arena, road building, major IT projects, refurbishment, extensions to or new builds of facilities such as schools, centres, libraries etc. External consultants may be used to provide expertise not available in-house or to supplement in-house capacity to allow certain stages of the work be carried out within specific timelines so that the overall project can stay on schedule (where the in-house providers are already working at full capacity) .

18. Revenue expenditure is other ad hoc use of Consultants, Such use can include research, delivery of specialist reports, and provision of specialist expertise, advice or services.

19. The Board has looked at the work undertaken by Internal Audit on the robustness of financial coding. This work included an analytical review on the expenditure codes within the Financial Management System to record external consultancy. In essence Internal Audit identified that there was a very strong possibility that external consultancy work was not being correctly coded.

20. The Board is of the view that the inconsistency of coding identified by

Internal Audit may be due to the lack of guidance on the correct expenditure code to use and the lack of a clear definition as to what consultants are and the type of work they undertake in relation to other bought in professional services and other hired services.

**Recommendation 1 –  
That the Director of Resources and Assistant Chief Executive (Corporate Governance) develops a standard definition of what consultants are and what work they undertake. This definition should be adopted by all departments.**

**Recommendation 2-  
That the Director of Resources issues guidance to all departments on the correct expenditure code (s) to use for Consultants**

21. In the light of the current economic climate we would recommend that Directorates review expenditure on consultants to assess the extent to which they are used.

**Recommendation 3-  
That Directors/Assistant Chief Executives review expenditure on consultants within their Directorates to assess the extent to which they are used.**



# Conclusions and Recommendations

## What is best practice and what does it look like?

22. Throughout the country a number of Scrutiny reviews have taken place on this topic and there are a number of recurring themes emerging from them. The need to have a consistent definition of consultants is one, as identified in our recommendation 1. Another is the need for corporate guidance on the use of external consultants.
23. Internal audit has identified that there is no current policy or guidance on the use of external consultants. Although procurement arrangements are in place within Contract Procedure Rules, these do not specify any specific considerations to be given when procuring external consultants. Interestingly we were informed that two guidelines did used to be in place;
- An external consultancy guidance note issued by the Procurement Unit and
  - The Application to Engage Consultants process introduced by Financial Management in 2007/08 which, after review, was considered not to be productive.
24. We are aware that the Regional Improvement and Efficiency Partnerships (RIEPs) is working on ways to ensure greater improvement in the hiring of consultants. The RIEP is currently working on developing a set of organisational conditions they would consider constitutes best practice. We
- are aware that the Office of Government Commerce (OGC) together with representatives from RIEPs and wider Local Government have set up a 'Collaborative Category Board' (CCB) to examine this area of spend.
25. The Chief Procurement Officer represents the Council and the Yorkshire and Humber region on the 'Professional Services' CCB looking at the procurement of consultancy and agency staff. As well as identifying best practice and ways to control spend in these areas – known as 'Demand Management' – the Board also looks at opportunities for collaboration and efficiency/improvements in each area.
26. The Yorkshire and Humberside RIEP is currently working on developing a set of organisational conditions they would consider constitutes best practice. We have studied these and consider that many of the elements should be included within Contract Procedure Rules/ Guidance regarding the use and appointment of consultants and indeed the commissioning of all services.
27. We have discussed with Internal Audit the concept of such guidance and would concur with their view that guidance would be beneficial. We are of the view however that this guidance should be incorporated into Contract Procedure Rules/Guidance rather than introducing a further layer of bureaucracy. As a minimum we consider that the following should be included.
- A definition of consultancy work





# Conclusions and Recommendations

- Circumstances under which the use of consultants may be necessary
- Guidance on setting outcomes and performance measures
- The need for a defined work scope with deliverables.

28. We would caution however against any guidance being unduly technical to the point where it is of no use to service managers.

**Recommendation 4-  
That the Director of Resources and Assistant Chief Executive (Corporate Governance) incorporates within Contract Procedure Rules/Guidance clear guidance regarding the use and appointment of consultants**

29. We acknowledge that the majority of firms used will be on an approved list and there exists mechanisms for reporting poor performance. However we believe that it would be good practice if a database to record all details of consultants, including ratings, to be shared between departments and potentially with other authorities was set up.

**Recommendation 5-  
That a database to record all details of consultants, including ratings, to be shared between departments and potentially with other authorities is set up.**



# Evidence

## **Monitoring arrangements**

Standard arrangements for monitoring the outcome of the Board's recommendations will apply.

The decision-makers to whom the recommendations are addressed will be asked to submit a formal response to the recommendations, including an action plan and timetable, normally within two months.

Following this the Scrutiny Board will determine any further detailed monitoring, over and above the standard quarterly monitoring of all scrutiny recommendations.

## **Reports and Publications Submitted**

- Yorkshire and Humberside RIEP – Best Practice – Consultants
- Report of Head of Scrutiny and Member Development
- Expenditure on Consultancy services 2007/08 and 2008/09
- Survey of Core Cities – Definitions of Consultancy
- Correspondence from Internal Audit – External Consultants Review 2009/10
- Draft Internal Check list for the use of consultants – Internal Audit



# Evidence

## **Witnesses Heard**

**Malcolm Foster – Deputy Chief Procurement Officer**

**Neil Hunter – Head of Audit**

**David Beirne – Senior Financial Manager**

## **Dates of Scrutiny**

September 7<sup>th</sup> 2009

December 7<sup>th</sup> 2009

January 11<sup>th</sup> 2010

29<sup>th</sup> March 2010

**Scrutiny Board (Central & Corporate Functions)  
Inquiry into Consultant Engagement  
March 2010  
Report author: Peter Marrington**

[www.scrutiny.unit@leeds.gov.uk](mailto:www.scrutiny.unit@leeds.gov.uk)



**Report of the Director of City Development**

**To: Executive Board**

**Date: 19 MAY 2010**

**Scheme Title: A653 DEWSBURY ROAD BUS PRIORITY MEASURES  
RING ROAD BEESTON PARK BUS LANE**

**Capital Scheme Number: 13450**

**Electoral Wards Affected:**  
  
 BEESTON AND HOLBECK  
 MIDDLETON PARK

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In  
(Details contained in the report)

**EXECUTIVE SUMMARY**

This report seeks approval for the implementation of a scheme to provide a new northbound bus lane on Ring Road Beeston Park and improve the junction of Ring Road Beeston Park with the A653 Dewsbury Road at a cost of £3,200,000 as part of the Local Transport Plan programme for improving the quality of bus services in the city.

The scheme will:

- i) reduce peak period delays for buses on Ring Road Beeston Park as well as on A653 Dewsbury Road, thereby improving the reliability and punctuality of the bus services;
- ii) improve road safety, especially for pedestrians by the provision of a new Toucan and separate pedestrian crossing at Ring Road Beeston Park either side of the Gipsy Lane junction and improved crossing facilities at the A653 Dewsbury Road/Ring Road Beeston Park junction;
- iii) improve the layout of the junction at A653 Dewsbury Road/Ring Road Beeston Park to reduce congestion on both routes;
- iv) improve conditions for cyclists using Ring Road Beeston Park through the provision of shared use footway/cycleways between the A653 Dewsbury Road and Bodmin Road; and

- v) The scheme provides an integrated approach to transport issues at this location by addressing a number of longstanding problems in a way which seeks to reduce congestion on Ring Road Beeston Park as well as on the A653 Dewsbury Road corridor.

## **1.0 PURPOSE OF THIS REPORT**

- 1.1 To seek approval for the implementation of a scheme to introduce a new northbound bus lane on Ring Road Beeston Park, improve the layout of the A653 Dewsbury Road/Ring Road Beeston Park junction, implement new Toucan and pedestrian crossing facilities at Ring Road Beeston Park as part of the signalisation of the Gipsy Lane junction and introduction of shared use footway/cycleway facilities between the A653 Dewsbury Road and Bodmin Road.

## **2.0 BACKGROUND INFORMATION**

- 2.1 The Ring Road Beeston Park Bus Lane scheme is an integral part of the A653 Dewsbury Road Bus Priority Measures which have been developed to address the Local Transport Plan's objectives for improving the quality of bus services and road safety.
- 2.2 The A653 Dewsbury Road is a major arterial route linking Leeds City Centre to the southern boundary of the city and serving parts of Beeston, Middleton, Morley and Tingley districts of Leeds.
- 2.3 In 1999 consultants for First Group carried out an appraisal of conditions for buses along the A653 corridor as part of the twin track review of buses in Leeds.
- 2.4 The Development Department's Feasibility Section undertook a Quality Bus Study in 2002/03. This included some survey work and a comprehensive cost benefit analysis for each of the scheme components.
- 2.5 On the 4 April 2005 the Director of Development approved a report to undertake a feasibility and detailed engineering assessment for the A653 Dewsbury Road Bus Priority Measures, to allow the development of a Quality Bus Corridor Scheme.
- 2.6 On the 23 January 2006 the Director of Development approved a report for the scheme to be phased so that early benefit would be achieved for individual sections. Phase 1, 2 and 3 of the bus stop improvements have been completed apart from a few outstanding issues which will be included in Phase 4 at a later date. The installation of four Urban Traffic Control (UTC) camera masts on the A653 Dewsbury Road has also been completed.
- 2.7 Approval to commence detailed design of the Ring Road Beeston Park Bus Lane scheme and acquisition of land not in the City Councils ownership by making a Compulsory Purchase Order in the sum of £230,000 was granted by the Director of Development on 20 March 2007.
- 2.8 The Compulsory Purchase Order came into effect on the 18 August 2008 after a General Vesting Declaration was executed by the Council.
- 2.9 Approval to complete the detailed design of the Ring Road Beeston Park Bus Lane scheme and carry out an advance gas main diversion and remove several mature and semi-mature trees was granted by the Director of City Development on 17 November 2009.

### **3.0 MAIN ISSUES**

#### **3.1 Design Proposals/Scheme Description**

3.1.1 The proposed works comprising the Ring Road Beeston Park Bus Lane scheme are shown on the attached plan number HDC/713450/CO1.

This scheme takes into account wherever possible, comments raised during consultations with Ward Members, Internal Departments, Emergency Services, Metro and Residential Groups.

3.1.2 The proposed bus lane will operate at all times. It should be noted that there are currently no frontages accessing this length of road.

3.1.3 The introduction of a dedicated left turn lane from Ring Road Beeston Park onto the A653 Dewsbury Road should have a beneficial effect on traffic congestion on both routes due to the implementation of improved phasing of the traffic signals.

3.1.4 The new bus lane and dedicated left turn lane will be provided mainly on new carriageway and will be constructed entirely within existing highway or existing City Council land. The scheme also includes footway construction, ground stabilisation, new drainage and statutory undertakers' diversions.

3.1.5 To improve vehicular access and egress at the junction of Ring Road Beeston Park and Gipsy Lane, new traffic signals will be introduced incorporating Toucan and pedestrian crossings at Ring Road Beeston Park. This area is well used by local school children and the new crossings will significantly improve pedestrian safety at this location.

3.1.6 Consultations were carried out with the cycling team in Transport Policy and they requested that as the route forms part of the Strategic Cycle Network, a shared use footway/cycleway should be introduced. This was the preferred option as width constraints meant that the construction of a 4.0 metre bus/cycle lane could not be achieved. Following Ward Councillor representation, a 3.50 metre segregated footway/cycleway is now proposed between Bodmin Road and the start of the bus lane, separated by a raised white line. The remaining shared use facility will be unsegregated at 3.0 metres wide.

3.1.7 A number of trees and shrubs have been removed in advance of the main contract works in order to avoid the bird nesting season. The trees were affected due to the extent of the excavation works required to widen the existing carriageway. A new planting scheme is being developed by the Landscape Architects team and will be implemented on completion of the main contract works.

3.1.8 An assessment will be undertaken in accordance with the Noise Insulation Regulations 1975 following the installation of the proposed bus lane and left turn lane. A provisional sum for meeting the requirements of these regulations has been included in the scheme estimate.

3.1.9 Approval will also be sought under the officer delegation scheme to advertise a draft Traffic Regulation Order for the introduction of the bus lane and waiting restrictions, and, if no objections are received, to make, seal and implement the Order as advertised.

## 3.2 Consultations

- 3.2.1 Ward Members: Consultation was carried out with Ward Members on all aspects of the A653 Dewsbury Road Bus Priority Measures as part of the main feasibility study in June 2003 and during the Engineering feasibility study in August 2005.

Ward Members were consulted specifically for the Ring Road Beeston Park Bus Lane scheme during the preliminary design stage in February 2008 and again during the detailed design stage in July and September 2009.

The Beeston and Holbeck Ward Members were fully supportive of the scheme. The Middleton Park Ward Members expressed various concerns.

The 3 main issues raised were:

- i) the road should be widened, particularly as increased traffic is expected if a new supermarket is built in Middleton;
- ii) pedestrian safety issues due to a potential conflict with cyclists on the footway; and
- iii) a pedestrian crossing should be provided to the south of Gipsy Lane in addition to that proposed to the north.

The design team attended two public meetings which were attended by Ward Members to discuss the above concerns. After further consultations, the design was amended to incorporate measures that dealt with the last point raised.

The issue raised in point 2 was partially addressed by a revised proposal to further widen the section of proposed footway/cycleway between Bodmin Road and the start of the new bus lane to 3.50 metres to allow for a segregated facility. It was not practicable to widen the remaining footway/cycleways beyond 3.0 metres and after further consultations carried out with the Cycling and Road Safety teams, it is proposed to introduce these as unsegregated shared use facilities.

With regard to the first point, where the carriageway is not being widened, the existing width of 7.3m is considered appropriate. The proposed Asda supermarket in Middleton was agreed in principle on 23 February 2010 and the Tesco site refused. However it is not known at this stage when the development will come forward. The traffic effect at the Tommy Wass junction is not likely to be significant from this development.

### 3.2.2 Emergency Services

and Metro (WYPTE): Emergency Services and Metro were originally consulted on the Ring Road Beeston Park Bus Lane scheme in August 2005 as part of the feasibility study and in February 2008 during the preliminary design stage. They were contacted again in February 2010 with the current proposals. No adverse comments have been received from the Emergency Services and Metro are fully supportive of the scheme.



- 3.2.3 Area Committee: The South Leeds Area Committee were consulted in February 2008 and again in February 2010. No adverse comments have been received to date.
- 3.2.4 Southleigh Residents Association: The Southleigh Residents Association were consulted during the preliminary design stage in February 2008. A number of comments were received, several of which were incorporated into the design layout. They were consulted again in July 2009 and members of the design team met with representatives of the Association Committee in March 2010 to discuss the proposals. They stated that they are generally supportive of the scheme but had some concerns on how the new traffic signals at Gipsy Lane would affect the already severe traffic queues that develop on Gipsy Lane at peak periods during the school run. The design team stated that these would be monitored and pointed out that installing the traffic signals will make it much safer to egress Gipsy Lane than is currently the case.
- 3.2.5 Beeston Community Forum: Communications were held with The Beeston Community Forum in January 2008 regarding the land acquisition carried out adjacent to numbers 4 and 6 Ring Road Beeston Park. They were consulted again in July 2009 and had no comments to make.
- 3.2.6 Westwood Community Association: The Westwood Community Association were consulted during the detailed design stage in November 2009 as they had particular concerns regarding the shared use footway/cycleway facility and the location of the proposed pedestrian crossing. In March 2010, members of the design team attended two meetings with representatives of the Association and their main concerns have now been addressed with the current scheme proposal.
- 3.2.7 Further consultations will be carried out as part of the Traffic Regulation Order process. This will include consultation with local residents.

### 3.3 Programme

- 3.3.1 Subject to approval, it is anticipated that construction of the main contract work will commence in August 2010 with completion due in August 2011.

## 4.0 IMPLICATIONS FOR COUNCIL POLICY AND GOVERNANCE

### 4.1 Compliance with Council Policies

- 4.1.1 Vision for Leeds 2004 - 2020: During consultations for the preparation of the "Vision", improving public transport was identified as the most important priority. One of the eight main themes of the "Vision" is to provide safe, sustainable and effective transport - meeting people's need to get about while affecting the environment as little as possible.

- 4.1.2 Leeds Strategic Plan 2008 - 2011: Improvement Priorities: By 2011 we want to:
- i) deliver and facilitate a range of transport proposals for an enhanced transport system, including cycling and walking;
  - ii) improve the quality, capacity, use and accessibility of public transport services in Leeds;
  - iii) improve the condition of the streets and transport infrastructure by carrying out a major programme of maintenance and improvements; and
  - iv) improve road safety for all users, especially motor cyclists, pedal cyclists and pedestrians.
- 4.1.3 People Strategy: The proposed measures will provide a benefit for disabled, elderly and less agile members of the community wishing to use the available public transport services.
- 4.1.4 Local Transport Plan: These proposals are fully in accordance with the objectives of the plan. In conjunction with the planned introduction of a Quality Bus Corridor the proposals will ultimately make bus services a more attractive travel choice, thereby encouraging modal transfer from the private car as well as providing passengers with a greatly improved service. They will provide the catalyst for complementary operator investment in new vehicles and will contribute to the wider Yorkshire Bus Initiative.
- 4.1.5 Environmental Policy: The measures are in line with Aim 6 of the Policy, by introducing measures to encourage alternatives to the private car and improving overall road safety.

## 4.2 Safety Audit

- 4.2.1 A Stage 1 Safety Audit was carried out in September 2008. A Stage 2 safety Audit was carried out in March 2010 and the current scheme proposal has addressed the issues raised.

## 4.3 Community Safety

- 4.3.1 The proposals contained within this report have no implications under Section 17 of the Crime and Disorder Act 1998.

## 5.0 LEGAL AND RESOURCE IMPLICATIONS

### 5.1 Scheme Design Estimate

- 5.1.1 The estimated cost of the scheme is £2,860,000 works costs and £340,000 staff costs, comprising the following elements:

	TOTALS	PREVIOUS APPROVALS	NET
Construction Costs	£1,410,000	£10,000	£1,400,000
UTC Costs	£70,000	£0	£70,000
Statutory Undertakers Costs	£1,030,000	£220,000	£810,000
Ancillary Costs	£350,000	£120,000	£230,000
Total Works Costs	£2,860,000	£350,000	£2,510,000
Staff Costs	£340,000	£230,000	£110,000

- 5.1.2 This estimate includes staff, construction, statutory undertakers and ancillary costs of £580,000 previously approved in reports to the Director of City Development in March 2007 and November 2009.
- 5.1.3 This estimate also includes staff costs of £5,000 for the preparation of a Traffic Regulation Order which was the subject of a separate report to the Highways Board.
- 5.1.4 The net costs for approval in this report are therefore £2,510,000 works costs and £110,000 staff costs.

## 5.2 Capital Funding and Cash Flow

- 5.2.1 The estimated cost of £2,510,000 for the works costs and £110,000 for the staff costs can be met from the Integrated Transport Scheme 99609 within the approved Capital Programme and is eligible for 100% Government funding.

**Parent Scheme Number :** 99609  
**Title :** Integrated Transport Scheme

### 5.2.2 13450 A653 Dewsbury Rd Ring Rd

Current total Authority to Spend on this scheme	TOTAL	TO MARCH 2009	FORECAST				
			2009/10	2010/11	2011/12	2012/13	2013 on
	£000's	£000's	£000's	£000's	£000's	£000's	£000's
LAND PURCHASE (1)	0.0						
CONSTRUCTION (3)	230.0	8.8	163.2	58.0			
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	230.0	185.5	44.5				
OTHER COSTS (7)	120.0	22.7	17.3	80.0			
<b>TOTALS</b>	<b>580.0</b>	<b>217.0</b>	<b>225.0</b>	<b>138.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Authority to Spend required for this Approval	TOTAL	TO MARCH 2009	FORECAST				
			2009/10	2010/11	2011/12	2012/13	2013 on
	£000's	£000's	£000's	£000's	£000's	£000's	£000's
LAND PURCHASE (1)	0.0						
CONSTRUCTION (3)	2280.0			1655.0	600.0	25.0	
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	110.0		60.0	50.0			
OTHER COSTS (7)	230.0			155.0	70.0	5.0	
<b>TOTALS</b>	<b>2620.0</b>	<b>0.0</b>	<b>60.0</b>	<b>1860.0</b>	<b>670.0</b>	<b>30.0</b>	<b>0.0</b>

Total Scheme Cost	TOTAL	TO MARCH 2009	FORECAST				
			2009/10	2010/11	2011/12	2012/13	2013 on
	£000's	£000's	£000's	£000's	£000's	£000's	£000's
LAND PURCHASE (1)	0.0						
CONSTRUCTION (3)	2510.0	8.8	163.2	1713.0	600.0	25.0	
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	340.0	185.5	104.5	50.0			
OTHER COSTS (7)	350.0	22.7	17.3	235.0	70.0	5.0	
<b>TOTALS</b>	<b>3200.0</b>	<b>217.0</b>	<b>285.0</b>	<b>1998.0</b>	<b>670.0</b>	<b>30.0</b>	<b>0.0</b>

Current Funding Position (As per latest Capital Programme)	TOTAL	TO MARCH 2009	FORECAST				
			2009/10	2010/11	2011/12	2012/13	2013 on
	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Transport Grant (TSG)	3200.0	217.0	285.0	1998.0	670.0	30.0	
Total Funding	3200.0	217.0	285.0	1998.0	670.0	30.0	0.0
<b>Shortfall =</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

## **5.3 Risk Assessments**

- 5.3.1 Not providing the new Ring Road Beeston Park Bus Lane and associated junction improvements with the A653 Dewsbury Road would lead to increased congestion along the routes, with associated knock on effects to the bus services that use these roads. Bus operators may not provide service upgrades planned as part of the Local Transport Plan which may make the use of public transport less desirable to the public.
- 5.3.2 During the design process, geotechnical survey work has identified that there are shallow mine workings below an area of the verge on which the bus lane is to be constructed as well as beneath a section of the existing carriageway. There is evidence that these workings have had an adverse affect on the existing carriageway construction which has been subject to numerous repairs over the length of the mine workings and some areas are displaying further signs of distress. The proposals include work to fill these voids with grout, where they are accessible, which should stabilise the ground conditions and minimise any future maintenance work. Therefore, if the scheme is not constructed, it is likely that the carriageway construction will continue to deteriorate, resulting in future maintenance liabilities.
- 5.3.3 Should any objections be received to the advertised draft Traffic Regulation Orders then the proposed start on site date may be delayed dependant upon how quickly the objections can be resolved.

## **6.0 CONCLUSIONS**

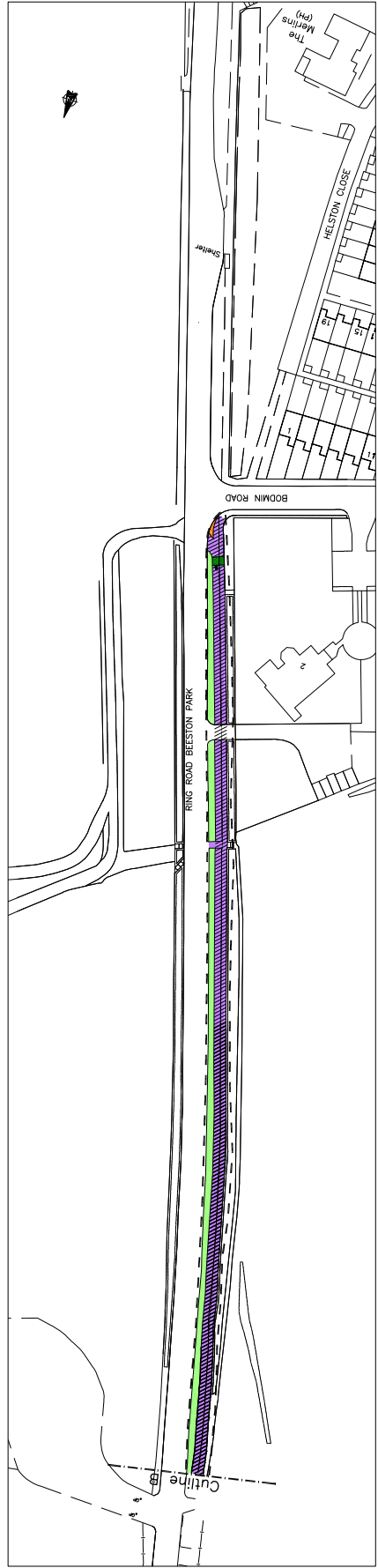
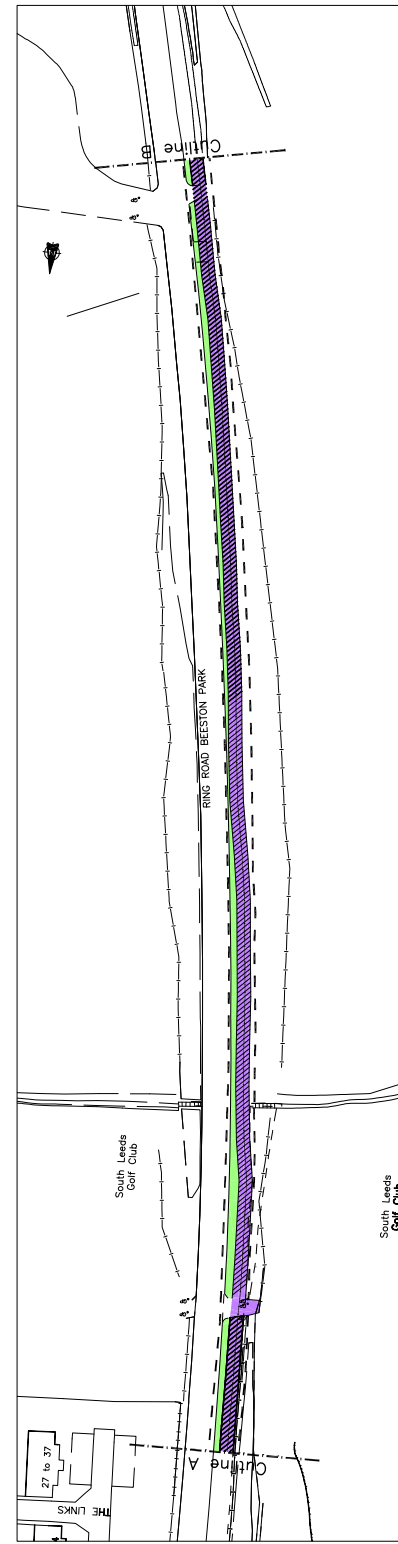
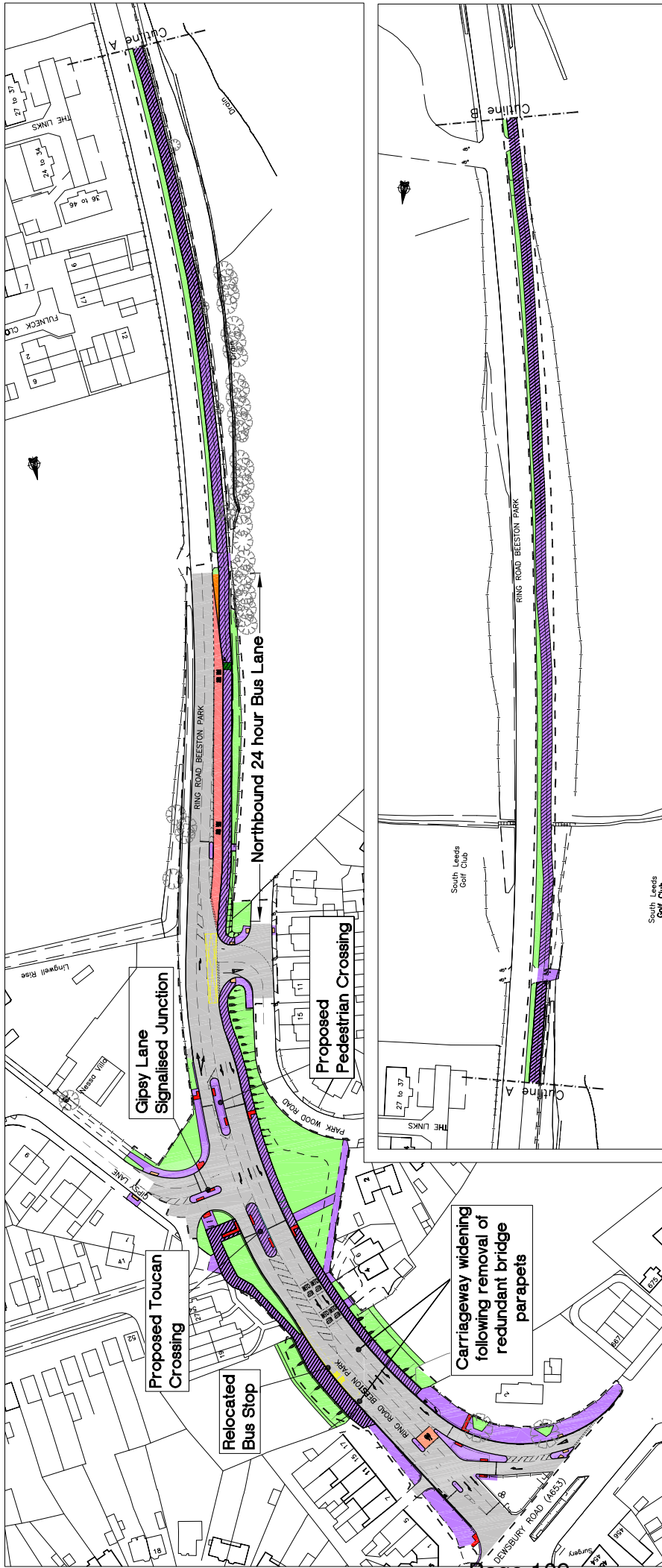
- 6.1 Improvements to the junction of A653 Dewsbury Road and Ring Road Beeston Park will help to reduce congestion on both routes, bringing benefits to all road users.
- 6.2 The Ring Road Beeston Park Bus Lane Scheme is completely in line with the objectives of the Vision for Leeds and the Leeds Strategic Plan.
- 6.3 The scheme will provide benefits for pedestrians and cyclists as well as the provision of Disability Discrimination Act compliant bus stops.

## **7.0 RECOMMENDATIONS**

- 7.1 The Executive Board is requested to;
- i) note the contents of this report;
  - ii) approve the Ring Road Beeston Park Bus Lane proposal as shown on the attached drawing number HDC/713450/CO1 at an estimated cost of £3,200,000;
  - iii) give authority to incur additional expenditure of £2,620,000 comprising £2,510,000 works costs and £110,000 staff costs to be met from the Integrated Transport Scheme 99609, within the agreed Capital Programme; and
  - iv) note the previous approvals totaling £580,000 comprising £230,000 staff costs, £120,000 ancillary costs, £220,000 for advance statutory undertakers' diversion costs and £10,000 for advance site clearance costs.

## **8.0 BACKGROUND PAPERS**

- 8.1 None.



**KEY**

	FOOTWAY WORKS
	COMBINED FOOTWAY / CYCLEWAY
	CARRIAGEWAY WORKS
	CONTROLLED CROSSING - RED TACTILES
	UNCONTROLLED CROSSING - BUFF TACTILES
	BLOCK PAVING
	LANDSCAPE / GRASSED AREA
	PROPOSED BOUNDARY OR RETAINING WALL
	CYCLE LANE WITH RED SURFACING
	BUS LANE WITH RED SURFACING
	HAZARD PAVING

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Originator: M.Rutherford

Tel: 214 9169

## Report of Director of Environment and Neighbourhoods

To **Executive Board**

Date: **19<sup>th</sup> May 2010**

**Subject: CROSS GREEN GROUP REPAIR – PHASE 1**  
**Capital Scheme Number 16104/000/000**

<p><b>Electoral Wards Affected:</b></p> <p>Burmantofts and Richmond Hill</p>	<p><b>Specific Implications For:</b></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Equality and Diversity</td> <td style="text-align: center; border: 1px solid black; width: 30px;">x</td> </tr> <tr> <td style="padding: 2px;">Community Cohesion</td> <td style="text-align: center; border: 1px solid black;">x</td> </tr> <tr> <td style="padding: 2px;">Narrowing the Gap</td> <td style="text-align: center; border: 1px solid black;">x</td> </tr> </table>	Equality and Diversity	x	Community Cohesion	x	Narrowing the Gap	x
Equality and Diversity	x						
Community Cohesion	x						
Narrowing the Gap	x						
<p>Eligible for Call In <input checked="" type="checkbox"/></p>	<p>Not Eligible for Call In (Details contained in the report) <input type="checkbox"/></p>						

### Executive Summary

In line with the objectives of the Vision for Leeds 2004-2020 and the Leeds Housing Strategy, an allocation of £18.37 million Single Regional Housing Pot funding has been approved from the Regional Housing Board to be spent during the financial years 2008-11. The proposals set out in this report will utilise £1.72m of this allocation on the 1<sup>st</sup> phase of Group Repair within the Cross Green area. Included within the £1.72m allocation is £0.63m which was originally allocated to the Holbeck phase 4 acquisition and demolition scheme and Executive Board are asked to transfer this amount into the group repair scheme. This will extend the life of 45 properties by 30 years and will also provide some training and apprenticeship opportunities for people within the area. Executive Board are also requested to inject £0.171m of private sector contributions into the capital programme and authorise scheme expenditure of £1.891m outlined within this report.

#### 1.0 Purpose of this Report

1.1 The Housing Investment Programme 2008-11 presented to the Regional Assembly allocated £18.37m to Leeds to spend on housing related projects, including group repair. Group Repair is an external enveloping scheme whose purpose is to extend the life of approximately 45 properties in private ownership by 30 years. It is also anticipated that any miscellaneous ALMO property within the area will also be similarly improved and this is the subject of a separate report to Executive Board proposing to allocate East North East ALMO £670k to support this.

- 1.2 Originally a bid for £1.8m was submitted to WYHP as part of the Leeds 2008/11 bid for SRHP in respect of a Group Repair scheme in Cross Green. The project forms part of a long term programme of transformational change in the area and will complement earlier phases of acquisition and demolition which are ongoing.
- 1.3 As part of contingency arrangements put in place to deal with savings of £4m, other schemes within the East of the city have been slipped to future years but commitment to the Cross Green Group Repair scheme has been maintained as a priority within the programme. The contingency arrangements put in place per the December 2009 Executive Board report slipped the schemes start date to autumn 2010 with completion in summer 2011. The current spend profile allows for £1.1m in 2010/11. As the private sector renewal allocation for 2011/2014 has not yet been determined, a report was submitted to the Chief Housing Officer in March 2010 requesting that £630k of money allocated to phase 4 of the Holbeck acquisition for demolition programme be slipped to enable this money to be utilised by the Cross Green Group Repair programme to allow completion of phase 1 of this scheme.

## **2.0 Background Information**

- 2.1 Cross Green is located to the East/ South East of the City Centre and is bordered by the East Street Corridor, Aire Valley, the railway to the north and Neville Hill railway junction to the east. The area of Cross Green that this report focuses on is the Copperfields / St Hilda's area, shown in appendix 1. The area suffers from many of the features common to inner city deprivation (detailed below) and is especially characterised by the quality of its housing; much of the area comprises back to backs with no private garden space. The majority of properties are in Council Tax Band A (85%, Council Tax Records, 2006).
- 2.2 There are approximately 450 properties in the area, of which 78 are ALMO properties and approximately 23 are RSL. The vast majority are therefore private with a large proportion of these being private rented. In 2005, Renew did an analysis of ownership in the area. It was found that approximately 160 properties were owned by private landlords and 140 owner occupied, with the remainder being absentee owners, charitable organisations or unknown.
- 2.3 The Cross Green area has some of the lowest house prices in Leeds. These properties are often in poor condition and of low demand; the main demand coming from private landlords and speculative investors, with evidence indicating that the number of owner occupiers is shrinking with more private landlords buying up properties in the area. While property prices are comparatively low, investors are able to see the potential return from private lettings. A concentration of privately rented property can often lead to an over representation of vulnerable, mobile and anti-social residents. The target area for the proposed Group Repair scheme is within a larger area identified as an area for a Selective Licensing scheme, whereby all private landlords operating within the area are required to be licensed
- 2.4 The initial phases of Group Repair within this area will focus on the streets to the South of the area, surrounding the areas that have recently been acquired for demolition. Improving properties within these streets will help protect the Council's investment in the acquisition for demolition programme. The target area for this first phase of Group Repair is shown in appendix 1 but it should be noted that this target area may change slightly subject to the level of take up of the scheme by property owners within the proposed areas. On completion of this first phase it is intended to carry out a second phase of Group Repair targeted on the area shown in appendix 1.



### **3.0 Main Issues**

3.1 This Group Repair phase is proposed to include approximately 45 properties, the majority of these on this phase being back to back terraced properties. The target area for the scheme will be the properties shown within the light green shaded area on the attached map (appendix 1). The Construction work on the scheme is to be carried out by Frank Haslam Milan, under the provisions of contract number 503968/3454 under which they were appointed to carry out Group Repair work in Leeds. This contract has provision for training and apprenticeship opportunities to be given to local people wherever possible and practicable. Previous schemes have, for example, included apprenticeship opportunities for bricklayers, joiners, roofers and scaffolders and employment opportunities for local labourers, joiners and Quantity Surveyors.

3.2 The Group Repair work will be similar to that done on previous phases in Beeston and the Burley Lodges and will include:

The re-roofing of the main roof and bay roofs to the front façade (including provision of thermal insulation). Re-roofing the rear “extension” and/or additional roofs where required. Renewal of chimney pots as required. Gas safety checks on gas fires. Brick cleaning to the front facades and redecoration. Repairs/reinforcement to brickwork as necessary. Replacement of windows to suit the style of the premises. Replacement of dormers and /or roof windows as required. New high security doors to the front and rear (where present) entrances as required. New rainwater goods and soil/vent pipes as required. New gates and railings to front boundaries (where present), including landscaping to front gardens. Repairs to rear boundary walls (where present) including new rear gates as required.

3.3 Individual properties are presently being surveyed and cost sheets are being drawn up. The overall construction costs of the first phase of this scheme has been estimated at £1.71m, giving an average total cost per property of around £38k for construction work. Fees of up to 10% have to be added to this giving a total cost for fees of up to £171k. These fees will be apportioned between Property Management Services and Health and Environmental Action Services and will be calculated in proportion to time spent by officers of each section on delivering the schemes. Additional fees will be incurred through asking ADMAS Ltd to carry out an asbestos survey on each participating property prior to work starting. Properties also have to be surveyed before work commences to ensure that there is no evidence of bat and bird nesting. The total costs for these surveys for the scheme is anticipated to be approximately £10k. The overall cost of construction plus fees for the scheme is therefore estimated to be £1.891m.

### **4.0 Consultations**

4.1 Consultations have taken place with Ward Members, Tenants, Owner Occupiers, and the Cross Green Steering Group and there is broad support for the scheme. Ward members have also been consulted on the specific issue of transferring £0.63m of money from the allocation for phase 4 of the Holbeck acquisition for demolition scheme and whilst there was some reluctance for this to be done, they are aware of the need for this transfer to take place in the wider interests of delivering the Capital Programme.

### **5.0 Community Safety**

5.1 The proposals contained in the report have implications under Section 17 of the Crime and Disorder Act 1998. The properties receiving improvements will be made more secure, with an aim of reducing burglary within the area.

## **6.0 Equality and Diversity**

- 6.1 The proposals contained in the report have implications for Equality and Diversity. All properties within the target area will be visited and all property owners within this area will be encouraged to participate.

## **7.0 Programme**

- 7.1 The programme of works will be carried out over the following period:

Start on Site	July 2010
Practical completion	April 2011

If additional funding is made available, it is anticipated that further phases of Group Repair will then be done within the area subject to additional funding being made available.

## **8.0 Scheme Costs**

- 8.1 This report seeks approval to provide sufficient funds for improvements to approximately 45 properties, at an average cost of approximately £38k per property, totalling £1.71m. As well as the cost of works, fees at the rate of 10% will be charged pro rata to all parties involved. The majority of the properties are in private ownership and this report assumes that, on the basis of experience of Group Repair initiatives elsewhere in the city, that these private owners will pay between 10-20% towards the costs of improvements to their properties. The remaining 80-90% represents the cost to the Council.
- 8.2 It is anticipated that work will also be carried out to improve any Council owned property within this area as part of this scheme but this is the subject of a separate report to the board of East North East Homes Leeds ALMO.
- 8.3 As the mix of properties in each of the phases is subject to the owner's agreement, there may be different numbers of Council or Privately owned properties included for improvements. Nevertheless, the cost to the Council will be maintained within budget by ensuring that if the price per property is higher than the £38k estimate, then proportionately less properties will be improved. Also, if the owner occupier contributions are less than the 10-20% assumed, then again less properties will be improved. If savings are made either by a lower level of cost per property or a higher level of owner occupier contributions, there would be an opportunity for additional properties to be included. In the event that scheme costs allow for a significant change in the number of properties to be included in the scheme, a further report will be submitted to Executive Board for approval.
- 8.4 The total estimated cost of the works to the 45 properties is £1.71m construction works, and £171.0k fees, totaling £1.881m. Each participating property will have to be surveyed prior to work commencing in order to determine the presence of any asbestos within the building and also to determine any bat or bird nesting activity; the total estimated cost for this is £10,000 for the scheme; giving a total estimated cost for fees of £181.0K and a total scheme cost of £1.891m.
- 8.5 This will be funded as follows; £171.0k is estimated to be received in contributions from Owner Occupiers towards works and fees, and a £1.72m contribution from SHRP.

- 8.6 Each grant is subject to a condition which requires full repayment of the grant in the event of sale, other than an exempt disposal, within a 5 year period, following completion of the works.

## 9.0 Capital Funding and Cash Flow

Previous total Authority to Spend on this scheme	TOTAL £000's	TO MARCH 2009 £000's	FORECAST				
			2009/10 £000's	2010/11 £000's	2011/12 £000's	2012/13 £000's	2013 on £000's
LAND (1)	0.0						
CONSTRUCTION (3)	0.0						
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	0.0						
OTHER COSTS (7)	0.0						
<b>TOTALS</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2009 £000's	FORECAST				
			2009/10 £000's	2010/11 £000's	2011/12 £000's	2012/13 £000's	2013 on £000's
LAND (1)	0.0						
CONSTRUCTION (3)	1710.0			1710.0	0.0		
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	181.0			181.0	0.0		
OTHER COSTS (7)	0.0						
<b>TOTALS</b>	<b>1891.0</b>	<b>0.0</b>	<b>0.0</b>	<b>1891.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2009 £000's	FORECAST				
			2009/10 £000's	2010/11 £000's	2011/12 £000's	2012/13 £000's	2013 on £000's
Private Sector	171.0			171.0			
Government Grant- SRHP/HMR	1720.0			1720.0			
<b>Total Funding</b>	<b>1891.0</b>	<b>0.0</b>	<b>0.0</b>	<b>1891.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>Balance / Shortfall =</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Funding transfer from Holbeck Ph4 A&D scheme 15557/000/000 - £630k  
to Cross green Group Repair Ph1 16104/000/000 +£630k

## 10.0 REVENUE EFFECTS

10.1 There are no revenue effects to the Council.

## 11.0 RISK ASSESSMENTS

11.1 There are Health & Safety implications, but these will be dealt with under Health & Safety Plan. In addition all residents and stakeholders have been consulted prior to instigating the project and there is an existing network of communication and dialogue with residents and owners.

## 12.0 RECOMMENDATIONS

12.1 The Executive Board is requested to :

12.2 Authorise the injection into the Capital Programme of £171.0k from owner occupiers.

12.3 Rescind £630k of authority to spend from Holbeck Ph4 A&D scheme.

12.4 Authorise the transfer of £630k government grant from Holbeck Phase 4 to Cross Green Group Repair Ph1.

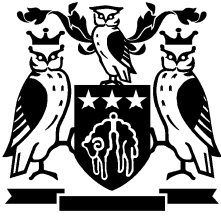
12.5 Authorise scheme expenditure to the amount of £1.891m on Cross Green Group Repair Phase 1.

**Background Papers :-**

Holbeck Ph4/ Cross Green GR PH1	Chief Housing Officer March 09
Regional Housing Board Programme 2008-11	Exec Board 9 <sup>th</sup> Dec 09
Single Regional Housing Pot Programme 2008-11	- Director of Resources 4 <sup>th</sup> Sep 08. to inject the remaining 2008/11 grant £13.9m into the programme.



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Originator: Stephen Boyle

Tel: 50924

**Report of the Director of Environment and Neighbourhoods**

**Executive Board**

**Date: 19<sup>th</sup> May 2010**

**Subject: ALMO Land Assembly in East Leeds**

**Electoral Wards Affected:**

Burmantofts and Richmond Hill, Temple Newsam, Killingbeck and Seacroft, Gipton and Harehills

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

**EXECUTIVE SUMMARY**

- This report updates Executive Board on the clearance of sites by the council's arms length management companies (ALMO) in the East and South East Leeds (EASEL) area and seeks Executive Board approval for the general fund contribution to the costs of acquiring and demolishing houses in private ownership on these sites.

## 1 Purpose Of This Report

- 1.1 Since 2004/05 the council's arms length management companies (ALMOs) with responsibility for housing management in the EASEL area have progressed selective demolition of unsustainable or unsuitable housing stock on a number of sites. This rationalisation programme included the acquisition and demolition of a number of houses in private ownership. This report sets out the financial implications associated with this element of the programme and seeks Executive Board approval for the costs and funding requirement for these units.

## 2 Background Information

- 2.1 In November 2009 Executive Board were informed, in the report dealing with Capital Programme Update 2009-2013, that discussions between the Directors of Resources and of Environment and Neighbourhoods were seeking to clarify the funding approvals and responsibilities relating to the acquisition and demolition of privately owned properties within the area. Clarification was being sought as to which properties had been demolished as a part of the Decent Homes programme and therefore would be funded by the Housing Revenue Account, and those private properties which had been acquired and demolished at the same time and which would facilitate sites for the EASEL project.

## 3 Main Issues

- 3.1 Since 2004/05 the ALMOs have worked with the council to assess the sustainability and suitability of stock in their areas. Within the EASEL area, East North East Homes Ltd (and the predecessors, East Homes and South East Homes) has made significant progress, tied to the Decent Homes programme, with this issue. More than six hundred households have been successfully relocated from a number of sites. A map showing the areas included in the programme is attached as Appendix A to this report.
- 3.2 As part of this programme, the council has offered to relocate or simply acquire houses from private owners so that they would have the same opportunities as council tenants to move to more sustainable homes. The programme includes some 89 dwellings in private ownership. The following table shows the actual and proposed programme of acquisition and demolition of these units.

Year	Number of Properties	
	Acquired	Demolished
2004/05	2	0
2005/06	30	4
2006/07	8	24
2007/08	9	16
2008/09	18	11
2009/10	16	24
Future years	6	10
	<hr/>	<hr/>
	89	89

- 3.3 The costs of the programme are now established and include costs to buy the properties and to settle home loss compensation payments to the owners. It also includes professional fees and the demolition costs of the units.
- 3.4 The cost of acquiring and demolishing private dwellings falls to the General Fund and in normal economic circumstances the costs would be met by the capital receipts arising from the onward sale of the land.



3.5 A summary of the costs in each year is as follows:

Year	Acquisition and Homeloss (£k)	Professional Fees (£k)	Demolition costs (£k)	Total Expenditure (£k)
2004/05	85.79	1.18	-	86.97
2005/06	2,306.33	21.00	33.31	2,360.64
2006/07	601.15	6.52	193.49	801.17
2007/08	788.63	7.03	130.22	925.88
2008/09	1,489.29	35.98	75.23	1,600.50
2009/10	1,263.96	-	302.49	1,566.45
Future years	954.08	-	129.65	1,083.72
	<b>7,489.22</b>	<b>71.70</b>	<b>864.40</b>	<b>8,425.32</b>

3.6 Costs have been initially incurred by ENEH and financial provision to reimburse ENEH has been made over time and reported to Executive Board in successive reports dealing with the capital programme. However, for transparency it is considered appropriate to report the full details of this expenditure and to ensure that appropriate approval for the expenditure is made through Executive Board. Therefore, Executive Board is asked to note the costs incurred to date and to give approval for the programme costs for the acquisition and demolition of units in private ownership from general fund capital resources. The remainder of the programme (dealing with council houses) is approved under delegation through the management agreement with the ALMO and funded through housing revenue account funding.

3.7 The ENEH land assembly programme is contributing to the council's ambition for sustainable mixed communities in east Leeds. The programme will deliver 13 sites covering 28.6 hectares (68.7 acres). These sites will be available to the EASEL programme for new housing and other neighbourhood facilities. The land is sufficient to provide 1,364 new homes, including homes for sale, and affordable homes to rent. The EASEL programme already has four sites operating: Parkway in Seacroft; the Oaks, St Wilfred's Avenue, and, Easterly Mount in Gipton. These sites are delivering 463 new homes, 143 for rent and 220 for sale.

3.8 Although the land assembly programme is not complete, the land available already provides the council with land for development over at least the next ten years. Because the programme was already well advanced this has meant that the council has been very successful in attracting government funding to support house building over the last two years. To date the programme has levered in £6.749m of government funding and £15m of private sector investment which will support the delivery of 231 units through until March 2011.

#### **4 Implications For Council Policy And Governance**

- 4.1 The rationalisation of ALMO stock makes contributions to commitments the council has made in the Leeds Strategic Plan (and preceding corporate plans). In addition, the council will seek to attract investment into the EASEL communities by developing the sites cleared under this programme.
- 4.2 These joined programmes will contribute to the LSP priorities to promote Thriving Places through the strategic outcome to improve quality of life through mixed neighbourhoods offering good housing options and better access to services and activities. Specifically the programmes focus on increasing the number of decent and affordable homes and to assist with fuel poverty.

#### **5 Legal And Resource Implications**

- 5.1 The successful programme of rationalising ALMO stock in the EASEL area has dealt with houses in the council's ownership and some in private ownership. While the costs of the programme for council houses can be funded by the Housing Revenue Account, the acquisition and demolitions of private homes must be funded from the council's general fund resources.
- 5.2 Funding for expenditure to the end of 2009/10 has been provided for in the current capital programme. Future years expenditure from 2010/11 onwards will have to be resourced from the generation of capital receipts resulting from the sale of land in the EASEL area.
- 5.3 The February 2010 Capital Programme report and previous reports to Executive Board have allocated £5.843m of General Fund resources to date towards the overall £7.342m demolition and acquisition costs incurred by ENEH on private sector properties, to 31 March 2010. In 2008/09 funding of £3.343m to meet these costs was provided and a further £2.5m was approved in the February 2010 report on the capital programme. The Director of Environment and Neighbourhoods has subsequently confirmed that ENEH require £2.353m to fund their closing 2009/10 HRA (Decency) capital expenditure position.
- 5.4 Given that ENEH have incurred General Fund costs of £7.342m to 31 March 2010 and been reimbursed for £5.696m of these costs, there remains a requirement in 2010/11 or the forward years to reimburse ENEH £1.646m, the balance of funding required to cover all General Fund costs incurred up to 31 March 2010.
- 5.5 In addition to the £1.646m balance of funding for 2009/10, projected acquisition and demolition costs to conclude the current programme of site assembly works for EASEL are expected to be £1.083m in 2010/11. There is currently no capital programme provision for £1.499m in respect of spend to 31 March 2010 and £1.083m for 2010/11. If the programme of acquisition and demolition of private dwellings is to be completed, an injection will be required to the capital programme of £2,582m.
- 5.6 If this capital programme injection is approved, by 31 March 2011 the General Fund is projected to have funded £8.425m of acquisition and demolition costs. As referred to in paragraph 3.4, when the original EASEL funding model was established there was a buoyant housing market and it was envisaged that ENEH would be promptly reimbursed from the receipts generated by the sale of cleared sites to Bellway. This site sale process has not happened due to the prevailing economic conditions. As the housing market revives, site sales will again commence and the General Fund will be recompensed for these costs from EASEL site receipts in the forward years.

## **6 Conclusions**

- 6.1 The council with its partner East North East Homes Ltd has made significant progress in dealing with the rationalisation of its stock which will release land for the next phase of investment into the EASEL area.
- 6.2 The funding for the acquisition of private sector properties should be funded from the council's general fund resources and appropriate approval for the funding is sought.

## **7 Recommendations**

- 7.1 Executive Board is requested to:
- 7.2 approve the injection of £2.582m of General Fund resources to cover the balance of the 2009/10 and projected 2010/11 expenditure, funded initially from unsupported borrowing but to be recompensed from EASEL site receipts in future; and
- 7.3 authorise expenditure of £8.425m as the costs for the acquisition and demolition of the private sector houses dealt with as part of the rationalisation of housing stock by East North East Homes Ltd.

## **Background papers**

Executive Board reports:

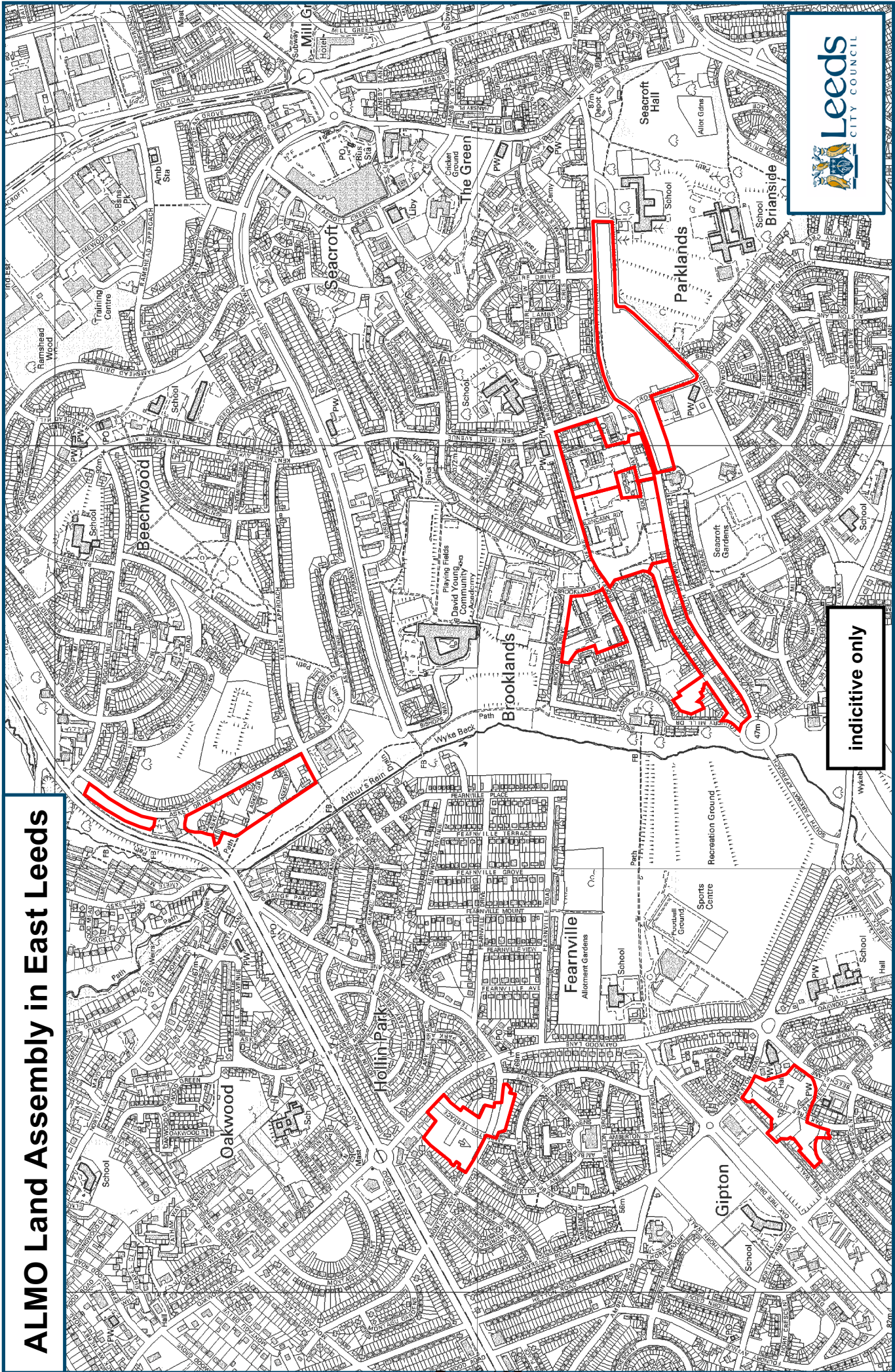
February 2008 Capital Programme 2007-11

February 2009 Capital Programme 2008-12

November 2009 Capital Programme Update 2009-13

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# ALMO Land Assembly in East Leeds



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Originator: John Statham

Tel: x 43233

**Report of the Director of Environment and Neighbourhoods**

**Executive Board**

**Date: 19<sup>th</sup> May 2010**

**Subject: The Review of the Council's Lettings Policy**

**Electoral Wards Affected:**  
All

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for call In

Not eligible for call in  
(details contained in the report)

**Executive Summary**

This report updates the Executive Board on the progress made in the review of the lettings policy following on from the report in July 2009. This report also sets out procedural changes to be introduced in relation to housing management issues.

The main policy change relating to the letting policy is a proposal to set aside up to 25% of all lets for applicants who can demonstrate a local connection to a defined geographical area who can demonstrate a history of good behaviour. This change will enable applicants not in the statutory reasonable preference categories to have a greater chance of securing housing.

The report sets out a number of procedural changes to be introduced to improve checks on applicants for housing and to ensure that offers of housing are made to the appropriate applicants. Proposals are also made to change tenancy management procedures to meet best practice and to give greater assurance that tenants are resident in their properties and observing their tenancy agreement.

The report also contains a set of principles to be applied to all lettings in new affordable housing schemes and sets out the timescale for full consultation and implementation of policy changes.

## **1.0 Purpose of this report**

1.1 The purpose of this report is to update Executive Board on

- Progress made in reviewing the lettings policy
- Progress made in improving the management of lettings and tenancies
- The development of a framework for lettings to all new affordable housing schemes
- The timetable for full consultation and implementation

## **2.0 Background**

2.1 In April 2009 elected members held a debate in full Council to raise concerns about the current lettings policy and its management. Members expressed concerns about

- the fairness to local people of the current policy
- the management of the application stage
- tenancy management procedures
- the sustainability of new affordable housing schemes

2.2 In July 2009 a report was presented to Executive Board setting out a number of proposals to tackle the concerns members expressed at the April 2009 Council meeting. These can be summarized as

- improving the initial application stage in terms of the verification of information on the housing application form
- improving the process of making offers of council accommodation
- tackling the perception that the current lettings policy is unfair
- improving the tenancy management process, and
- developing a new framework for lettings of new affordable housing schemes.

## **3.0 Government Initiatives**

3.1 Since the July Executive Board, the Department of Communities and Local Government (CLG) published a consultation paper on potential flexibilities to lettings guidance. This resulted in new statutory guidance called "Fair and Flexible", issued in December 2009.

3.2 The new guidance re-affirmed that Local Authorities must support those in greatest housing need by offering reasonable preference to those in housing need, such as homeless individuals or families.

3.3 The guidance went on to state that Local Authorities could offer greater flexibility in lettings by considering other issues such as waiting time, reduced preference for unsuitable behaviour, local connections, local lettings policies and quotas and targets. Leeds' policy already operates a number of these flexibilities but quotas and targets were new options.



## **4.0 Main issues**

### **4.1.0 Improving the initial application stage in terms of the verification of information on the housing application form**

- 4.1.1 Improvements to the housing register computer system have been introduced which have improved the accuracy and completeness of the information gathered on every applicant to the Leeds Homes Register. The enhanced system, called ArchHouse+, ensures that every membership form is entered onto the computer system consistently through the use of mandatory fields.
- 4.1.2 The new system ensures that all applicants are checked for their eligibility for council housing with respect to their immigration status and their suitability in terms of their behaviour. Staff inputting application forms are able to cross reference the application form with details held on the council's antisocial behaviour system, which records previous incidents of antisocial behaviour.
- 4.1.3 In addition, the lettings procedures have been strengthened to require the ALMOs to obtain proof of identification and current address from applicants. An improved quality assurance system has also been introduced which requires the ALMOs to undertake checks on their own processes, which will be audited by Strategic Landlord.

### **4.2.0 Improving the process of making offers of council accommodation**

- 4.2.1 Final checks are also made prior to the offer of a tenancy, to ensure the offer is made to the correct person, and that the information they provide on their identify matches that received at registration stage. Checks are also made at the offer stage to ensure the customer is still eligible and suitable to be made an offer of council accommodation.
- 4.2.2 The additional information gained at the application stage will also enable any support needs to be identified at an earlier stage and should ensure that they can be put in place to coincide with tenancy commencement.
- 4.2.3 A by product of these additional checks at application and offer stage will be increased confidence that the person or household obtaining a council house is entitled to the let and thus reduce the opportunities for fraudulent lets.

### **4.3.0 Tackling the perception that the current lettings policy is unfair**

- 4.3.1 The lettings policy must meet the council's legal duties to give preference to the statutory 'reasonable preference' groups. The CLG guidance reaffirms the Government's commitment to giving preference for lettings to those in the greatest housing need.
- 4.3.2 The guidance does, however, allow authorities to develop local priorities alongside the reasonable preference groups. It suggests '...in some areas this will mean giving more priority to people who have been on waiting lists for a long time or more priority for people with strong local or family connections. Elsewhere, there may be a greater need to support people in low paid work.'

- 4.3.3 Reframing the lettings policy in this way will enable the council to engage with communities in setting local priorities, which in itself will help reduce the perception amongst some customers that the lettings policy is unfair. Improved engagement with local communities is also important in explaining the shortage of lettings available compared to the number of households on the housing register.
- 4.3.4 A variety of options are suggested, in the statutory guidance, by which Local Authorities might choose to reflect local need. The lettings policy in Leeds already reflects local priorities through the use of local lettings policies which give preference for offers of certain properties to customers, for example, on the basis of their age, connection to a local housing office area or employment status.
- 4.3.5 One proposal contained in the guidance which Leeds does not currently offer is to introduce a lettings quota, whereby a certain proportion of properties would be advertised to give preference to local households with long standing housing applications and a record of good behaviour. A proportion of properties could be advertised on this basis to allow households on the housing register with long waiting times to bid for properties. Offers would be prioritised to households with the longest waiting time who had a connection to the immediate locality and could demonstrate a record of good behaviour in their current tenancy.
- 4.3.6 Local connection would be defined in terms of residence, family associations, employment or other special reason, and the locality could be defined in terms of the ward area, housing management area (ie the old neighbourhood housing office area), estates or ALMO area. Preference could be given to households from the smaller geographical area (eg estates) but opened up to NHO area if no applicants from the estate level expressed an interest in the property.
- 4.3.7 It is proposed that up to 25% of all properties are advertised in this manner. This would enable the council to demonstrate that preference is still being given to households in the reasonable preference groups for the majority of lettings, whilst at the same time offering real opportunity to those who currently have no real opportunity for securing a council home. The council would need to work closely with the ALMOs and the BITMO to determine how the 25% of properties would be selected, and to ensure as far as possible that the quota applied across all areas and property types.
- 4.3.8 While the Government is keen to allow local authorities greater freedoms, the council also has a number of corporate priorities which the lettings policy can assist in meeting, including reducing the number of households living in temporary accommodation, reducing overcrowding, improving access to suitable housing for disabled people, rehousing care leavers where the council has a corporate parent duty, and ensuring regeneration schemes are not held up by a failure to rehouse residents from clearance areas. All these priorities require a degree of preference be given to households in housing need.

#### **4.4.0 Improving the tenancy management process**

- 4.4.1 The lettings policy sets out the policy for allocation of council accommodation. The process of managing the tenancies is a housing management responsibility function currently delegated to the three ALMOs and BITMO. The Council, though, can set the standards by which it expects the ALMOs and BITMO to operate in order to

ensure that there is best practice in tenancy management. In broad terms the Council will be exploring with the ALMOs and BITMO the means by which the adherence to the tenancy agreement can become the focal point of tenancy management.

- 4.4.2 All new tenants are granted an Introductory Tenancy which runs for a year before they automatically become a secure tenant. The Council will be setting out guidelines on the management of these tenancies to ensure that there is effective monitoring during the introductory tenancy period so that actions such as extensions and possession can be considered where appropriate.
- 4.4.3 The Council will be asking the ALMOs and BITMO to ensure that all secure tenancies receive a formal tenancy visit at least once a year.
- 4.4.4 The Council is seeking to expand its Family Intervention project (FIP). The FIP allows the Council to provide intensive support to the most difficult and chaotic of families thereby reducing their negative impact upon the community within which the families live.
- 4.5.0 Developing a new framework for lettings of new affordable housing schemes**
- 4.5.1 In July 2009, Executive Board approved the development of a new framework for lettings in the new affordable housing schemes. The framework allows the flexibility to vary the local policy dependant upon the locality and the needs and aspirations of each new site.
- 4.5.2 The first local lettings plan, drawn from the framework, is for 20 new build properties managed by East North East Leeds Homes in the Gipton and Seacroft areas. This was approved in September 2009. The local plan gives preference to key workers, including those who are on training or apprenticeships, and those who are in employment who have been living in the EASEL area for twelve months or more or have close family living in the EASEL area. The local plan supports the overarching ethos of EASEL, which is to develop sustainable mixed income and mixed tenure communities.
- 4.5.3 Other plans will be developed as part of the delivery of the new sites. Each plan will be drawn up following consultation, which will include local ward members. The plans will enable those decanted from the site, people with a local connection, current tenants with an excellent tenancy history, customers in the General Needs category, as well as those in employment/ training to be considered. The next development due to be online is the Chaucer Gardens development in Pudsey, which will be managed by Accent Housing.
- 4.5.4 In addition, RSLs managing new build properties will be expected to use Starter Tenancies, the RSL equivalent of an Introductory Tenancy, for the first year of a new tenancy, to enable the RSL to monitor the tenancies intensively and take appropriate action against tenants who breach the terms of their Starter Tenancy.
- 4.5.5 The Council will enter in to nomination agreements with RSLs managing the new developments which will ensure that in the first instance the Council gets 100% nomination rights followed by 75% on subsequent lettings.

## **5.0 Other Initiatives**

- 5.1 The Council is working closely with CLG on two major initiatives in tackling housing fraud. Firstly, the Council has been chosen to act as a pilot in the government's campaign to reduce illegal sub letting. Funding has been secured to open specialist telephone lines which residents can use to anonymously report any concerns they may have with the occupation of council houses. Secondly, the Council is participating in a government initiative to match our housing database with others within the country. The Audit Commission is overseeing this work and will publish data matches to allow further investigations to be carried out.
- 5.2 The Department is carrying out a major review in to the delivery of the service provided by the Anti Social Behaviour Unit. The review, which is being conducted across the housing sector, will consider a range of issues, including links with the Police, processes and procedures, outcomes for residents and victim support. The Director of Environment and Neighbourhoods is chairing the review project board with an Assistant Chief Constable.
- 5.3 In 2009 Leeds was selected as an overcrowding pathfinder authority by CLG. The council has been able to allocate resources to understand the extent of over crowding in Leeds and to examine the impact of the lettings policy on overcrowded households.
- 5.4 Leeds' current letting policy is more generous than the statutory definition, which dates back to 1935, but would only award Priority where the household is 2 bedrooms short. Depending on the age and gender of the children, this could mean a family living in a 1 bed property with 2 children under 16 would not be awarded any priority for overcrowding.
- 5.5 There are currently 1,839 families with dependent children that are classified as over crowded by 1 bedroom. These families receive no priority under the current policy. There are 911 families with dependent children that are classified as over crowded by 2 bedrooms. These families are allocated priority.
- 5.6 It is proposed to change the policy so that families with dependent children under the age of 16 that are 1 bedroom over crowded would receive priority and those families with dependent children under the age of 16 that are 2 bedrooms over crowded will receive priority extra.
- 5.7 A summary of all of the proposed changes, which includes those referred to in the main body of the report and other more minor changes, to the policy is attached at appendix 1.

## **6.0 Implications for Council policy and governance**

- 6.1 In light of this report, further work is required to revise elements of the lettings policy. This will involve drafting a formal set of proposals and consulting with key stakeholders including elected members, the Leeds ALMOs and BITMO, RSLs operating in Leeds, other council sections, Leeds Tenants Federation, customers on the housing register and voluntary sector organisations.

## 7.0 Legal and Resource implications

7.1 The Council have obtained external legal advice on the proposed “up to 25” quota concerning the lettings policy from Counsel. Counsel has advised that potential challenges to allocations policies in the future will increasingly be brought on the basis of failure to comply with equality duties. The advice received however, is that in light of the new guidance and the Ahmad case, subject to a full and proper equality impact assessment (EIA) being undertaken, the policy appears to be legitimate and proportionate to the objectives of reducing band-chasing and maintaining community cohesion and balance. Without a full and proper EIA being undertaken, there is a real prospect of the lawfulness of this part of the policy being challenged, perhaps successfully.

Counsel has advised that it is likely that the policy particularly so far as the time on the waiting is concerned, will lead to significant differences between members of previously settled communities and new arrivals. However, these groups may be more likely to be awarded a priority band and be able to bid for properties on the basis of their housing need band.

Any discrimination arising from the introduction of the proposal would need to be justified in terms of the aims of the policy, namely to assist in creating balanced communities, moving from a system based entirely on rehousing customers in high housing need, and to enhance sustainability by giving preference for a proportion of lettings to local people, for example to assist young people to move or remain near their families or their employment.

The EIA would be undertaken in line with council guidance, incorporating requirements of Commission for Racial Equality’s Guidance which states that initial screening should be based on the best available data on the city population on its staff’s knowledge and experience.

7.2 The case of *R (on application of Ahmad) v. London Borough of Newham* was heard by the House of Lords in March 2009. The case was brought by an applicant who was living in overcrowded accommodation and who challenged the authority’s lettings policy, arguing it did not afford him sufficient preference.

7.3 On the facts of the House of Lords found in favour of Newham. In addition the House of Lords stated that allocation schemes may allow for a small percentage (5% was considered acceptable in this case) of lets to be made to existing social housing tenants who do not fall within any of the reasonable preference categories.

7.4 The facts of the case are not directly applicable to the quota proposal in Leeds, but the court stated that provided the allocation scheme complies with the requirements of section 167 and any other statutory requirements, the courts should be very slow to interfere on the ground that it is irrational.

7.5 The House of Lords also recognised the complexity of allocation policy and the need for local decision-making.

7.6 Initial discussions about the proposed changes have taken place at a series of member briefings in February and March. Prior to a new lettings policy being taken to Executive Board for approval, consultation would be undertaken with stakeholders to seek feedback on the proposed changes. This would involve

consulting further with Members, and with the Leeds ALMOs and BITMO, Registered Social Landlords, other partners and customers and tenants.

## **8.0. Conclusions**

- 8.1 This report updates Executive Board on developments to the lettings policy and proposals for the management of tenancies since July 2009.
- 8.2 The proposed changes attempt to offer a fairer policy to applicants. They seek to improve the management of both the application and letting stage as well as offer improved tenancy management procedures.
- 8.3 The aim of the revised lettings policy is to be more flexible and combined with management changes offer all stakeholders greater confidence in the process.

## **9.0. Recommendations**

- 9.1 The Executive Board requests that the Director of Environment and Neighbourhoods, together with the Council's Assistant Chief Executive (Corporate Governance) develop the proposals within this report into recommendations for change incorporated into a revised lettings policy and guidance.
- 9.2 The Executive Board requests an equality impact assessment is undertaken on the potential impact of the proposed letting policy changes.
- 9.3 The Executive Board requests that the proposals are consulted upon with a view to a revised lettings policy being prepared and submitted to Octobers Executive Board.

## **Background Papers**

- Leeds City Council's Lettings Policy, approved October 2008
- Fair and Flexible: Statutory Guidance on Social Housing Allocations for Local Authorities in England, Communities and Local Government, December 2009

## Appendix 1

1. **Quota system:** a proportion of properties (up to 25%) would be let on the basis of date of registration and a local connection to the housing office area.
2. **Penalties for refusing a property:** under the quota proposals, if a customer in General Need (Band C) refuses an offer of a property unreasonably, their date of registration would be changed to the date of their refusal. Customers in priority bands would lose their priority.
3. **Renaming the housing needs bands:** to make it easier for customers to understand their level of priority:
  - Priority Extra will become **Band A**, and Priority Extra Plus will become **Band A+**
  - Priority will become **Band B**
  - General Needs will become **Band C**
4. **Greater preference for overcrowded families:** households with dependent children who are one bedroom overcrowded according to the council's standard will be in Band B and those overcrowded by 2 bedrooms will be in Band A. Where overcrowding relates to adults in the household, the existing priority will apply.
5. **Sheltered housing criteria:** applicants for sheltered housing will qualify for certain types of sheltered properties depending on their personal circumstances.

Category 1 sheltered accommodation has emergency alarm call equipment installed but does not have a resident or visiting warden and will be for customers who are over 60 years old or have a medical recommendation.

Category 2 sheltered accommodation has alarm call equipment and a warden. Category 2 sheltered housing will be for customers who are over 60 years old or have a medical recommendation and working 15 hours or less.

In all cases, customers must have demonstrable care and support needs such as:

- age related frailty
- physical and mental health issues
- multiple health problems that mean the individual needs support
- sensory impairment
- loneliness and isolation or safety and security
- current and future ability to utilise the warden support

Rehousing other household members:

- where the spouse, civil partner or partner of an applicant who meets the above criteria is under 60 themselves, they can be rehoused with the main applicant but not as a joint tenant
- applicants with family members between 16 and 59 years old will only be considered for category 1 accommodation
- applicants with dependent children under 16 years old will not be eligible for sheltered accommodation, and will be expected to apply for family accommodation

**5. Preference for houses and maisonettes to:**

- (i) households with dependent children and households with a medical recommendation that can be met by adapting the property, followed by
- (ii) households made up solely of adults.

Where a household consists of a mixture of adults and children, preference will only be given where the adult members have lived with the household for a year.

- 6. Access to dependent children:** normally, the council will decide which parent or guardian is deemed to have the primary care of a dependent child, meaning that where parents are living apart only one would be considered for an offer of a house. These decisions will take into account exceptional circumstances for example a referral about specific needs from Childrens Services
- 7. Deliberately worsening circumstances:** a customer who deliberately worsens their circumstances in order to be placed in a higher band on the Leeds Homes Register (for example by leaving a tenancy in which they were adequately housed) will be placed in they band they would have qualified for, had they not worsened their circumstances. This will apply for a period of 12 months.
- 8. New direct let categories: under the new proposals there will be two new direct let reasons:**
- Hate crime: used where a customer is assessed by a Leeds Area Hate Crime Focus Group as requiring rehousing.
  - Safeguarding: used on referral from Adult Social Care or Children’s Services where a customer needs to move immediately under safeguarding procedures to protect a vulnerable adult or child in the household.
- 9. Right to review:** currently customers must request a review of a decision made about their housing application within a ‘reasonable period of time’. Under the new proposals the timescale for requesting a review will be 28 days from the date of the decision letter. The timescale for requesting a review of homeless decisions will remain at 21 days.