



SCRUTINY BOARD (CENTRAL AND CORPORATE)

Meeting to be held in Civic Hall, Leeds on
Monday, 1st November, 2010 at 10.00 a.m.

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

MEMBERSHIP

Councillors

P Grahame (Chair) - Cross Gates and Whinmoor;
S Bentley - Weetwood;
D Blackburn - Farnley and Wortley;
B Chastney - Weetwood;
M Hamilton - Headingley;
A Lowe - Armley;
N Taggart - Bramley and Stanningley;
J Hardy - Farnley and Wortley;
K Groves - Middleton Park;
J L Carter - Adel and Wharfedale;
R Wood - Calverley and Farsley;
A Gabriel - Beeston and Holbeck;

Please note: Certain or all items on this agenda may be recorded

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A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 25* of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded).</p> <p>(* In accordance with Procedure Rule 25, notice of an appeal must be received in writing by the Chief Democratic Services Officer at least 24 hours before the meeting.)</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</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>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			<p>LATE ITEMS</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>DECLARATIONS OF INTEREST</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>APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES</p> <p>To receive any apologies for absence and notification of substitutes.</p>	
6			<p>MINUTES - 15 SEPTEMBER AND 4 OCTOBER 2010</p> <p>To confirm as a correct record the minutes of the meetings held on 15 September and 4 October 2010</p>	1 - 10
7			<p>PERFORMANCE MANAGEMENT ARRANGEMENTS</p> <p>To receive and consider the attached report of the Head of Scrutiny and Member Development</p>	11 - 20
8			<p>APPROACH TO NEW EQUALITY AND DIVERSITY SCHEME 2011-14</p> <p>To receive and consider the attached report of the Assistant Chief Executive</p>	21 - 28
9			<p>WORK PROGRAMME</p> <p>To receive and consider a report from the Head of Scrutiny and Member Development outlining the Scrutiny Board's work programme for the remainder of the current municipal year.</p>	29 - 48

Item No	Ward/Equal Opportunities	Item Not Open		Page No
10			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note that the next meeting of the Board will be held on Monday, 6 December 2010 at 10.00 am with a pre meeting for Board Members at 9.30 am.</p>	

Agenda Item 6

SCRUTINY BOARD (CENTRAL AND CORPORATE)

WEDNESDAY, 15TH SEPTEMBER, 2010

PRESENT: Councillor P Grahame in the Chair

Councillors S Bentley, D Blackburn,
B Chastney, M Hamilton, K Groves,
R Wood, B Atha, A Gabriel, M Lyons,
B Lancaster, J Marjoram and R Grahame

Apologies Councillor

24 Exempt Information - Possible Exclusion of the Press and Public

Councillor J Procter raised concern regarding the officer recommendation to restrict the information as detailed in appendix 2 to Agenda Item 7.

Members were asked to determine whether to accept the officer's recommendation that the information should remain exempt and that the press and public should be excluded from the meeting during this item. Following a vote by Board Members present, it was:

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

Agenda Item 7 – Reductions in Grants: Implications for Services, Appendix 2 – under the terms of Access to Information Procedure Rule 10.4. (3) (information relating to the financial or business affairs of any particular person (including the authority holding that information)) and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

25 Declarations of Interest

Councillor Gabriel declared a personal interest in Agenda Item 7, Reductions in Grants: Implications for Services due to her position as a trustee for South Leeds Health for All

Councillor Chastney declared a personal interest in Agenda Item 7, Reductions in Grants: Implications for Services due to his position as a Director of Hyde Park Source.

26 Apologies for Absence and Notification of Substitutes

Draft minutes to be approved at the meeting
to be held on Monday, 4th October, 2010

Apologies for absence were submitted on behalf of Councillors Bentley, Lowe, Taggart, Hardy and J L Carter. Councillors Atha, Marjoram, R Grahame, Lyons and Lancaster were all in attendance as substitute members.

27 Call-In of Decision - Briefing Paper

The report of the Head of Scrutiny and Member Development informed Members of the Call In arrangements in accordance with the Council's Constitution and the options of action available to the Board. It was reported that only the two following options were applicable to the Board:

- Release the decision for implementation
- Recommend that the decision be reconsidered

RESOLVED – That the report be noted.

28 Reductions in Grants: Implications for Services

The report of the Head of Scrutiny and Member Development referred to the following decision of the Executive Board, that had been called in:

- Executive Board Minute 71(b) – Reductions in Grants: Implications for Service.

The Chair welcomed the following to the meeting:

- Councillors J Procter, B Anderson and C Fox – signatories to the Called In decision.
- Councillor R Lewis – Executive Member
- Alan Gay – Director of Resources

Councillors J Procter and B Anderson addressed the meeting and outlined the main concerns that led to the Call In of the decision. These included the following:

- The report offered no explanation of how the proposed cuts had been agreed, in particular the amounts concerned and it was questioned whether these proposed cuts would be done on a proportional basis.
- It was felt that the decision taken was not accountable and transparent.
- Of the organisations concerned, some of these had contractual arrangements with the Council. It was felt that where contracts existed, these should be honoured.
- There was no explanation of different options that could have been considered.
- Concern on how the cuts would affect the organisations – would these affect jobs?, the effect on other employment related issues including NEETS and worklessness.
- Were the cuts proportional across the City? – it appeared some areas would suffer more than others.

Members were issued with a further paper which contained updated information in relation to Appendix 2 and there was a brief adjournment whilst Members considered this information.

In response to the concerns raised, Alan Gay addressed the meeting. He reported that as part of the emergency budget announced on June 10, a report had been prepared for Executive Board regarding the spending implications for the Council. The Council was facing significant spending pressures and the report dealt with £15 million of reductions. Members were informed that discussions were ongoing with the affected organisations.

In response to Board Members comments and questions, the following issues were discussed:

- Concern regarding the future viability of the organisations affected.
- Reiteration that the organisations affected were being consulted.
- Geographic implications – would different parts of the City be more affected by these cuts than others?
- Further concern that the report did not address the future viability of the organisations involved nor did it address wider legal implications.

Councillor Procter was invited to summarise and reiterated the concerns that he had raised earlier.

RESOLVED – That the report and discussion be noted.

29 Outcome of Call-In

Further to the Board's discussion on the Call In of Executive Board Minute No 71(b), Members were asked to make a formal decision in accordance with the Council's Constitution and the options of action available to the Board as reported earlier.

Following a vote by Members, it was

RESOLVED – to release the decision for implementation.

(Councillor Marjoram requested that his vote against the decision to release the decision for implementation was recorded)

30 Date and Time of Next Meeting

Monday, 8 October 2010 at 10.00 a.m. Pre-meeting for all Board Members at 9.30 a.m.

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SCRUTINY BOARD (CENTRAL AND CORPORATE)

MONDAY, 4TH OCTOBER, 2010

PRESENT: Councillor P Grahame in the Chair

Councillors S Bentley, D Blackburn,
B Chastney, A Lowe, J Hardy, K Groves,
J L Carter, R Wood and A Gabriel

31 **Declarations of Interest**

There were no declarations of interest at this stage of the meeting.

32 **Apologies for Absence and Notification of Substitutes**

Apologies for absence were submitted on behalf of Councillors M Hamilton and N Taggart.

33 **Minutes -**

RESOLVED – That the minutes of the meeting held on 6 September 2010 be conformed as a correct record.

34 **Questions to the Chief Executive**

The report of the Head of Scrutiny and Member Development reminded the Board of its request to invite the Chief Executive, Tom Riordan to today's meeting to discuss issues similar to those discussed with the Leader on a quarterly basis which have included the Council's strategies with dealing with the emerging financial landscape and the likely organisational changes necessary to meet those likely financial and service delivery changes.

The Chair welcomed Mr Riordan to the meeting.

In response to Members comments and questions, the following issues were discussed:

- Public sector accountability – Mr Riordan informed the Board that he considered his role to be a Champion of Public Sector Accountability and referred to his previous position as Chief Executive of Yorkshire Forward and involvement with Local Government partners in terms of accountability. He highlighted the role of Elected Members and the decision making processes of the Council and also the need to ensure that officers understood their roles and objectives in respect of accountability and transparency.
- Regulation and inspection – reference was made to a reduction in the amount of monitoring and assessment of council services previously

instilled from Central Government and the continuing challenge to maintain a regulation and inspection framework.

- Holding policy makers to account – Mr Riordan referred to the role of scrutiny and audit and also the role of these to focus on the improvement of services.
- The Council faced a 25% reduction in spending over the next 4 years and this would have an impact on staffing and the overall size of the Council. There was a need to identify where efficiencies could be made and investigate other opportunities such as the provision of joint services with other authorities.
- Devolution of services to Area Committees. It was felt that Area Committee provision across Leeds met public needs and there was an issue of whether any services could be managed at a more local level. Funding for services devolved to Area Committees may not reflect previous amounts as the provision of service could be different. These issues were currently being reviewed with locality pathfinders.
- There was not a definitive list of priorities for the Council at this stage but work was being undertaken across all directorates to identify priority areas of work.
- It was reported there was a need to work more effectively with neighbouring authorities and investigate the possibility of shared services and information.
- Further issues discussed included IT systems and provision, Senior Managers salaries and provision of stocks of salt for adverse weather conditions.

On behalf of the Board, the Chair thanked Tom Riordan for his attendance.

RESOLVED – That the report and discussion be noted.

35 DECATS (Delivering Efficient Corporate and Transactional Services)

The report of the Assistant Chief Executive (Planning, Policy and Improvement) outlined the DECATS (Delivering Efficient Corporate and Transactional Services) programme in Leeds and highlighted the key findings which would inform the delivery of the council's broader change programme. Leeds City Council was one of 15 local authorities that had participated in the national DECATS programme which was aimed at supporting local government to deliver significant efficiencies whilst protecting front-line services.

The Chair introduced James Rogers, Assistant Chief Executive (Planning, Policy and Improvement) to the meeting for this item.

James Rogers addressed the meeting and emphasised that this was still work in progress and highlighted the stages of the programme as detailed in the report. Members attention was brought to the data gathering exercise used to identify options which were then shaped into a long list of opportunities for the subsequent outline business case as summarised in the report.

In response to Members comments and questions, the following issues were discussed:

- Providing council services to bring in further revenue – it was reported that the Council could not trade for profit and would have to establish external companies. It could, however charge to cover costs.
- Use of the Leeds City Council Call Centre and One Stop Centres. It was recognised that there was some room for efficiencies and this would include looking at how private sector providers operate. Further discussion included the requirement to have suitably qualified staff, the need to reduce complaints and the need to reduce service failure which resulted in high levels of calls.
- Commissioning and procurement – it was recognised that there was significant scope for making further savings in the way the Council procured goods and services.

RESOLVED – That the report and discussion be noted.

36 Shared Services in West Yorkshire

The report of the Director of Resources made reference to the exploration of a number of shared service options by West Yorkshire Authorities in light of the current financial challenges facing all local authorities.

The Chair welcomed Alan Gay, Director of Resources and Clare Elliott, Policy Officer, Association of West Yorkshire Authorities to the meeting.

Alan Gay informed the Board of the role of the West Yorkshire Collaborative Working Group (CWG) which had been considering a manageable list of projects to explore. This group, which was made up of the Council's Corporate Directors, supported the direction which had been set by Chief Executives and Council Leaders across West Yorkshire. It was also reported that funding had been received from the Regional Improvement and Efficiency Partnership (RIEP) to assess the viability of collaboration on services. Further issues highlighted included discussion with other organisations across the county including health partners, Police and Fire Authorities and the mapping of assets across the city.

In response to Members comments and questions, the following issues were discussed:

- Offices and other accommodation – there was a major ongoing project particularly across the City Centre and reference was made to associated issues such as home working.
- Leeds City Region – The Leeds City Region was the pathfinder for the governments Total Capital and Assets project which looked at ways in which public sector assets could be used more efficiently. Shared services were not being considered at a Leeds City Region level.

- How services would be provided and whether this would be done by a joint West Yorkshire body or an individual authority. It was reported that at this stage all options were possible.
- Further issues discussed included the need to develop protocol for information sharing; commissioning and procurement; shared IT systems and potential obstacles such as differing policies between the West Yorkshire authorities on their regulatory functions.

The Chair thanked Alan Gay and Clare Elliott for their attendance.

RESOLVED – That the report and discussion be noted.

37 One Council Communications Project

The report of the Head of Communications outlined the 'One Council Communications Project', which would review the arrangements for the communications functions of Leeds City Council and make recommendations for change.

The Chair welcomed Andy Carter, Head of Communications who joined James Rogers in presenting this item to the Board.

It was reported that many of the communications functions carried out within Leeds City Council were decentralized and there was the full time equivalent of 70 staff performing communication duties across the Council. With respect to the Corporate Communications Team their role consisted of producing the About Leeds newspaper, press releases, internet/intranet publication and marketing work amongst other things. Members' attention was brought to the scope of the 'One Councils Communication Project' that addressed communications activities across the whole Council.

In response to Members comments and questions, the following issues were discussed:

- Potential costs of communications as currently operated council wide as opposed to a central communications operation. This would be one of the issues addressed in the project.
- Protocol on press releases.
- Measuring the success of marketing – methods varied on the type of event/service that was measured.
- Cost of marketing and procurement issues.
- Destination Marketing – it was recognised that this was a key issue and a report from Marketing Leeds was due to be considered by the Scrutiny Board (City Development)

The Chair thanked James Rogers and Andy Carter for their attendance.

RESOLVED – That the report and discussion be noted and a further report be brought to the Board in January 2011.

38 Scrutiny Board (Central & Corporate) - Work Programme, Executive Board Minutes and Forward Plan of Key Decisions

The report of the Head of Scrutiny and Member Development outlined the Board's forthcoming Work Programme and also included the Forward Plan of Key Decisions and recent Executive Board minutes.

RESOLVED – That the report be noted and work programme be amended accordingly.

39 Date and Time of Next Meeting

Monday, 1 November at 10.00 a.m. (Pre-meeting for all Board Members at 9.30 a.m.)

The meeting concluded at 11.55 a.m.

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Report of the Head of Scrutiny and Member Development

Scrutiny Board (Central & Corporate Functions)

Date: 1st November 2010

Subject: Performance Management Arrangements

Electoral Wards Affected:

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 INTRODUCTION

- 1.0 Attached as Appendix 1 is a letter from the Secretary of State for Communities and Local Government, The Rt Hon Eric Pickles MP, detailing changes to Local Area Agreements (LAA). Essentially the letter advises local authorities that there will not be a requirement to prepare a new Local Area Agreement in 2011 and that those targets identified in the current LAA will no longer be monitored by government. In addition the letter announces the intention to replace the National Indicator Set (NIS) with a single comprehensive list a data the government expects local authorities to report on as from 1st April 2011. (The NIS has been effective since April 2008). The Secretary of State has not yet drawn up the new data list.
- 1.2 At the same time as this the Local Government Group LGG (formally LGA) is consulting on a new national performance framework for local government. The proposals as they stand would have a profound impact on performance management arrangements. The consultation document is attached for information.
- 1.3 Members will be aware that all Scrutiny Boards monitor performance management on a quarterly basis, therefore on the back of the Secretary of State's letter, the Chair has invited the Head of Corporate Policy and Performance to today's meeting to discuss how these changes will affect performance management reporting in Leeds.
- 1.4 Members may also wish to take the opportunity to seek an update on the review of the Councils own performance management framework as identified during last months discussion on DECATS (Delivering Efficient Corporate and Transactional Services). Members will recall that performance management was one of seven themes identified as one that could deliver the greatest financial benefit to the Council.

1.5 The national changes to performance reporting and the local review are still at a very early stage therefore definitive answers to Members' questions may not be available, however, the Chair was anxious that that this Scrutiny Board had early discussions on the likely outcomes as judging performance against target is a key way for Scrutiny to hold decision makers to account.

2.0 RECOMMENDATIONS

2.1 Members are asked to;

- (i) Note the attached letter from the Secretary of State for Communities and Local Government, The Rt Hon Eric Pickles MP
- (ii) Discuss with the Head of Corporate Policy and Performance the possible consequences for the performance management regime of Leeds City Council and its partners.

Background Papers

Report of the Assistant Chief Executive (Planning, Policy and Improvement) - DECATS (Delivering Efficient Corporate and Transactional Services) - Scrutiny Board Central and Corporate Function – 4th October 2010



The Rt Hon Eric Pickles MP
Secretary of State for Communities and Local Government

Department for Communities and Local Government
Eland House
Bressenden Place
London SW1E 5DU

Tel: 0303 444 3450
Fax: 0303 444 3289
E-Mail: eric.pickles@communities.gsi.gov.uk

www.communities.gov.uk

Leaders of all Councils
cc. Chief Executives of all Councils

Dear Colleagues,

13 OCT 2010

Changes to Local Authority Performance Arrangements

I am writing to you today to announce important changes to Local Area Agreements. Back in June we scrapped the Comprehensive Area Assessment, saving councils up to £39 million per year. I want to go further. Luton and Central Bedfordshire, for example, have told us that the annual cost to each authority of the National Indicator Set and statutory data returns is nearly half a million pounds. We are committed to relieving you of the bureaucracy that diverts money away from the frontline. So today I am announcing the end of other burdensome aspects of the old command-and-control regime, linked to Local Area Agreements and the National Indicator Set.

I am therefore giving you notice under section 109 of the Local Government and Public Involvement in Health Act 2007 that I am revoking all designations of local improvement targets in your Local Area Agreement from the date of this letter. What this means is that I am handing over full control of all current Local Agreements to you - if you wish to amend or drop any targets you are now free to do so, without needing my approval. Where you choose to keep any of your targets, we will no longer monitor your performance. I will also not be requiring you to prepare a new agreement from April 2011. In addition, I will not be making any payments for Performance Reward Grant against the 2008-11 LAA targets. Deficit reduction and ensuring economic recovery are the most pressing issues facing Britain today, and of course local government has to take its share of the cuts.

I am also announcing today the replacement of the National Indicator Set with a single, comprehensive list of all the data we expect local government to provide to central government. My aim is to make the data requirements we place on local government transparent and to review and reduce this for April 2011 and I will involve local government in this review, to help us ensure the list contains only the minimum of central government data needs. My pledge to you is that in future, if it's not on the list you won't have to provide it.

My aim is to give you the flexibility you need to protect key services, by removing ring-fences around your money, scrapping CAA and getting rid of unnecessary top-down targets and their related bureaucracy. Where central Government can help you do more to collaborate and redesign better services at reduced cost I continue to welcome suggestions.

A handwritten signature in black ink that reads "Eric Pickles".

THE RT HON ERIC PICKLES MP

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Sector self-regulation and improvement



Consultation document

With the abolition of the Comprehensive Area Assessment and the Audit Commission, the Local Government Group has set out its proposals for a system of self improvement for councils.

This consultation paper invites your views about the overall approach and its key components.

Please respond to Councillor David Parsons CBE, Chairman, Local Government Group Improvement Programme Board by writing to him at:

Local Government House
Smith Square
London SW1P 3HZ

or via email:
sector.improvement@local.gov.uk

by Monday 1 November 2010.

Sector self-regulation and improvement

Background

The new Coalition Government appears committed to a radical new approach to the assessment of local public services. As it dismantles elements of the current framework there is a real opportunity for the sector to influence the shape of the new arrangements from April 2011. This paper sets out proposals for a sector-owned approach, on which the Local Government Group (LG Group) is consulting councils.

Building on councils' responses to our earlier 'Freedom to Lead' campaign, this consultation paper proposes a new approach that puts assessment and improvement in the hands of councils, individually and collectively. It is based on the following principles.

- Councils are responsible for their own performance and for leading the delivery of improved outcomes for local people in their area.
- Councils are accountable to their local communities. Stronger accountability through greater transparency helps local people drive further improvement.
- Councils have collective responsibility for the performance of the sector and to collaborate through sharing best practice and actively encouraging peer support and benchmarking.
- The role of the LG Group is to support councils, for example, by:
 - developing the necessary tools eg self evaluation, peer challenge, benchmarking
 - working with councils to develop ways of managing the risk of underperformance - spotting things before they go wrong
 - ensuring tools are available/developed by the market to assist localities with change programmes such as developing place based budgets, improving productivity and promoting civil society.
- As a result of these arrangements further reductions in the burden of inspection and data reporting can be made – enabling cost savings for councils and Government.
- Working with partners locally and encouraging streamlined funding arrangements nationally so that tools and services are available that support local agencies to improve places and service quality in a more joined up way.

Consultation questions

1. Do you agree with the principles on which these proposals are based – in particular that councils have a collective responsibility for the performance of the sector and will collaborate to both give and receive support?

2. Will the proposals we set out help strengthen local accountability?

This approach provides the ability to adapt arrangements according to local circumstances and

for collaboration as a matter of local choice. The four key elements of our proposals are described, below.

1. Driving improvement

Councils' primary accountability is to the people and communities they serve. Councils need to provide local people with the information and tools they need to hold them to account and drive further improvement locally. In a sector owned approach councils also have a wider responsibility to other councils and acting collectively, through the LG Group, to support one another. This section sets out the key elements of a sector owned approach and LG Group support.

- Strengthening local accountability by councils making on-going performance information publicly available, in a meaningful way and in a format that local people can understand and use. In addition, we expect that councils will continue to encourage feedback and participation through a range of channels from social media to co-producing services and use local data such as satisfaction surveys, complaints, comments and compliments from users and the public.

The LG Group will develop a benchmarking tool for councils to use providing comparability on unit costs, productivity and outcomes.

- Providing an annual report to local people about the quality of life of the area and performance (including services to vulnerable adults and children). If the self assessment identifies areas of weakness in the council or partnership then local politicians will wish to consider how to respond and report on their proposed action. Options could include seeking sector support or peer review, or inviting an external inspection.

The LG Group will develop a revised self evaluation tool and a model Dashboard of perception, performance and unit cost data for councils to consider using.

- Robust peer challenge on a regular cycle including inviting inspectors and possibly local people to be part of the team, according to local preference. It would be up to each council to determine the frequency and areas to be covered, but this would usually be at least every three years.

Peer challenge and support will form a major component of the new approach. The LG Group's offer is being developed so that a wider and also more tailored range of peer reviews and short diagnostic peer challenges are available from a wider range of peers. Support to elected councillors through Member peers is at the heart of our peer offer, along with widening our peer banks to include additional representation from health, police, business and the voluntary sector.

-
- Within this new sector owned approach it is expected that councils will contribute to improvement across local government (and public services more generally) by providing councillor and officer peers and other support to authorities and sharing knowledge and learning through a variety of routes, including communities of practice.

The LG Group will develop ever more effective means of sharing experience and transmitting learning across local government and other public bodies such as through the forthcoming Knowledge Hub.

Consultation questions

3. Do you agree with the key elements of this approach - transparent performance information, self evaluation leading to an annual report and regular peer challenge?

4. How can we best generate the new culture of trust and openness within the sector that this approach requires?

2. Providing early warning of the risk of failure

The focus of monitoring and assessment activity must change. In future the challenge will be to manage the risk of falling or under performance.

A key element therefore of this proposed new sector owned approach is the commitment to identifying councils facing performance challenges at an earlier stage so that support can be provided and service failure avoided. This will be challenging and complex to get right, but building on our earlier “Setting the Pace” consultation and the feedback from councils we envisage it involving the following key elements.

- The LG Group will, working with councils, political party groups, professional groups and Inspectorates, develop agreed “early warning signals” and arrangements to share intelligence at an early stage.
- Where published performance information, benchmarking data and other intelligence about performance gives rise to “early warning signals” indicating potential performance challenges then sector support will be offered from the most appropriate level – whether sub nationally or nationally.
- The LG Group will maintain close working relationships with inspection bodies and government departments to discuss service risks. Where performance risks are identified by councils or through sector challenge, government and inspection bodies will accept the principle that sector support is preferable to inspection or intervention.
- In exceptional cases where there is a likelihood of failure and sector support is not welcome, then councils will deal with inspection bodies and/or their use of intervention direct.

This approach will be politically owned and led. There will be an important role for the Local Government Association (LGA) political groups in organising confidential feedback. The LG Group's Improvement Programme Board will monitor this and work with political party groups' improvement boards and Lead Member Peers. The Improvement Board, working with other LG Group programme boards, will receive regular reports on the overall performance of the sector and in particular discuss where there may be councils with performance challenges. It will seek reassurance that councils are taking the necessary action to improve and that the sector overall is providing the right level of support.

After the government-funded Regional Improvement & Efficiency Partnerships (RIEPs) come to an end councils may wish to create new arrangements to collaborate at local and sub regional level. The LG Group will welcome this and work with council groupings - which are likely to take different forms in different areas according to local choice – to take forward these proposals.

Consultation question

5. In terms of an “early warning system”.

- **What are the key early warning signals from a political perspective?**
- **How best is the activity undertaken at a national and sub-national level?**

3. Reducing the burden of inspection and reporting to Government

Whilst we welcome the abolition of CAA and monitoring through Government Offices we still want to see a further reduction in inspection and reporting burdens on councils - and we are continuing to lobby for this at national level. We will continue to press the government to bring to an end the annual performance assessment of children's and adult services currently undertaken by Ofsted and CQC.

However, we recognise the importance of specific reassurance around children's and adult services and particularly safeguarding and are therefore interested in hearing your views about whether external inspection on a rolling basis should continue on either an announced or unannounced basis. Alternatively you may feel that more robust peer challenge in these areas is sufficient along with the self-assessment we are suggesting for the council as a whole.

The LG Group will be seeking to expand the bank of member and officer peers in these areas and to be in a position to provide targeted direct support such as tailored packages, mentoring, team development and inter-agency work through use of specialist staff, associates and peers.

Consultation question

6. Is there still a need for inspection for adult and child safeguarding, or is a more robust approach to self assessment and peer challenge sufficient?

4. Local and central government

The Coalition Government has abolished Public Service Agreements (PSAs), is dismantling the national indicator set and has been silent about the future of Local Area Agreements (LAAs). Even so it is clear that Government will still want to achieve certain outcomes and have a way of assessing performance.

In order to limit the number of outcomes expected of local government, and in the absence of LAAs, we propose that the LGA (in consultation with councils) identify and agree with Government a small number of national outcomes (up to 5) that councils will deliver along with their local priorities. The national outcomes would be complemented by a small number of national indicators (up to 10). Councils would publish performance against the indicators locally.

Consultation question

7. Do you agree that, in order to limit the number of outcomes Government expects of councils, the LGA should seek to agree a small number nationally with government, following consultation with the sector?

Responses

Please respond to Councillor David Parsons CBE, Chairman, Local Government Group Improvement Programme Board, by writing to him at:

Local Government Group
Local Government House
Smith Square
London SW1P 3HZ

or email sector.improvement@local.gov.uk

by **Monday 1 November 2010**.



Agenda Item:

Originator: Anne McMaster

Tel: (24) 74191

Report of the Assistant Chief Executive

Scrutiny Board (central and corporate functions)

Date: 1 November 2010

Subject: Approach to new Equality and Diversity Scheme 2011 - 2014

Electoral Wards Affected:

All

Specific Implications For:

Ethnic minorities

Women

Disabled people

Narrowing the Gap

1.0 Purpose of this Report

- 1.1 This report outlines proposals for the approach to developing the council's equality priorities and meeting new legislative requirements. It considers how we will measure progress and how we can continue to improve and further embed the equality agenda
- 1.2 In addition it provides an overview of the Equality Framework for Local Government which provides a tool and performance management framework for embedding equality in all aspects of service delivery, employment, working with partners and making decisions.
- 1.3 It proposes that the equality priorities, our organizational approach to embedding equality and its performance management are articulated within the new Equality and Diversity Scheme 2011 – 2014.

2.0 Background Information

- 2.1 Leeds City Council has a leading role in the city to promote equality and value diversity. We currently have a legal duty to produce an Equality and Diversity Scheme which outlines our commitment to, and how we promote equality, and to produce an annual report on progress. The council also has a clear and agreed way forward to use the Equality Framework which is an equality performance improvement and benchmarking tool with a challenging target of achieving "Excellent" by April 2011.

- 2.2 The council's Equality and Diversity Scheme 2008 – 2011 needs to be reviewed and refreshed as the current version reaches the end of its timeframe in April 2011. This timescale ties in with the current work that is taking place on the refresh of the Vision for Leeds and supporting strategies and delivery plans.
- 2.3 We need to continue to put equality into practice whilst taking into account new legislative requirements, contained within the Equality Act 2010, the changing landscape in which we now work and the current and future financial challenges that local authorities face. We need to:
- Set the vision for equality
 - Consider our legal obligations and what we have to do
 - Look at the impact of what we do and how we measure it
 - Further improve and embed the equality agenda
- 2.4 The current Equality and Diversity Scheme 2008 – 2011, whilst legally compliant, is not sufficiently aligned to the strategic outcomes and priorities in the Vision and Strategic Plan. As a result there have been significant challenges in recognising and measuring equality outcomes for the council and the city. In addition the current approach to measuring equality has been based on separating this from other performance management areas and has focused on the distinct and separate mechanisms of the Equality Scheme, the Equality Framework and Impact Assessments

3.0 Legislation

- 3.1 The Equality Act 2010 provides a new cross-cutting legislative framework to protect the rights of individuals and advance equality of opportunity for all; to update, simplify and strengthen the previous legislation; and to deliver a simple, modern and accessible framework of discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society.
- 3.2 The provisions in the Equality Act 2010 will come into force at different times to allow time for the people and organisations affected by the new laws to prepare for them. The vast majority of the Act's provisions come into force on 1st October 2010. (see Appendix A).
- 3.3 Consultation is currently taking place on the statutory regulations of the new public sector duty, which comes into force on 1 April 2011. This duty will include the requirements for understanding equality priorities and the necessary provisions to be considered/included.
- 3.4 These new duties will be incorporated into the Equality and Diversity Scheme 2011 – 2014. Consideration will also be given to the role of the new socio economic duty within the Equality and Diversity Scheme. This duty is still under consideration and if enacted will also come into force on 1 April 2011

4.0 Decision Making

- 4.1 There is considerable work that has taken place to embed equality and diversity in the decision making process but there are still gaps that need to be addressed.
- 4.2 The use of equality impact assessments ensures legal compliance and is a key process we use to help embed equality and inform decisions. They help us

understand the impact of our work on equality groups who might be disadvantaged by the way we deliver services or make decisions.

- 4.3 The current and future financial challenges that local authorities face are likely to have a disproportionate impact on equality groups. Work has started in order to try and understand the impact at a local level, to identify any legal or community risks and to minimise the impact in the future. This will involve an analysis of the proposed budget reductions and budget action plans and their impact on equality related issues.
- 4.4 Corporate Governance is currently reviewing the report writing guidance and templates for decision making reports. This will strengthen equality considerations in all the decision making processes.
- 4.5 Understanding priorities and embedding equality in decision making is key to taking forward the equality agenda and will be reflected within the new Equality and Diversity Scheme.
- 4.6 It should be noted that there have been successful legal challenges around due consideration of equality and diversity in the decision making process where at least two local authorities have been subject to a judicial review as a result of not effectively embedding equality in the decision making process (see Appendix B)

5.0 Proposed Approach

- 5.1 The Equality Act 2010 specifies the requirement to understand local equality data and use this to establish equality objectives and outcomes.
- 5.2 In order to move the equality agenda in the organisation to the next level it is proposed that a new Equality and Diversity Scheme is developed in conjunction with the new Vision. The Scheme can then act as a vehicle to fully understand and coordinate equality data, objectives and outcomes.
- 5.3 There is currently a proposal to ensure the strategic outcomes and priorities for the city in the Vision for Leeds reflect high level ambitions including that 'Leeds is fair, open and welcoming.' It is appropriate to have this broader approach which recognises and reconfirms the strategic commitment to equality which will also be reflected and further enhanced within the new Equality and Diversity Scheme.
- 5.4 In developing the new Vision, supporting strategies and plans, work is taking place to understand, challenge and integrate equality objectives, outcomes and measures. As a result this would support further the council's approach to mainstreaming equality as equality performance would be integrated into the new partnership performance management framework that is being developed
- 5.5 Considerable consultation and involvement is taking place with stakeholders to develop the Vision for Leeds priorities. This has included the Equalities Assembly, which is the corporate consultation forum for equality communities, at both the stakeholder engagement stage and also at the current consultation stage. In addition further work has taken place with other and additional equality groups to ensure wider representation.
- 5.6 Further involvement will take place with equality communities around the development of the new Equality and Diversity Scheme. This will ensure

compliance with the specific duties once they have been agreed and finalised and will focus on:

- Equality data related to service delivery and employment which will enable and encourage challenge
- Maintaining open channels for consultation and involvement, which will take place in a non bureaucratic and flexible way

5.7 A proposed outline for the new Equality and Diversity Scheme is at Appendix C

6.0 Conclusion

6.1 The proposed approach will demonstrate improved strategic alignment between the Vision, supporting strategies and plans and the performance management framework. It will encourage improved integration of stronger equality objectives, outcomes and measures

6.2 In addition it will enable the Council to demonstrate specific equality priorities, and will ensure compliance with the new Equality Act 2010

7.0 Recommendations

7.1 Scrutiny Board members are asked to:

- Discuss the contents of the report
- Endorse the proposed approach to the development of the new Equality and Diversity Scheme

Equality Act 2010

The Act applies to all organisations that provide a service to the public or a section of the public (service providers). It also applies to anyone who sells goods or provides facilities. It applies to all services, whether or not a charge is made for them.

Equality Act 2010 Provisions coming into force on 1 October 2010

- The basic framework of protection against direct and indirect discrimination, harassment and victimisation in services and public functions; premises; work; education; associations, and transport.
- Changing the definition of gender reassignment, by removing the requirement for medical supervision.
- Leveling up protection for people discriminated against because they are perceived to have, or are associated with someone who has, a protected characteristic, so providing new protection for people like carers.
- Clearer protection for breastfeeding mothers;
- Applying the European definition of indirect discrimination to all protected characteristics.
- Extending protection from indirect discrimination to disability.
- Introducing a new concept of “discrimination arising from disability”, to replace protection under previous legislation lost as a result of a legal judgment.
- Aligning victimisation protection with the approach in employment law.
- Harmonising the thresholds for the duty to make reasonable adjustments for disabled people.
- Extending protection from 3rd party harassment to all protected characteristics.
- Making it more difficult for disabled people to be unfairly screened out when applying for jobs, by restricting the circumstances in which employers can ask job applicants questions about disability or health.
- Allowing hypothetical comparators for direct gender pay discrimination.
- Making pay secrecy clauses unenforceable.
- Extending protection in private clubs to sex, religion or belief, pregnancy and maternity, and gender reassignment.
- Introducing new powers for employment tribunals to make recommendations which benefit the wider workforce.
- Harmonising provisions allowing voluntary positive action.

Equality Act 2010 Provisions coming into force on 1 April 2011

April 2011: The integrated public sector Equality Duty, the Socio-economic Duty and dual discrimination protection.

2012: The ban on age discrimination in provision of goods, facilities, services and public functions.

2013: Private and voluntary sector gender pay transparency regulations (if required) and political parties publishing diversity data.

Legal Challenges

1. **Southall Black Sisters is a voluntary organisation, partly funded by Ealing Borough Council, providing services to Asian and Afro-Caribbean women who experience domestic abuse. In 2007 the council decided it would only fund borough-wide services provided to all individuals experiencing domestic violence irrespective of gender, sexual orientation, race, faith, age, or disability. The ruling concluded that: 'Where race equality is relevant to a decision (e.g. there are concerns that a particular racial group may be adversely affected by the decision) then the decision will be unlawful if a full race equality impact assessment was not undertaken before the decision was taken.**
2. Claims for judicial reviews were allowed on the decisions by Portsmouth CC and Barnet LBC to cease to provide residential warden services in their sheltered housing schemes. In the Portsmouth case the change was not considered relevant to equality and this was held to be an unreasonable conclusion. A further key area highlighted in both these cases was the importance of the decision maker (Cabinet) being provided with sufficient information in relation to the obligations relating to the DDA.
3. To make savings in the light of budget deficits, the London Borough of Harrow proposed to restrict the provision of adult care services to people with critical needs only. In the response to the challenge by service users the court held that elected members could not come to a balanced decision without being aware of what their responsibilities were under the Disability Equality Duty. The decision to restrict adult care services was therefore held to be unlawful.
4. Planning permission for Wards Court development to replace Seven Sisters Market in Haringey was revoked when a legal challenge based on Haringey's failure to discharge its statutory duty to have due regard to the need to promote equality of opportunity and good relations between different racial groups was won
- 5.. The Fawcett Society has filed a legal challenge, arguing that the government has failed in its legal duty to assess whether spending cuts would hit women unfairly. Figures from the Commons library show the cuts will hit women hardest. They show over 70% of the revenue raised from direct tax and benefit changes is to come from female taxpayers, with nearly £6bn coming from women and just over £2bn from men
6. A coalition of ethnic minority groups (the 1990 Trust) is planning a separate legal challenge to the current budget

Proposed Outline of Equality and Diversity Scheme 2011- 2014

	Section	Comments
1	General introduction including demographics of Leeds	
2	Overview of purpose of Equality Scheme	To include how it has been developed
3	Equality and Diversity Policy	This will also be provided as a stand alone document
4	Storyboard around each of the Equality Framework main areas: <ul style="list-style-type: none"> • Knowing your community and equality mapping • Place shaping, leadership, partnership and organisational commitment • Community engagement and satisfaction • Responsive services and customer care • A modern and diverse workforce 	Provides contextual information about how the council works. Will include references to the decision making process and work undertaken to strengthen this. Also include consultation and involvement process used to develop the Vision and the Equality and Diversity Scheme
5	Separate sections reflecting the equality dimension of the Vision and each of the supporting strategies/plans.	This will include provision of clear equality data and targets/outcomes, in line with the Statutory Code of Practice and Guidance on the Equality Duty (still being developed)
6	Performance management arrangements	
7.	Next Steps	Will include opportunities for challenge and further involvement

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Report of the Head of Scrutiny and Member Development

Scrutiny Board (Central & Corporate Functions)

Date: 1st November 2010

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

Electoral Wards Affected:

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 INTRODUCTION

- 1.1 Attached as Appendix 1 is the current Work Programme for this Scrutiny Board. This has been amended to take into account discussions held at the last meeting.
- 1.2 Attached as Appendix 2 and 3 respectively are the Executive Board minutes from 23rd September and 13th October 2010 and the Council's current Forward Plan relating to this Board's portfolio.

2.0 RECOMMENDATIONS

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

Background Papers

None used

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SCRUTINY BOARD (CENTRAL & CORPORATE FUNCTIONS) – WORK PROGRAMME 2010/11 LAST REVISED OCTOBER 2010

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
Suggested Areas for Scrutiny Currently Unscheduled			
Employment issues around diversity within the workforce			
Leeds City Region and Governance			
Data Information shared throughout the Council			

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
Meeting date: 6th December 2009			
Scrutiny of the Budget	To receive and consider quarter 2 financial report.		PM
Quarterly Accountability Reports	To receive quarter 2 performance reports including questions to the Executive Board Member		PM
Draft Enforcement Policy	To consider the draft		RP
Meeting date: 10th January 2010			
Meeting date: 7th February 2010			
Council Business Plan and City	To receive as part of the Council's Budget and Policy Framework procedure		SC

SCRUTINY BOARD (CENTRAL & CORPORATE FUNCTIONS) – WORK PROGRAMME 2010/11 LAST REVISED OCTOBER 2010

ITEM	DESCRIPTION	NOTES	TYPE OF ITEM
Priority Plans			
Scrutiny of the Budget	To receive Budget proposals		PM/SC
Meeting date: 7th March 2010			
Scrutiny of the Budget	To receive and consider quarter 3 financial report.		PM
Recommendation Tracking	To monitor progress on meeting the recommendations agreed following an Inquiry into the use of consultants		MSR
Quarterly Accountability Reports	To receive quarter 3 performance reports including questions to the Executive Board Member		PM
Meeting date: 4th April 2010			
Annual Report			

Key:

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

RP – Review of existing policy

DP – Development of new policy

MSR – Monitoring scrutiny recommendations

PM – Performance management

B – Briefings (Including potential areas for scrutiny)

SC – Statutory consultation

CI – Call in

LEEDS CITY COUNCIL

FORWARD PLAN OF KEY DECISIONS

Extract relating to Scrutiny Board (Central & Corporate Functions)

For the period 1 November 2010 to 28 February 2011

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made and email address to send representations to)
West Leeds City Learning Centre Approval to construct an extension to accommodate a new recording studio and group room, and to carry out refurbishment works at West Leeds City Learning Centre, plus approval to incur expenditure from the approved capital programme.	Director of Resources	1/11/10	West Leeds CLC	Design and Cost Report	Director of Resources alex.macleod@education.leeds.gov.uk
Treasury Management Strategy Update 2010/11 To approve the treasury management strategy update 2010/11	Executive Board (Portfolio: Resources and Corporate function)	3/11/10	None	The report to be issued to the decision maker with the agenda for the meeting	Director of Resources alan.gay@leeds.gov.uk

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made and email address to send representations to)
Capital Programme Update 2010 - 2014 To update and approve the capital programme over the period 2010 - 2014	Executive Board (Portfolio: Resources and Corporate function)	3/11/10	None	The report to be issued to the decision maker with the agenda for the meeting	Director of Resources alan.gay@leeds.gov.uk
2nd Quarter Financial Health Report In noting the financial position at the half year for the Authority a decision will be required as to the treatment of any variation identified.	Executive Board (Portfolio: Resources and Corporate Functions)	3/11/10	n/a	The report to be issued to the decision maker with the agenda for the meeting	Director of Resources doug.meeson@leeds.gov.uk
Leeds City Council Revenues and Benefits Service Printing Contract Delegated Executive decision (key) subject to call in for the appointment of an approved supplier for the provision of the Revenues and Benefits printing contract requirements from April 2011	Director of Resources	19/11/10	Council's Procurement and Print Units and the Revenues and Benefits senior management team	A recommendation report to Director of Resources to appoint a preferred supplier arising from the tender evaluation	Director of Resources andrew.cameron@leeds.gov.uk

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made and email address to send representations to)
<p>The Provision of a Corporate Electronic Document & Records Management System (EDRMS) and Implementation Support Services- Scheme Ref: LCCITS090012</p> <p>To award the contract to the successful tenderer. The tender for the above is currently underway with the anticipation that the contract be awarded in September 2010.</p>	<p>Assistant Chief Executive (Planning, Policy and Improvement)</p>	<p>1/12/10</p>	<p>ICT Strategic Sourcing / Central Procurement Unit / EDRMS Project Board</p>	<p>Tender pack and tender submissions</p>	<p>Assistant Chief Executive (Planning, Policy and Improvement) claire.grundy@leeds.gov.uk</p>
<p>Corporate Records Management Facility - Westland Road</p> <p>Approve the Authority to spend of £857,729</p>	<p>Director of Resources</p>	<p>1/12/10</p>	<p>Consultation between Chief Business Transportation Officer and the Director of Resources</p>	<p>Design and Cost Report</p>	<p>Director of Resources lee.hemsworth@leeds.gov.uk</p>

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made and email address to send representations to)
Council-Wide Early Leavers Initiative Approval for employees to leave the organisation by voluntary early retirement or voluntary severance	Director of Resources	8/12/10	Members of CLT will make recommendations for early leavers from their Directorates and these will then be reviewed corporately for a decision. The trade unions have been consulted about the ELI scheme and provided with regular updates	Business case for each employee; summary business case for each Directorate and collective business case across the whole Council	Director of Resources karen.fentem@leeds.gov.uk
Frozen Food Tender To approve the arrangements for the supply of frozen foods to educational establishments for a 4 year period	Director of Resources	28/2/11	Procurement Department	Tender Submissions	Director of Resources mandy.snaith@leeds.gov.uk

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EXECUTIVE BOARD

THURSDAY, 23RD SEPTEMBER, 2010

PRESENT: Councillor K Wakefield in the Chair

Councillors A Blackburn, J Blake, A Carter,
S Golton, P Gruen, R Lewis, T Murray,
A Ogilvie and L Yeadon

Councillor J Dowson – Non-voting Advisory Member

77 **Late Items**

The Chair admitted to the agenda a late item of business entitled, 'Reductions in Funding: Contract, Service Level Agreement and Grant Variations' (Minute No. 80 refers).

Further to a related decision of Executive Board on 25th August 2010 (Minute No. 71(b) refers), which had been the subject of a Scrutiny Board (Central and Corporate) call in meeting and subsequent discussions at full Council, it was determined essential that this matter was considered by Executive Board at the earliest opportunity in order to efficiently manage the decisions which needed to be taken in respect of funding reductions, following Government announcements.

78 **Declaration of Interests**

Councillor Yeadon declared a personal interest in the item relating to reductions in funding (Minute No. 80 refers), due to being a former employee of, and having close personal connections with employees of Royal Mencap.

Councillor Murray declared a personal interest in the item relating to reductions in funding (Minute No. 80 refers), due to being a Director of IGEN and a personal and prejudicial interest in this item as the Chief Executive of the Learning Partnerships organisation.

Councillor Blake declared a personal and prejudicial interest in the item relating to reductions in funding (Minute No. 80 refers), due to being vice chair of the trustees of the Health For All organisation.

Councillor Wakefield declared a personal and prejudicial interest in the item relating to reductions in funding (Minute No. 80 refers), due to being a member of and having close personal connections with Meanwood Valley Urban Farm.

Councillors Wakefield, Blake, Gruen, R Lewis, Murray, Ogilvie, Yeadon, Dowson, A Carter and Golton all declared personal interests in the item relating to Community Use of Schools Policy (Minute No. 79 refers), due to their respective positions as school governors.

79 **Community Use of Schools Policy**

The Interim Director of Children's Services submitted a report regarding the removal of the central subsidy provision for all community use of schools from November 2010, the establishment of a Community Use policy setting maximum charges levied by schools to recommended user groups, outlining revised policies and procedures around safeguarding the access of such groups to school premises and on the establishment of a central 'hardship' grant fund to provide support to users meeting corporate priorities.

This matter had previously been the subject of a delegated decision taken by the Interim Director of Children's Services, which was subsequently called in and considered by Scrutiny Board (Children's Services). The Scrutiny Board recommended that this decision was referred back to the decision taker for reconsideration and submitted to Executive Board for determination.

Officers undertook to provide Executive Board Members with a breakdown of financial balances for individual schools and to keep Members briefed on any matters arising from the policy change. Members referred to the possibility of increasing the £50,000 support fund, should this be required.

RESOLVED –

- (a). That approval be given to the ceasing of the central subsidy on community use of schools from November 2010.
- (b). That approval be given to the establishment of a support fund of £50,000.
- (c). That revised policies and procedures, as set out within section 5 of the submitted report, be approved.
- (d). That an additional grant of £10,000 be provided in order to support supplementary schools, with the administration being carried out by the Head of School Improvement, Education Leeds.
- (e). That the policy, as set out at section 5 of the submitted report, be applied to PFI properties, the lettings of which are administered directly by the Lettings Unit.
- (f). That an update report which provides Board Members with an opportunity to consider and monitor any issues arising from this policy change be submitted to a future meeting of the Board.

(In accordance with Scrutiny Board Procedure Rules, the decisions detailed at (a) to (e) above, being matters which have been the subject of a previous call in, were not eligible for call in on this occasion)

(Under the provisions of Council Procedure Rule 16.5, Councillors A Carter and Golton required it to be recorded that they had voted against the decisions taken at (a) to (e) above)

80 Reductions in Funding: Contract, Service Level Agreement and Grant Variations

Further to Minute No. 71(b), 25th August 2010, a report was submitted by the Interim Director of Children's Services outlining proposals on the management of reductions in expenditure, specifically in respect of payments to internal and external children's services providers, following the in-year reduction in grants received by the Council.

The related decisions taken by Executive Board on 25th August 2010 had been the subject of a Scrutiny Board (Central and Corporate) call in meeting and subsequent discussions at full Council, and it was determined essential that this matter was considered by Executive Board at the earliest opportunity in order to efficiently manage the decisions which needed to be taken in respect of funding reductions, following Government announcements.

Officers undertook to provide Executive Board Members with information relating to those organisations with contracts, grants and service level agreements worth £15,000 or less, and offered to report back to the Board should any significant issues arise in terms of individual organisations.

The Board highlighted the scrutiny inquiry currently being undertaken by Scrutiny Board (Children's Services) on the funding arrangements for children's outdoor activity centres, and considered how the findings could be utilised in terms of an individual organisation included within the proposals.

RESOLVED –

- (a). That the schedule of variations to contracts, service level agreements and grants to external providers, as detailed at appendix 1 of the submitted report, be approved.
- (b). That Executive Board request Scrutiny Board (Children's Services) to prioritise the inquiry it is currently undertaking into the funding arrangements for children's outdoor activity centres, with the conclusions from the inquiry being presented to Board Members at the earliest available opportunity.

(Having declared a personal and prejudicial interest in this matter, due to being a member of and having close personal connections with Meanwood Valley Urban Farm, Councillor Wakefield vacated the Chair in favour of Councillor R Lewis and withdrew from the meeting room for the duration of this item)

(Having declared personal and prejudicial interests in this matter, Councillors Murray and Blake withdrew from the meeting room for the duration of this item, due to their respective positions as the Chief Executive of Learning Partnerships and vice chair of the trustees of the Health For All organisation)

(Under the provisions of Council Procedure Rule 16.5, Councillors A Carter and Golton required it to be recorded that they had voted against the decision taken at (a) above)

DATE FOR PUBLICATION: 27th September 2010

**LAST DATE FOR CALL IN
OF ELIGIBLE DECISIONS:** 4th October 2010 (5.00 P.M.)

(Scrutiny Support will notify Directors of any items called in by 12.00noon on 5th October 2010)

EXECUTIVE BOARD

WEDNESDAY, 13TH OCTOBER, 2010

PRESENT: Councillor K Wakefield in the Chair

Councillors A Blackburn, J Blake, S Golton,
P Gruen, R Lewis, T Murray, A Ogilvie,
J Procter and L Yeadon

Councillor J Dowson – Non-voting Advisory Member

81 Substitute Member

Under the terms of Executive Procedure Rule 2.3, Councillor J Procter was invited to attend the meeting on behalf of Councillor A Carter.

82 Introduction of the new Director of Children's Services

On behalf of the Board, the Chair introduced Nigel Richardson, as this marked the first meeting of Executive Board since he began his tenure as Director of Children's Services.

83 Declaration of Interests

Councillors Murray, R Lewis, Ogilvie, Blake, Golton and A Blackburn all declared personal interests in the item relating to the Environment and Neighbourhoods Lettings Policy (Minute No. 91 refers), due to their respective positions as either a Board Director or an Area Panel member of an Arms Length Management Organisation (ALMO) or Belle Isle Tenant Management Organisation (BITMO).

Councillor Murray declared a personal interest in the item relating to the Compact for Leeds (Minute No. 90 refers), due to his position as Chief Executive of the Learning Partnerships organisation.

A further declaration of interest was made at a later point in the meeting. (Minute No. 92 refers).

LEISURE

84 South Leeds Sports Centre

Further to Minute No. 10, 22nd June 2010, the Acting Director of City Development submitted a report regarding the proposed closure of the South Leeds Sports Centre and which outlined a proposal for officers to submit a report to a future meeting following further work being undertaken, in order to consider the proposal from Tiger11 regarding a possible community asset transfer of the facility.

In response to Members' enquiries regarding comparisons provided between South Leeds Sports Centre and other centres in terms of usage levels and cost per visit, the Acting Director of City Development provided clarification

Draft minutes to be approved at the meeting
to be held on Wednesday, 3rd November, 2010

and suggested that, when determining this matter, Members should take into account that the centre attracted 215 visits per week at a cost of circa £10 per visit.

With regard to the future of the sports centre, the following options were outlined within the submitted report:-

Option 1 - The Sports Centre remain open pending further work on Tiger11's proposals for a community asset transfer.

Option 2 – Immediate closure of the Sports Centre and acceptance of Tiger11's proposal for community asset transfer.

Option 3 - Immediate closure of the Sports Centre and rejection of Tiger11's proposal. This option would lead to a recommendation to demolish the facility with further consideration of the site's use as a capital receipt, or as part of any regeneration programmes in the area.

Option 4 – Immediate closure of the Sports Centre, whilst proactive work with Tiger11 continued on their proposals for consideration by Executive Board later this year.

RESOLVED –

- (a) That the Acting Director of City Development be authorised to commence the closure of South Leeds Sports Centre in consultation with the Executive Member for Leisure and to make arrangements for Corporate Property Management to secure the building.
- (b) That officers be requested to undertake further work with Tiger11 in order to enable proposed Heads of Terms for a Community Asset Transfer to be developed which are consistent with the principles established in August 2009, for further consideration by Executive Board in December 2010.
- (c) That the Acting Director of City Development be authorised to enter into a 6 month exclusivity agreement with Tiger11 for South Leeds Sports Centre.

85 Minutes

RESOLVED – That the minutes of the meetings held on 16th August, 25th August and 23rd September 2010 be approved as a correct record.

DEVELOPMENT AND REGENERATION

86 West Leeds Gateway Supplementary Planning Document

Further to Minute No. 201, 10th March 2010, the Acting Director of City Development submitted a report presenting the representations received as part of the final period of public consultation on the West Leeds Gateway Supplementary Planning Document (SPD) and which sought approval of the formal adoption of the SPD.

A schedule detailing the responses received as part of the final period of public consultation had accompanied Board Members' agenda papers.

RESOLVED -

- (a) That the representations received on the West Leeds Gateway Supplementary Planning Document and the recommended responses to the representations be noted.
- (b) That the adoption of the West Leeds Gateway Area Supplementary Planning Document be approved.

87 Design and Cost Report: Proposed Works at Woodhouse Lane Multi Storey Car Park

The Acting Director of City Development submitted a report regarding a design and cost freeze at RIBA Stage D on the proposed improvement and backlog maintenance works to the Woodhouse Lane Multi Storey Car Park. In addition, the report also sought authorisation to the incurring of related expenditure and letting of related contracts.

RESOLVED –

- (a) That the design and cost freeze at RIBA Stage D for the proposed improvement and backlog maintenance works to the Woodhouse Lane Multi Storey Car Park be approved.
- (b) That subject to the tender sum for the proposed works being within the budget available, approval be given to the letting of the contract and the incurring of expenditure of £5,806,500 from existing budget provision (Capital Scheme No 13307/WHL/000) on the proposed design and subsequent improvement and backlog maintenance works to the Woodhouse Lane Multi Storey Car Park.

NEIGHBOURHOODS AND HOUSING

88 Deputation to Council - Tenants of Moor Grange Court Regarding Anti-Social Behaviour and Possible Changes to a Local Lettings Policy

The Director of Environment and Neighbourhoods submitted a report in response to the deputation to Council on 14th July 2010 from the tenants of Moor Grange Court regarding concerns over anti-social behaviour and possible changes to a local lettings policy.

RESOLVED – That the response taken by the Council and the ALMO to the problems facing the residents of Moor Grange Court be noted.

89 Deputation to Council - Local Residents of Hyde Park Regarding Social Deprivation and Community Cohesion in the Area

The Director of Environment and Neighbourhoods submitted a report in response to the deputation to Council on 14th July 2010 from local residents of Hyde Park regarding social deprivation and community cohesion in the area.

RESOLVED –

- (a) That the contents of the submitted report be noted.
- (b) That a further report be submitted to a future meeting of the Board providing an update on the progress made in addressing the issues highlighted by the deputation.

90 Adoption of the Compact for Leeds 2010

The Director of Environment and Neighbourhoods submitted a report presenting the revised Compact for Leeds 2010 for approval and adoption.

RESOLVED – That the adoption of the Compact for Leeds be approved, and that the Council commit to undertaking an assessment of current policy and practice and the development of a plan to strengthen priority areas for action.

91 Environment and Neighbourhoods Lettings Policy Revision

Further to Minute No. 247, 19th May 2010, the Director of Environment and Neighbourhoods submitted a report outlining the options available for amending the Environment and Neighbourhoods lettings policy, providing a summary of the consultation undertaken with customers, considering the potential impacts in equality arising from such changes and seeking approval to implement the revised policy.

RESOLVED –

- (a) That the results of the consultation exercise undertaken be noted, and that the revised Lettings Policy be approved.
- (b) That the implementation of the proposals contained within section 4 of the submitted report be approved with effect from 5th January 2011.

CHILDREN'S SERVICES

92 Report on the September 2010 Admissions Round

The Chief Executive of Education Leeds submitted a report presenting a range of statistical information relating to the September 2010 admissions round in Leeds.

Officers undertook to provide the relevant Member with a list of those 19 primary schools where places could not be offered to all those children who had expressed a preference for a school which was their nearest.

RESOLVED – That the statistical content of the report be noted, including:

- the percentage of first preferences achieved, where 86.2% of parents are offered the school of their first preference and 96.7% of parents received one of their preferences;
- the increase in the number of secondary block appeals, but fall in the number of in year appeals, and the further 8% improvement in the successful defence of in year appeals.

- the continued increase in use of the on-line service for parents to 44% of on time applications.
- a further increase in birth rate and the rise in successful preferences following a range of school expansions.

(Councillor J Procter declared a personal interest in this item, as a parent of a child who had not been offered a place at the child's nearest school, having expressed a preference for that school).

LEISURE

93 A New Chapter: A Fresh Direction for Leeds Libraries and for Integrated Services

The Chief Libraries, Arts and Heritage Officer submitted a report informing of the challenges faced in the delivery of the Leeds Library and Information Service and, in taking into account the delivery of other front line services, outlining new approaches for consultation which would ensure the sustainability and relevance of the library service for the people of Leeds.

Members referred to the possibility of extending the consultation period, should this be required.

RESOLVED -

- (a) That the operational challenges of the Libraries and Information Service, as outlined within the submitted report, be noted.
- (b) That a public consultation exercise on the detailed proposals contained within appendix 1 to the submitted report be approved.
- (c) That a further report be submitted to the Board early in 2011 outlining the outcome of the consultation process and which takes into consideration the outcomes from the Comprehensive Spending Review.

(Under the provisions of Council Procedure Rule 16.5, Councillors A Blackburn and Golton respectively required it to be recorded that they abstained from voting on the decisions referred to within this minute).

RESOURCES AND CORPORATE FUNCTIONS

94 Financial Strategy and Budget Setting Process

The Director of Resources submitted a report providing background information to the forthcoming Comprehensive Spending Review and outlining the proposed process for setting the Council's 2011/12 budget.

Members made reference to the possibility of liaising with external organisations and service providers as part of the process to consider the budget proposals.

RESOLVED –

- (a) That the background to the current budget setting process and the actions taken to date be noted.
- (b) That the establishment of a Members' working group comprising Members of the five political parties to consider budget proposals be agreed.
- (c) That a subsequent report be brought to the January 2011 Executive Board reporting on the outcome of the Member working group discussions.
- (d) That the budget principles, as set out within paragraph 5 of the submitted report, be agreed.

95 Scrutiny Board Recommendations

The Chief Democratic Services Officer submitted a report providing a summary of the responses to Scrutiny Board recommendations received since the last Executive Board meeting.

RESOLVED –

- (a) That the responses to the recommendations of the Scrutiny Board (Adult Social Care), as detailed within the submitted report, be noted.
- (b) That a review be undertaken in relation to the ways in which responses to Scrutiny Board recommendations are received by the Executive Board.

DATE FOR PUBLICATION: 15th October 2010

**LAST DATE FOR CALL IN
OF ELIGIBLE DECISIONS:** 22nd October 2010 (5.00 p.m.)

(Scrutiny Support will notify Directors of any items called in by 12.00noon on 25th October 2010)