



A meeting of the Council will be held in the Civic Hall, Leeds on Monday, 9th June, 2014 at 6.00 pm

Members of the Council are invited to attend and transact the following business:

1 Election of Lord Mayor

That Councillor David Congreve be elected Lord Mayor of the City of Leeds to hold office until the date of the Annual Meeting of the Council in 2015.

2 Vote of Thanks to Retiring Lord Mayor

To pass a vote of thanks to the retiring Lord Mayor.

3 Election of Vice Chair of Council

That Councillor J McKenna be elected as the Vice Chairman of the Council to hold office until immediately after the election of the Lord Mayor at the Annual Meeting of the Council in 2015

4 Minutes

1 - 14

To confirm the minutes of the Council Meeting held on 26th March 2014.

5 Declarations of Interest

To receive any declarations of interest from Members

6 Announcements

To receive any announcements from the Lord Mayor or the Chief Executive.

That the dates of the meetings of the Council for the Municipal Year 2014/2015 as detailed in Schedule 12 be approved.

Tom Riordan
Chief Executive

Civic Hall
Leeds
LS1 1UR

Please note: this meeting may be filmed for live or subsequent broadcast via the City Council's website on the internet - at the start of the meeting the Lord Mayor will confirm if all or part of the meeting is to be filmed. The images and sound recording may be used for training purposes by the Council. Generally the public gallery is not filmed. However, by entering the Council Chamber and using the public seating area you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If you have any queries regarding this, please contact the City Solicitor.

Third Party Recording

Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the clerk.

Use of Recordings by Third Parties– code of practice

- a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.
- b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.



Proceedings of the Meeting of the Leeds City Council held
Civic Hall, Leeds on Wednesday, 26th March, 2014

PRESENT: The Lord Mayor Councillor Thomas Murray in the Chair

WARD

ADEL & WHARFEDALE

Barry John Anderson
John Leslie Carter

ALWOODLEY

Neil Alan Buckley
Peter Mervyn Harrand

ARDSLEY & ROBIN HOOD

Karen Renshaw
Jack Dunn
Lisa Mulherin

ARMLEY

Alison Natalie Kay Lowe
James McKenna
Janet Harper

BEESTON & HOLBECK

Adam Ogilvie
David Congreve

BRAMLEY & STANNINGLEY

Caroline Gruen
Ted Hanley
Neil Taggart

BURMANTOFTS & RICHMOND HILL

Maureen Ingham
Asghar Khan
Ron Grahame

WARD

CALVERLEY & FARSLEY

Andrew Carter
Joseph William Marjoram
Rod Wood

CHAPEL ALLERTON

Eileen Taylor
Mohammed Rafique
Jane Dowson

CITY & HUNSLET

Elizabeth Nash
Patrick Davey
Mohammed Iqbal

CROSS GATES & WHINMOOR

Debra Coupar
Pauleen Grahame
Peter John Gruen

FARNLEY & WORTLEY

David Blackburn
Ann Blackburn
John Hamilton Hardy

GARFORTH & SWILLINGTON

Andrea McKenna
Mark Dobson
Thomas Murray

GIPTON & HAREHILLS

Roger Harington
Arif Hussain
Kamila Maqsood

GUISELEY & RAWDON

Graham Latty
Paul John Spencer Wadsworth
Pat Latty

HAREWOOD

Ann Castle

Matthew James Robinson

HEADINGLEY

Janette Walker
Neil Walshaw
Martin Hamilton

HORSFORTH

Christopher Townsley
Dawn Collins
Brian Cleasby

HYDE PARK & WOODHOUSE

Christine Denise Towler
Gerry Harper
Javaid Akhtar

KILLINGBECK & SEACROFT

Graham Hyde
Veronica Morgan
Brian Michael Selby

KIPPAX & METHLEY

Mary Elizabeth Harland
James Lewis
Keith Ivor Wakefield

KIRKSTALL

Lucinda Joy Yeadon
John Anthony Illingworth
Bernard Peter Atha

MIDDLETON PARK

Paul Anthony Truswell
Judith Blake
Kim Groves

MOORTOWN

Alex Sobel

Sharon Hamilton

MORLEY NORTH

Robert Finnigan
Robert William Gettings
Thomas Leadley

MORLEY SOUTH

Judith Elliott
Neil Dawson
Shirley Varley

OTLEY & YEADON

Sandy Edward Charles Lay
Colin Campbell
Ryk Downes

PUDSEY

Josephine Patricia Jarosz
Richard Alwyn Lewis
Mick Coulson

ROTHWELL

David Nagle
Karen Bruce
Barry Stewart Golton

ROUNDHAY

Bill Urry
Christine Macniven
Ghulam Hussain

TEMPLE NEWSAM

Judith Cummins

Michael Lyons

WEETWOOD

Jonathan Bentley
Susan Bentley
Judith Mara Chapman

WETHERBY

Gerald Wilkinson
Alan James Lamb
John Michael Procter

111 Announcements

- a) The Lord Mayor informed Council that the following Councillors would not be seeking re-election to Council, and said a few words in respect of each Councillor and thanked them for their work over the years on behalf of the Council:-

Councillor Bernard Atha
Councillor Martin Hamilton
Councillor Neil Taggart

- b) The Lord Mayor welcomed media students from Leeds Trinity University, and informed Council that they would be filming/recording proceedings.
- c) The Lord Mayor informed Council that Councillor Charlwood had recently given birth to a baby boy.
- d) The Lord Mayor reminded all those present that the Council was been webcast.

112 Minutes

It was moved by Councillor G Harper, seconded by Councillor G Latty and

RESOLVED – That the minutes of the meeting held on 26th February 2014 be approved.

113 Declarations of Interest

There were no declarations of interest.

114 Communications

The Chief Executive informed Council that a response to a Council resolution had been received from Nick Boles MP, Parliamentary Under Secretary of State (Planning) with regard to a White Paper considered at Council in January 2014

The response had previously been circulated to all Members of Council.

115 Deputations

Four deputations were admitted to the meeting and addressed Council, as follows:-

- 1) Leeds Dance Community and the ambition to make Leeds the UK's top city for Dance
- 2) Meanwood Road Safety Campaign regarding 20 mph zones.
- 3) Leeds Student Union regarding the creation of a standing council of Student Union representatives
- 4) Morley Heritage Centre regarding a permanent location

RESOLVED - That the subject matter in respect of the deputations be referred to the Executive Board for consideration.

116 Recommendations of the Executive Board - Local Flood Risk Management Strategy

It was moved by Councillor R Lewis, seconded by Councillor G Harper and

RESOLVED – That the Leeds Local Flood Risk Management Strategy be approved.

117 Recommendations of the General Purposes Committee - 2014/2015 Pay Policy Statement

It was moved by Councillor Wakefield, seconded by Councillor G Harper and

RESOLVED - That the Pay Policy Statement 2014/15 as set out at Appendix 1 to the report be approved.

118 Recommendations of the General Purposes Committee - Joint Health Overview and Scrutiny Committee

It was moved by Councillor Wakefield, seconded by Councillor G Harper and

RESOLVED -

- a) That Council reconfirms its support for the establishment of a Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) in relation to NHS England's new review of Congenital Heart Disease services;
- b) That Council delegates relevant functions, as set out in Appendix 1 of the submitted report to the General Purposes Committee, that shall be exercisable by the Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber), subject to such terms and conditions therein; and ;
- c) That Council asks the Scrutiny Board (Health and Wellbeing and Adult Social Care) to nominate a member from within its membership to sit on the Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) in relation to the new review of Congenital Heart Disease services and, upon nomination, agrees to appoint such member to the Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber).

119 Recommendations of the Standards and Conduct Committee - Annual Report

It was moved by Councillor Nash, seconded by Councillor Selby and

RESOLVED - That the annual report of the Standards and Conduct Committee, as presented by the City Solicitor, be received.

120 Report on Appointments and Nominations to the West Yorkshire Combined Authority

It was moved by Councillor Wakefield, seconded by Councillor G Harper and

RESOLVED -

- a) To appoint the following to the West Yorkshire Combined Authority with effect from 1 April 2014:

	Labour	Conservative	Liberal Democrat
WYCA member	Cllr K Wakefield	Cllr Andrew Carter	

WYCA substitute member	Cllr J Blake	The substitute Conservative Party member will be appointed by another Constituent Council	Cllr Stewart Golton (as substitute for the Liberal Democrat Member of the CA appointed by Calderdale MBC)
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- b) That the following nominations for co-optees to the committees of the WYCA be recommended and that authority be delegated to the Chief Executive, in consultation with the Group Leaders, to make any additional nominations to the West Yorkshire Combined Authority:

Committee	Labour	Conservative	Liberal Democrat
Transport Committee ¹ (4 Members)	Cllr James Lewis Cllr Michael Lyons Cllr Kim Groves	Cllr Andrew Carter	
West Yorkshire and York Investment Committee (1 member – suggested cabinet member for regeneration)	Cllr Richard Lewis (Executive Member with responsibility for regeneration)		
Governance and Audit Committee (1 member – Chair of Audit committee)	Cllr Ghulam Hussain		
Overview and Scrutiny Committee (3 members)	Leader's nominee (to be confirmed) Leader's nominee (to be confirmed)	Leader's nominee (to be confirmed)	

¹ These Members will also comprise the Leeds District Engagement Sub Committee of the Transport Committee.

121 Report on Leeds Award

It was moved by Councillor Wakefield, seconded by Councillor G Harper and

RESOLVED - That the recommendations of the Leeds Award Panel to nominate Mrs Jean Johnson and Professor Emeritus Monty Losowsky to receive the Leeds Award, as presented by the report of the City Solicitor, be approved.

122 Questions

Q1 Councillor A Carter to the Executive Member (Development and the Economy):-

Is the Executive Board Member for Development and the Economy able to inform the Council how much funding Leeds will receive from the two government funding allocations (one from the Secretary of State for Transport and one from the Chancellor of the Exchequer) to carry out extra road repairs?

The Executive Member (Development and the Economy) replied.

Q2 Councillor Golton to the Leader of Council:-

Does the Leader of Council agree that the council must consider proposals such as an increment freeze, cuts to mileage payments, ending pay protection and altering the redeployment process in order to retain essential council services in a period of prolonged austerity?

The Leader of Council replied.

Q3 Councillor Hanley(in accordance with Council Procedure Rule 11.1c) to the Executive Member (Adult Social Care) :-

Please can the Executive Member update council on how Adult Social Care is coping with the issues identified by Age UK's recent "Crisis in Care" report?

(Adult Social Care) replied.

Q4 Councillor S Hamilton to the Executive Member (Environment):-

Can the Executive Member for Environment and Parks comment on the value and importance of the changes made to refuse collections over the past two years?

The Executive Member (Environment) replied.

Q5 Councillor Wadsworth to the Executive Member (Environment):-

Given the increases in the number of families who cannot afford to bury their relatives, why has the Executive Board Member for the Environment again increased burial charges?

The Executive Member (Environment) replied.

Q6 Councillor J Bentley to the Executive Member (Neighbourhoods, Planning and Support Services):-

Is the Executive Member for Neighbourhoods, Planning and Support Services satisfied that the out of hours service is providing a quality response to the tenants of Housing Leeds?

The Executive Member (Neighbourhoods, Planning and Support Services) replied.

Q7 Councillor Iqbal to the Executive Member (Development and the Economy):-

Can the Executive Member please update members on the actions taken by the council to reinforce its significant role in aiding the city's economic recovery?

The Executive Member (Development and the Economy) replied.

Q8 Councillor Maqsood to the Executive Member (Children's Services):-

Does the Executive Member for Children's Services have any comment on the impact of changes to the Careers Service?

The Executive Member (Children's Services) replied.

Q9 Councillor Anderson to the Executive Member (Neighbourhoods, Planning and Support Services):-

Given the Council's intention to deliver in excess of 50 new gypsy and traveller pitches through the Core Strategy, when will the Executive Board Member consult Leeds residents about the location of these new sites?

The Executive Member (Neighbourhoods, Planning and Support Services) replied.

Q10 Councillor S Bentley to the Executive Member (Children's Services):-

Does the Executive Member for Children's Services agree with the Shadow Secretary of State for Education's comments about academies advertising for unqualified teachers?

This question was withdrawn.

Q11 Councillor Congreve to the Executive Member Executive Member (Neighbourhoods, Planning and Support Services):-

Will the Executive Member responsible for planning please update Council on the "Leeds Standard for housing"?

The Executive Member (Neighbourhoods, Planning and Support Services) replied.

At the conclusion of question time, the following questions remained unanswered and it was noted that, under the provisions of Council Procedure Rule 11.6, written answers would be sent to each Member of Council:-

Q12 Councillor Selby to the Executive Member (Health and Well-being)

Q13 Councillor Lamb to the Executive Member (Children's Services)

- Q14 Councillor Cleasby to the Executive Member (Neighbourhoods, Planning and Support Services)
- Q15 Councillor A Khan to the Executive Member (Leisure and Skills)
- Q16 Councillor Wadsworth to the Executive Member (Environment)
- Q17 Councillor Cleasby to the Executive Member (Neighbourhoods, Planning and Support Services)
- Q18 Councillor Anderson to the Executive Member (Development and the Economy)
- Q19 Councillor Lamb to the Executive Member (Adult Social Care)

123 Minutes

It was moved by Councillor Wakefield, seconded by Councillor G Harper that the minutes be received in accordance with Council Procedure Rule 2.2(i).

RESOLVED – That the minutes be received in accordance with Council Procedure Rule 2.2(i)

Council Procedure Rule 4, providing for the winding up of business, was applied prior to all notified comments on the minutes having been debated

124 Back Bench Community Concerns

Council heard the following Community Concerns;

- 1)Councillor Dawson - Closure of the Kodak site in Morley with the loss of 210 jobs.
- 2)Councillor Walker - Responding to trees falling from private property across the public highway.
- 3)Councillor Downes – Allocation of policing resources in Otley and Yeadon ward
- 4)Councillor A Blackburn – Housing repairs
- 5)Councillor Finnigan – The Council decision making process and how they impact upon Morley.
- 6)Councillor P Latty - Concerns about the configuration of the Station Hotel Junction in Guiseley and Rawdon ward and the possible impacts on pedestrian safety.

During the consideration of Community Concerns, the meeting was suspended at 4.55 pm and resumed at 5.25 pm

125 White Paper Motion (in the name of Councillor A Carter) - Planning

Prior to discussion on this matter Councillor A Carter reported that this would be the last ordinary meeting of Council chaired by the current Lord mayor and thanked him for his efforts throughout the current Municipal Year.

Under the provisions of Council Procedure Rule 14.9(a), leave of Council was given to alter the wording of the motion in the name of Councillor Andrew Carter to subsume the amendment in the name of Councillor Cleasby.

Under the provisions of Council Procedure Rule 13.2(d) and 14.10 and with the consent of the seconder, leave of Council was given to Councillor Cleasby to withdraw the amendment in his name.

It was moved by Councillor A Carter, seconded by Councillor Campbell that this Council reaffirms its opposition to a developer led approach to planning policy.

This Council believes that a brown field first approach to development is the right one and further believes that new housing should be prioritised in regeneration areas and areas where there is clear unmet housing need.

This Council calls on the administration to act on the following issues:

- Evidence a robust 5 year land supply in Leeds
- Note and implement the recent planning guidance 'Making the planning system work more efficiently and effectively' regarding infrastructure constraints when assessing site suitability
- Further note the planning guidance with regard to brownfield land, developer profits and previous developer records on unimplemented planning permissions
- Take action to ensure that housing is not delivered in areas of flood risk
- Commit to continuing protection of the Greenbelt in Leeds
- Take note of recent ministerial advice that suggests that phasing of new housing development is not centrally prescribed by Government
- Affirm its commitment to neighbourhood planning and allocate adequate resources to help residents to speedily produce and adopt plans for their communities

This Council believes that housing numbers should not be seen in isolation as simply a positive for growth and a mechanism to address unmet need. These are important, but due consideration has to be given to infrastructure. Otherwise, in Leeds, this will likely result in over-subscribed schools, massively congested roads and key services stretched to breaking point.

This Council believes that new housing should be genuinely sustainable and this means delivering the infrastructure to support it before it is built.

An amendment was moved by Councillor P Gruen, seconded by Councillor J McKenna

This Council reaffirms its opposition to a developer led approach to planning policy.

Deleted all after and replace with:

This Council reiterates its belief that a brown field first approach to development is the right one and further believes that new housing should be prioritised in regeneration areas and areas where there is clear unmet housing need.

This Council believes that whilst communities accept the need for new housing they also believe this should be affordable housing in the right places. This is indicated in the policy agreed by Council at its meeting on 15 January 2014, including a clear brownfield first policy which prioritises the use of previously developed land wherever

possible, whilst at the same time committing to continuous protection of the Green Belt.

This is in strong contrast to Central Government's National Planning Policy Framework which in reality puts a 5 year land supply before all other interests. Council also recognises the general climate of extreme financial pressures being placed on local authorities by Central Government including the inadequacy of the new CIL/S106 framework to meet the essential community requirements arising from new developments.

This Council will continue to champion a democratic and sustainable approach in our Core Strategy. Such an approach will be based on these principles:

1. That new development must be supported by the early implementation of infrastructure necessary to sustain the local community.
2. Developers indicating their willingness to build sustainable new housing in Leeds by building on sites with existing planning permission.
3. The implementation of the Council's brownfield land strategy (February 2014)
4. Consideration be given to developers' previous delivery records and developer profit as per recent national guidance.
5. National government looking again at the impact of the requirements for the 5 year land supply, including whether this leads to a lack of local democratic control in planning decision making, especially on the retention of greenfield and Green Belt land.

Council requests that the Chief Executive writes to the Secretary of State for Communities and Local Government, local MPs, local town and parish councils and Neighbourhood Planning Forums to indicate its desire for genuine partnership in housing and infrastructure growth.

The amendment in the name of Councillor P Gruen was carried and upon being put to the vote, it was

RESOLVED – This Council reaffirms its opposition to a developer led approach to planning policy.

This Council reiterates its belief that a brown field first approach to development is the right one and further believes that new housing should be prioritised in regeneration areas and areas where there is clear unmet housing need.

This Council believes that whilst communities accept the need for new housing they also believe this should be affordable housing in the right places. This is indicated in the policy agreed by Council at its meeting on 15 January 2014, including a clear brownfield first policy which prioritises the use of previously developed land wherever possible, whilst at the same time committing to continuous protection of the Green Belt.

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3. The implementation of the Council's brownfield land strategy (February 2014)
4. Consideration be given to developers' previous delivery records and developer profit as per recent national guidance.
5. National government looking again at the impact of the requirements for the 5 year land supply, including whether this leads to a lack of local democratic control in planning decision making, especially on the retention of greenfield and Green Belt land.

Council requests that the Chief Executive writes to the Secretary of State for Communities and Local Government, local MPs, local town and parish councils and Neighbourhood Planning Forums to indicate its desire for genuine partnership in housing and infrastructure growth.

126 White Paper Motion (in the name of Councillor Downes) - Leeds Bradford International Airport

It was moved by Councillor Downes, seconded by Councillor Cleasby and

RESOLVED – That this Council recognises the long term benefits Leeds Bradford International Airport brings to the local and regional economy and fully supports the city region's proposed infrastructure improvements to improve both its accessibility and connectivity.

On the requisition of Councillors J Procter and G Latty, the voting on the motion in the name of Councillor Downes was recorded as follows:-

YES - 82

Akhtar, Anderson, Atha, J Bentley, S Bentley, Blake, Bruce, Buckley, Campbell, A Carter, J L Carter, Castle, Chapman, Cleasby, Congreve, Coulson, Coupar, Cummins, Davey, Dawson, Dobson, Downes, Dowson, Dunn, Elliott, Gettings, Golton, P Grahame, R Grahame, C Gruen, P Gruen, M Hamilton, S Hamilton, Hanley, Hardy, Harington, Harland, G Harper, J Harper, Harrand, A Hussain, G Hussain, G Hyde, Illingworth, Ingham, Iqbal, Jarosz, Khan, Lamb, G Latty, P Latty, Lay, Leadley, J Lewis, R Lewis, Lyons, Marjoram, Macniven, Maqsood, A McKenna, J McKenna, Morgan, Mulherin, Nagle, Nash, Ogilvie, J Procter, Rafique, Renshaw, Robinson, Selby, Sobel, Taggart, E Taylor, Towler, Truswell, Urry, Varley, Wadsworth, Wakefield, Walker, Walshaw, Wilkinson, Wood and Yeadon.

NO - 0

ABSTAIN– 3

A Blackburn, D Blackburn and Collins.

127 White Paper Motion (in the name of Councillor Blake) - Children's Centres

It was moved by Councillor Blake, seconded by Councillor Harington that Council reiterates its commitment to ensure every child in Leeds enjoys the best start in life and welcomes the Administration's decision to keep all 57 children's centres open despite massive Government funding cuts.

Council further recognises the overwhelming evidence that development in the first years of life is crucial to improving social, economic, educational and health outcomes for children and young people.

Given that evidence, members commit to continue to work towards our Best city and Child Friendly ambitions, focusing in particular on ensuring that every child in Leeds is ready to learn before they start school.

In support of this approach and the clear evidence of the importance of investing wisely in Early Years, Council calls on Government to immediately:

1. Re-instate the Early Intervention Grant in full
2. Secure the financial future of Children's Centres and their multi-agency workforce
3. Provide an additional Early Years investment fund for local partnerships to access, based on the needs of local communities
4. Support the extension of the successful Families First approach to target the most vulnerable families
5. Ensure additional health capacity is identified and ring-fenced so as to provide targeted support

Council asks that the Chief Executive write to the Secretaries of State for Health and Education.

An amendment was moved by Councillor S Bentley, seconded by Councillor Campbell

Replace “despite massive government funding cuts” with “as well as the coalition government’s announcement of a £2,000 tax break for childcare, its extension of the successful troubled families initiative and the creation of a £50 million early years pupil premium for disadvantaged three and four year olds.”

Delete all after “Council” in paragraph four and replace with “resolves not to implement the administration’s proposed 9% increase in nursery fees at council children’s centres.”

The amended motion would then read:

Council reiterates its commitment to ensure every child in Leeds enjoys the best start in life and welcomes the Administration’s decision to keep all 57 children’s centres open as well as the coalition government’s announcement of a £2,000 tax break for childcare, its extension of the successful troubled families initiative and the creation of a £50 million early years pupil premium for disadvantaged three and four year olds.

Council further recognises the overwhelming evidence that development in the first years of life is crucial to improving social, economic, educational and health outcomes for children and young people.

Given that evidence, members commit to continue to work towards our Best city and Child Friendly ambitions, focusing in particular on ensuring that every child in Leeds is ready to learn before they start school.

In support of this approach and the clear evidence of the importance of investing wisely in Early Years, Council resolves not to implement the administration’s proposed 9% increase in nursery fees at council children’s centres.

A second amendment was moved by Councillor Lamb, seconded by Councillor G Latty

Delete all after: 'Council' and replace with:

'believes that burdening the next generation of children with an unmanageable national debt provides the worst possible start in life for millions of young people in Britain. Therefore, this Council supports the Government's economic plan and welcomes the commitment by all parties to spending restraint and hopes that future generations in Leeds will benefit from this through improved economic circumstances.

Despite the difficult economic background, this Council welcomes the steps already taken by this Government to improve outcomes for young people, specifically:

1. Delivery of 15 hours of free nursery care to all 3 and 4 year olds
2. Expansion of the 15 hours free nursery provision to include 2 year olds from disadvantaged backgrounds
3. The introduction of and increases to the pupil premium
4. The Troubled Families Programme
5. Free school meals for all infant aged pupils

This Council reiterates its commitment to ensure every child in Leeds enjoys the best start in life and welcomes this government's ongoing commitment to this agenda. Council further recognises the overwhelming evidence that development in the first years of life is crucial to improving social, economic, educational and health outcomes for children and young people.

Therefore Council notes with concern the recent Executive Board report that highlighted the disappointing level of performance across a number of areas in Education but most notably in Early Years.

This Council calls on the ruling administration to stop blaming the Government for its own disappointing performance and take responsibility for the services it delivers. Council calls for a report to be brought to Executive Board detailing a robust plan to deliver improvements to Early Years provision in Leeds.'

The first amendment in the name of Councillor S Bentley and the second amendment in the name of Councillor Lamb were declared lost and upon being put to the vote, it was

RESOLVED – That Council reiterates its commitment to ensure every child in Leeds enjoys the best start in life and welcomes the Administration's decision to keep all 57 children's centres open despite massive Government funding cuts.

Council further recognises the overwhelming evidence that development in the first years of life is crucial to improving social, economic, educational and health outcomes for children and young people.

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4. Support the extension of the successful Families First approach to target the most vulnerable families
5. Ensure additional health capacity is identified and ring-fenced so as to provide targeted support

Council asks that the Chief Executive write to the Secretaries of State for Health and Education.

Council rose at 19.30



Report author: Kate Sadler

Tel: 0113 39 51711

Report of City Solicitor

Report to Full Council

Date: 9th June 2014

Subject: Recommendations of General Purposes Committee

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Summary of main issues

1. At its meeting on Wednesday 28th May 2014, General Purposes Committee considered a report concerning constitutional arrangements in relation to Community Committees.
2. This report sets out the recommendations of General Purposes Committee relating to that item.

Recommendations

3. General Purposes Committee recommend that full Council approve amendments to the Constitution detailed in the body of this report, shown at Appendix A to C attached and listed at paragraph 6 to this report.

1 Purpose of this report

1.1 This report presents recommendations to full Council from General Purposes Committee

2 Background information

2.1 General Purposes Committee is authorised:

- to consider proposals to amend the constitution and make recommendations to full Council; and
- to make recommendations to full Council in connection with the discharge of any of its functions.

3 Main issues

3.2 At its meeting on 28th May 2014 General Purposes Committee considered a proposed Community Committee structure, that will provide freedom for each Committee to conduct its business in the manner most appropriate to the needs of the locality, neighbourhoods and communities it serves, allow a greater emphasis on getting more people involved with their local committee; engaging in local decision making and in designing and delivering services that better meet the current and future needs of both local communities and the city as a whole.

3.3 General Purposes Committee recommends that the following amendments are made to the Council's constitution to give effect to these proposals.

Article 10

3.4 Amendments are proposed to Article 10 reflecting the change from Area Committees to Community Committees. The new name for each committee is listed at Article 10.1, and the power of Community Committees to appoint and remove Co-opted Members is now included at Article 10.3. In addition, following an amendment moved, seconded and agreed to be recommended to Council by General Purposes Committee, Kirkstall ward is proposed to move from the North West Inner grouping of wards to the West Inner grouping. The proposed amended Article 10 is set out in Appendix A to this report.

Community Committee Terms of Reference

3.5 Similarly, amendments are proposed to reflect the change from "Area" to "Community" Committees in the newly titled Community Committee Terms of Reference. The terms of reference now also include the function of adopting and reviewing a Community Plan. Each Committee will adopt their own Community Plan, to include such Community Engagement Plans as are necessary to reflect the themes, neighbourhoods and communities in the area, and use the document to inform their work throughout the year. The proposed Terms of Reference for Community Committees are attached at Appendix B to this report.

Community Committee Procedure Rules

- 3.6 The Community Committee Procedure Rules are intended to promote a flexible approach to the formal business to be conducted by Community Committees, so that each may engage with the communities in their area using the means most appropriate to those Members and those communities. The rules also provide for flexibility in determining the number of meetings each committee holds each year, stipulating only that the minimum should be four. The proposed Community Committee Procedure Rules are attached at Appendix C to this report.

Consequential Amendments

- 3.7 An amendment is necessary to footnote 4 of the Member Management Committee Terms of Reference, to refer to Community Committees rather than Area Committees. As the terms of reference for Council Committees are set out at Schedule 8a to the Summons, the City Solicitor has made this amendment contingent on the approval of Council to this proposal.
- 3.8 The Leader has taken into consideration the recommendations of General Purposes Committee in determining the Executive Arrangements which he presents in Schedule 10 to the Summons.
- 3.9 A number of further amendments are necessary throughout the Constitution to give effect to the change from Area Committee to Community Committee arrangements. The City Solicitor will be recommended to approve such amendments under delegated powers as a consequence to the amendments recommended by General Purposes Committee.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 There has been an extensive programme of consultation and engagement, the details of which are set out in the report to General Purposes Committee.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 No significant implications arise from the proposed amendments.

4.3 Council policies and City Priorities

- 4.3.1 The Council's Business Plan 2011-15 sets out the Council's priorities. Those relating to the Corporate directorate require "good rules and procedures to govern the Council's business". The recommendations set out in this report seek to ensure that the practices and procedures adopted by the Council comply with legislation and ensure best practice.

4.4 Resources and value for money

- 4.4.1 There are no specific budgetary implications arising from the proposals in this report at this time.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 No part of this report is confidential or exempt, and the report relates to Council functions, and so is not open to call-in.

4.6 Risk Management

- 4.6.1 Amendments to the constitution reflect legislative changes, increase clarity and ensure that accountability is clear for all services therefore reducing risk of challenge.

5 Conclusions

- 5.1 General Purposes Committee recommend that full Council approve a number of constitutional amendments giving effect to a new Community Committee based approach to community engagement.

6 Recommendations

- 6.1 Full Council are requested to approve amendments to
 - 6.1.2 Article 10 (As shown at appendix A attached)
 - 6.1.3 Community Committee Terms of Reference (As shown at appendix B attached)
 - 6.1.4 Member Management Committee Terms of Reference (as detailed at paragraph 3.7 above)
 - 6.1.5 Community Committee Procedure Rules (As shown at appendix C attached.)

7 Background documents¹

- 7.1 None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

ARTICLE 10 – COMMUNITY COMMITTEES
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COMMUNITY COMMITTEES

10.1. The Council will appoint ten Community Committees, as set out below, to serve the neighbourhoods and communities in the wards which they represent.

Community Committee	Wards Covered
Outer North East Community Committee	Alwoodley, Harewood and Wetherby
Inner North East Community Committee	Chapel Allerton, Moortown and Roundhay
Inner East Community Committee	Burmantofts and Richmond Hill, Gipton and Harehills, and Killingbeck and Seacroft
Outer North West Community Committee	Adel and Wharfedale, Guiseley and Rawdon, Horsforth, and Otley and Yeadon
Inner North West Community Committee	Headingley, Hyde Park and Woodhouse, and Weetwood
Inner West Community Committee	Armley, Bramley and Stanningley, and Kirkstall
Outer West Community Committee	Calverley and Farsley, Farnley and Wortley, and Pudsey
Outer East Community Committee	Cross Gates and Whinmoor, Garforth and Swillington, Kippax and Methley, and Temple Newsam
Outer South Community Committee	Ardsley and Robin Hood, Morley North, Morley South, and Rothwell
Inner South Community Committee	Beeston and Holbeck, City and Hunslet, and Middleton Park

COMPOSITION

10.2. The membership of each Community Committee will comprise all Members who have been elected for Wards wholly within the area determined for the Committee.

Article 10 – Community Committees

10.3 Each Community Committee may by resolution appoint or remove non-voting Co-opted Members who may participate in the business of the Community Committee in accordance with the Community Committee procedure Rules.

10.4 A Member of the Executive may serve on a Community Committee if otherwise eligible to do so as a Councillor.

CHAIR

10.5 Each Community Committee will appoint its Chair in accordance with the Community Committee Procedure Rules.

ROLE

10.6 Community Committees will¹:

- improve, co-ordinate and influence services at a local level;
- take locally based decisions that deal with local issues;
- provide for accountability at a local level;
- help Elected Members to listen to and represent their communities;
- help Elected Members to understand the specific needs of the communities in their area;
- lead, promote and develop community engagement;
- promote working relationships with Parish and Town Councils; and
- promote the well being of their area.

FUNCTIONS

10.7 The terms of reference for Community Committees are set out in Part 3 of the Constitution.

10.8 The Executive shall determine from time to time the executive functions² that may be exercised by Community Committees. These functions will be exercisable concurrently by the Executive Board, and in accordance with the Officer Delegation Scheme (executive functions) by Directors

PROCEEDINGS OF THE COMMUNITY COMMITTEE

10.9 Community Committees will comply with:

- the Community Committee Procedure Rules³ and
- all other relevant procedure rules⁴.

¹ In the neighbourhoods and communities within their remit and in accordance with the Community Plan adopted for their area

² Part 3 Sections 3C and 3D(a) of the Constitution provide details of the extent of the delegation determined by the executive.

³ These are in Part 4 of the Constitution.

⁴ These are the Council Procedure Rules, Executive and Decision Making Procedure Rules, Access to Information Procedure Rules, Financial Procedure Rules, Contract Procedure Rules and Appointments to Outside Bodies Procedure Rules, in Part 4 of the Constitution.

Community Committees

Within each Committee's area:

(Council functions)

1. To adopt and review a Community Plan¹;
2. to make Elected Member² appointments³ to Outside Bodies as determined by the Member Management Committee;
3. to advise or make representations to the Council or the Executive Board⁴ on all matters affecting community interests;⁵
4. to consider and respond to consultations on planning briefs and frameworks and on major development proposals;⁶
5. to consider proposals referred to the Committee by the Council or the Executive Board⁷ and to report back the Committee's views to the referring body;⁸
6. to receive and hear deputations;
7. to consider the performance, targeting, frequency and co-ordination of services and make recommendations to the Executive and to the Council's partners as appropriate;⁹

(Executive functions)¹⁰

8. *to promote and improve the economic, social and environmental well-being of the Committee's area*¹¹;
9. *to exercise Executive Functions*;¹²

¹ Which shall include such community engagement plans as necessary and appropriate to reflect the themes, neighbourhoods and communities in the area.

² Including the appointment of a suitable nominee as set out in the Appointments to Outside Bodies Procedure Rules

³ In accordance with the Appointments to Outside Bodies Procedure Rules at Part 4 of the Constitution.

⁴ Or to any committee appointed by the Council or the Executive

⁵ This is an advisory function under Section 102(4) Local Government Act 1972.

⁶ This is an advisory function under Section 102(4) Local Government Act 1972.

⁷ Or to any committee appointed by the Council or the Executive

⁸ This is an advisory function under Section 102(4) Local Government Act 1972.

⁹ This is an advisory function under Section 102(4) Local Government Act 1972

¹⁰ All executive functions will be exercisable concurrently with the Executive Board.

¹¹ In furtherance of, and subject to the limitations set out in the Community Committee Executive Delegation Scheme detailed in Part 3 Section 3D(a) of the Constitution, as determined from time to time by the Executive Board

¹² As determined from time to time by the Executive and in furtherance of, and subject to the limitations set out in the Community Committee Executive Delegation Scheme detailed in Part 3 Section 3D(a) of the Constitution and the Community Committee Procedure Rules in Part 4 of the Constitution.

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COMMUNITY COMMITTEE PROCEDURE RULES¹**1.0 STATUS, ROLE, FUNCTIONS AND ACCOUNTABILITIES**

- 1.1 Community Committees are appointed by Full Council.
- 1.2 The role of Community Committees is set out in Article 10.
- 1.3 Community Committees may exercise both Executive and Council functions as set out in the Terms of Reference for Committee Committees and the Community Committee Executive Delegation Scheme.
- 1.4 The Local Government Act 2000 provides for the Executive to make arrangements for functions which are the responsibility of the Executive to be discharged by Community Committees. In exercising these functions each Community Committee is accountable to the Executive.
- 1.5 Each Community Committee is accountable to Full Council for the exercise of Council functions within their terms of reference.

2.0 APPOINTMENT OF CHAIR

- 2.1 The Chair of each Community Committee will be elected, from amongst the City Councillors eligible to serve on that Committee.
- 2.2 Each political Group² with Members elected within a Community Committee area may put forward a nomination from amongst Members on the Community Committee to Chair the Community Committee. An Independent Member may also put forward a nomination.
- 2.3 All nominations must be notified to the Head of Governance Services by no later than 5pm the day before the meeting convened to consider the appointment of the Chair. The Head of Governance Services will give appropriate notice to whips and Independent Members of this deadline.
- 2.4 Community Committees will meet to agree the election of Chair for the forthcoming Municipal Year during the period that is the first working day after the nomination process closes, and the last working day before the Annual Council Meeting.
- 2.5 The Chair will be elected by overall majority of first votes cast by those Members eligible to do so and present at the meeting, the member presiding at the meeting will have no second or casting vote. If no overall majority is achieved, then the nominee with the smallest number of votes will be eliminated from consideration and the vote repeated.

¹ These Procedure Rules should be read in conjunction with Article 10 and the Terms of Reference for Community Committees

² A nomination from a political group must be forwarded by a Whip

Community Committee Procedure Rules

- 2.6 All agreed appointments will be reported to the Annual Council Meeting.
- 2.7 Where an overall majority of votes cannot be obtained, or it is not possible to convene, or hold, a meeting of the Community Committee, or, for any other reason a decision is not possible in advance of the Annual Council Meeting, the Annual Council Meeting will appoint the Chair.
- 2.8 Where it has not been possible to hold a meeting of the Community Committee and the Annual Council Meeting is required to consider more than one nomination for the position of Chair, the Chair will be elected by overall majority of votes cast by those Members of the Community Committee eligible to do so and present at the Council meeting. If no overall majority is achieved, then the nominee with the smallest number of votes will be eliminated from consideration and the vote repeated.
- 2.9 Where an overall majority of votes cannot be obtained by votes cast by those Members of the Community Committee eligible to do so and present at the Council meeting, the vote will be widened to include all Members of Council. The nominee with the overall majority of votes cast by members of Council will be appointed as the Chair of the Community Committee.
- 2.10 Where it has not been possible to hold a meeting of the Community Committee and the Annual Council Meeting is required to consider an unopposed nomination for the position of Chair, the unopposed nominee will be elected by the Council.
- 2.11 Where Council has made an appointment of Chair of a Community Committee the decision will be reported to the relevant Community Committee.

3.0 COMMUNITY COMMITTEE MEETINGS

Frequency

- 3.1 There shall be at least four ordinary meetings of each Community Committee in each municipal year. A schedule of meetings will be approved by each Community Committee.
- 3.2 Special meetings of a Community Committee may be called in accordance with the Council Procedure Rules.

Business to be Transacted

- 3.3 All decisions or recommendations to be made by a Community Committee must be determined at a formal meeting of the Committee.
- 3.4 Community Committees will comply with the Executive and Decision Making Procedure Rules and the Access to Information Procedure Rules in Part 4 of the Constitution.

Community Committee Procedure Rules

- 3.5 The Community Committee will not deal with an individual's issues or complaints.

Agenda Items

- 3.6 Community Committees shall consider the following business:

- exclusion of public;
- appeals against refusal of inspection of documents;
- late items;
- declarations of interest if any;
- apologies for absence;
- additional matters set out on the agenda for the meeting.

4.0 PARTICIPATION

- 4.1 Save for those parts of a meeting where the arrangements for exclusion of the press and public set out in the Executive and Decision Making Procedure Rules and the Access to Information Procedure Rules apply, all meetings will be held in public³.

Co-optees

- 4.2 Co-opted members may participate⁴ in the debate in the same way as Elected Members.
- 4.3 No co-opted member shall be appointed for a period beyond the next Annual Meeting of the Council.

Quorum and Substitution

- 4.4 The quorum for a meeting of an Community Committee shall be as set out in the Council Procedure Rules.

Voting

- 4.5 Elected Ward Members are entitled to vote in relation to all business transacted at Community Committee meetings⁵.
- 4.6 Co-optees are non-voting members of the committee.
- 4.7 In the event of an equality of votes, the Chair will have a second, or casting, vote.

³ The Recording Protocol: Third Party Recording of Committees, Boards and Panels, set out in the Access to Information Procedure Rules applies.

⁴ Section 102 (3) of the Local Government Act 1972 provides that a committee, other than a committee for regulating and controlling the finance of the local authority or of their area, may include persons who are not members of the appointing authority. Co-optees will not therefore participate in business of the committee which regulates or controls the finance of the area,

⁵ Save where the Code of Conduct prevents this

Community Committee Procedure Rules

Rights to attend and speak

- 4.8 A Community Committee may invite representatives from other organisations to attend Community Committee meetings. These people may speak with the permission of the Chair.
- 4.9 Members of the public present at Community Committee meetings are observers and may speak with the permission of the Chair.

Deputations

- 4.10 A Community Committee may receive up to three⁶ Deputations, relevant to some matter in relation to which the committee has powers or duties or which affects the committee's area⁷, at any meeting of the Committee.
- 4.11 A request to bring a deputation must be submitted, to the Council's Head of Governance Services, at least fourteen clear working days in advance of the Community Committee meeting for which permission is sought. The request must include a copy of the proposed deputation speech.
- 4.12 The suitability of the deputation shall be determined by the Assistant Chief Executive (Citizens and Communities). Permission to present the deputation shall be issued by the Head of Governance Services⁸.
- 4.13 A deputation shall consist of at least two and no more than five people, only one of whom shall speak except by permission of the Chair. The deputation may address the Committee for not more than five minutes in duration.
- 4.14 Deputations shall be heard in the same order in which notices were received.
- 4.15 Any Member of the Community Committee may propose that the deputation be or not be received, or that the subject matter be referred to the appropriate Director or Committee. If the proposal is seconded the Chair shall put the proposal to the vote.

Open Forums

- 4.16 At the discretion of the Chair a period of up to 10 minutes⁹ may be allocated at each ordinary meeting of a Community Committee for members of the public to make representations or ask questions on matters within the terms of reference of the Community Committee. The period of time may be extended at the discretion of the Chair.

⁶ This number may be extended at the discretion of the Chair but shall be fixed in advance of any meeting.

⁷ Deputation requests which relate solely to the interests of an individual or company, or which present, or may appear to present unsubstantiated allegations or claims in respect of an individual, group of individuals, a company or any other body, or are in any way vexatious or otherwise significantly prejudicial to the interests of the Council or the City of Leeds, will not be permitted.

⁸ A deputation shall not be admitted about any matter which has been the subject of deputation in the preceding six months.

⁹ Which may be extended at the discretion of the Chair

Community Committee Procedure Rules

- 4.17 No member of the public shall speak for more than three minutes in the open forum, except by permission of the Chair.

Advisory Or Consultative Forums

- 4.18 A Community Committee may establish¹⁰ and set terms of reference for one or more¹¹ area or issue based Community Forums¹², to act in an advisory or consultative capacity.
- 4.19 Where a Community Committee establishes a Community Forum, the Chair of that Forum must be appointed by the Community Committee¹³.
- 4.20 Where disputes arise with regard to the appointment of Chairs of Community Forums these will be referred to the Member Management Committee for resolution.

5.0 DECISION MAKING

- 5.1 Community Committees must make decisions:
- in accordance with all relevant procedure rules¹⁴ within the Constitution;
 - in accordance with the Council's Budget and Policy Framework¹⁵;
 - in accordance with the Community Plan for the area and any other relevant strategy or plan approved by the Executive Board; and
 - following consideration of a report from relevant Director or his/her nominee.
- 5.2 A Community Committee, or two or more Community Committees jointly, may refer any matter in relation to its executive functions to the Executive Board for decision.

¹⁰ The Community Committee shall determine how the membership of the Forum shall be decided.

¹¹ The total number of forums established and the frequency of meetings will need to be sustainable for the Members, officers of the Council and other service providing agencies, and community representatives.

¹² A forum may cover the whole of the Committee's area or smaller areas within it, for example, one ward

¹³ The committee must ensure that the Chair is appointed with regard to the political balance of the ward to which a forum relates and having regard to the number of ward based Community Forums. Where a political group has the majority of members within a ward, the chair will be appointed from amongst or be a nominee of those Members. Where no political group has a majority, the chair will be appointed by the Community Committee from Members of the ward to which the forum relates or a nominee of those Members.

¹⁴ Council Procedure Rules, Executive and Decision Making Procedure Rules, Community Committee Procedure Rules, Financial Procedure Rules, Contract Procedure Rules, Appointments to Outside Bodies Procedure Rules and Access to information Procedure Rules

¹⁵ Subject to the provisions of the Budget and Policy Framework Procedure Rules

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Establishment of Committees and Appointments

Schedule 9(A) Approval of Committee Terms of Reference

(attached)

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Scrutiny Board (Children and Families)

The Scrutiny Board (Children and Families) is authorised to discharge the following overview and scrutiny functions¹:

1. to review or scrutinise decisions made or other action taken in connection with any council or executive function or any matter which affects the authority's area or the inhabitants of that area;²
2. to review or scrutinise the performance of the Children's Trust Board;³
3. to carry out such other reviews or policy development tasks as it may be requested to do by either the Executive Board or the Council;
4. to act as the appropriate Scrutiny Board in relation to the Executive's initial proposals for a relevant plan or strategy⁴ within the Budget and Policy Framework;⁵
5. to review or scrutinise executive decisions that have been Called In;
6. to review outcomes, targets and priorities within the Council Business Plan and the Best city... for children and young people priorities within the City Priority Plan;
7. to receive requests for scrutiny and councillor calls for action and undertake any subsequent work; and
8. to make such reports and recommendations as it considers appropriate and to receive and monitor formal responses to any reports or recommendations made.

¹ In relation to functions delegated to the Director of Children's Services under the Officer Delegation Scheme whether or not those functions are concurrently delegated to any other committee or officer.

² Including matters pertaining to outside bodies and partnerships to which the authority has made appointments.

³ The Scrutiny Board has a duty to do this each municipal year - Scrutiny Board Procedure Rule 10.3

⁴ Namely the Youth Justice Plan and the Children and Young Peoples Plan

⁵ In accordance with Budget and Policy Framework Procedure Rules.

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Scrutiny Board (Health and Well-being and Adult Social Care)

The Scrutiny Board (Health and Well-being and Adult Social Care) is authorised to discharge

1. the following overview and scrutiny functions:¹
 - a) to review or scrutinise decisions made or other action taken in connection with any council or executive function or any matter which affects the authority's area or the inhabitants of that area;²
 - b) to review or scrutinise the performance of the Health and Wellbeing Board;³
 - c) to carry out such other reviews or policy development tasks as it may be requested to do by the Executive Board, the Council or the Health and Wellbeing Board;
 - d) to act as the appropriate Scrutiny Board in relation to the Executive's initial proposals for a relevant plan or strategy⁴ within the Budget and Policy Framework;⁵
 - e) to review or scrutinise executive decisions that have been Called In;
 - f) to review outcomes, targets and priorities within the Council Business Plan and the Best city for...health and wellbeing priorities in the City Priority Plan;
 - g) to receive requests for scrutiny and councillor calls for action and undertake any subsequent work; and
 - h) to make such reports and recommendations as it considers appropriate and to receive and monitor formal responses to any reports or recommendations made.
2. the following functions of the authority:⁶
 - a) to review and scrutinise any matter relating to the planning, provision and operation of the health service in its area and to make reports and recommendations on any such matter it has reviewed or scrutinised;

¹ In relation to functions delegated to the Director of Adult Social Services and the Director of Public Health under the Officer Delegation Scheme whether or not those functions are concurrently delegated to any other committee or officer, and functions exercised by the Health and Wellbeing Board.

² Including matters pertaining to outside bodies or partnerships to which the authority has made appointments.

³ The Scrutiny Board has a duty to do this each municipal year – Scrutiny Board Procedure Rule 10.3

⁴ Namely the Health and Wellbeing City Priority Plan.

⁵ In accordance with Budget and Policy Framework Procedure Rules.

⁶ In accordance with regulations issued under Section 244 National Health Service Act 2006 (the regulations).

Council Committees' Terms of Reference

- b) to comment on, make recommendations about, or report to the Secretary of State in writing about such proposals as are referred to the authority by a relevant NHS body or a relevant health service provider; and
- c) to nominate Members to any joint overview and scrutiny committee appointed by the authority.⁷

⁷ such nominations to reflect the political balance of the Board.

Scrutiny Board (Housing and Regeneration)

The Scrutiny Board (Housing and Regeneration) is authorised to discharge the following overview and scrutiny functions¹:

1. to review or scrutinise decisions made or other action taken in connection with any council or executive function or any matter which affects the authority's area or the inhabitants of that area;²
2. to carry out such other reviews or policy development tasks as it may be requested to do by either the Executive Board or the Council;
3. to act as the appropriate Scrutiny Board in relation to the Executive's initial proposals for a relevant plan or strategy³ within the Budget and Policy Framework;⁴
4. to review or scrutinise executive decisions that have been Called In;
5. to review outcomes, targets and priorities within the Council Business Plan and the Best city to live priorities within the City Priority Plan;
6. to receive requests for scrutiny and councillor calls for action and undertake any subsequent work; and
7. to make such reports and recommendations as it considers appropriate and to receive and monitor formal responses to any reports or recommendations made.

¹ In relation to functions delegated to the Director of Environment and Housing under the Officer Delegation Scheme (Executive Functions) paragraphs 2(a) to (c) ,and to the Director of City Development under the Officer Delegation Scheme (Executive Functions) paragraph 2(p) whether or not those functions are concurrently delegated to any other committee or officer.

² Including matters pertaining to outside bodies and partnerships to which the authority has made appointments.

³ Namely the Regeneration City Priority Plan.

⁴ In accordance with Budget and Policy Framework Procedure Rules.

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Scrutiny Board (Safer and Stronger Communities)

The Scrutiny Board (Safer and Stronger Communities) is authorised to discharge the following overview and scrutiny functions¹:

1. to review or scrutinise decisions made or other action taken in connection with any council or executive function of any matter which affects the authority's area or the inhabitants of that area;²
2. to review or scrutinise the performance of the Safer and Stronger Communities Board³;
3. to carry out such other reviews or policy development tasks as it may be requested to do by either the Executive Board or the Council;
4. to act as the appropriate Scrutiny Board in relation to the Executive's initial proposals for a relevant plan or strategy⁴ within the Budget and Policy Framework;⁵
5. to review or scrutinise executive decisions that have been Called In;
6. to exercise the functions of a crime and disorder committee⁶, including the following:
 - a. to review or scrutinise the exercise of crime and disorder functions⁷ by responsible authorities;⁸
 - b. to review or scrutinise any local crime or disorder matter raised by a Member;⁹

¹ In relation to the functions delegated to the Director of Environment and Housing under the Officer Delegation Scheme (Council Functions) and the Officer Delegation Scheme (Executive Functions) at paragraphs 1 (a) to (e) and 2 (d) to (l) and the Assistant Chief Executive (Citizens and Communities) under the Officer Delegation Scheme (Executive Functions) at paragraph (a) whether or not those functions are concurrently delegated to any other committee or officer.

² Including matters pertaining to outside bodies and partnerships to which the authority has made appointments

³ The Scrutiny Board has a duty to do this each municipal year – Scrutiny Board Procedure Rule 10.3

⁴ Namely the Safer and Stronger Communities Plan

⁵ In accordance with Budget and Policy Framework Procedure Rules.

⁶ In accordance with Section 19 Police and Justice Act 2006

⁷ As defined by Section 6 Crime and Disorder Act 1998 (formulating and implementing crime and disorder strategies).

⁸ These are the authorities responsible for crime and disorder strategies set out in Section 5 of the Crime and Disorder Act 1998

⁹ This is any matter concerning –

- a) crime and disorder (including in particular forms of crime and disorder that involve anti-social behaviour or other behaviour adversely affecting the local environment), or
- b) the misuse of drugs, alcohol and other substances in that area.

which affects all or part of the electoral area for which the Member is elected or any person who lives or works in that area.

Council Committees' Terms of Reference

7. to review outcomes, targets and priorities within the Council Business Plan and Best city... for communities priorities within the City Priority Plan;
8. to receive requests for scrutiny and councillor calls for action and undertake any subsequent work; and
9. to make such reports and recommendations as it considers appropriate and to receive and monitor formal responses to any reports or recommendations made by the Board.

Scrutiny Board (Sustainable Economy and Culture)

The Scrutiny Board (Sustainable Economy and Culture) is authorised to discharge the following overview and scrutiny functions¹:

1. to review or scrutinise decisions made or other action taken in connection with any council or executive function, or any matter which affects the authority's area or the inhabitants of that area;²
2. to review or scrutinise the performance of the Sustainable Economy and Culture Partnership Board;³
3. to carry out such other reviews or policy development tasks as it may be requested to do by either the Executive Board or the Council.
4. to act as the appropriate Scrutiny Board in relation to the Executive's initial proposals for a relevant plan or strategy⁴ within the Budget and Policy Framework;⁵
5. to review or scrutinise executive decisions that have been Called In;
6. to review and scrutinise the exercise by risk management authorities⁶ of flood risk management functions⁷ which may affect the Leeds City Council area;⁸
7. to review outcomes, targets and priorities within the Council Business Plan and the Best City for business priorities within the City Priority Plan;
8. to receive requests for scrutiny and councillor calls for action and undertake any subsequent work; and
9. to make such reports and recommendations as it considers appropriate and to receive and monitor formal responses to any reports or recommendations made.

¹ In relation to functions delegated to the Director of City Development under the Officer Delegation Scheme (Council (non executive) Functions) and the Officer Delegation Scheme (Executive Functions) at paragraphs 1(a) to (c) and 2(a) to (o) and (q), and the Chief Planning Officer under the Officer Delegation Scheme (Council functions) at Section 2, and the Officer Delegation Scheme (Executive Functions) at paragraph (a) whether or not those functions are concurrently delegated to any other committee or officer.

² Including matters pertaining to outside bodies and partnerships to which the authority has made appointments.

³ relating to economic led regeneration. The Scrutiny Board has a duty to do this each municipal year – Scrutiny Board Procedure Rule 10.3

⁴ Namely the Development Plan Documents, Plans and alterations which together comprise the Development Plan, the Sustainable Economy and Culture City Priority Plan and the Local Flood Risk Management Strategy.

⁵ In accordance with Budget and Policy Framework Procedure Rules.

⁶ As defined by Section 6 Flood and Water Management Act 2010

⁷ As defined by Section 4 Flood and Water Management Act 2010

⁸ In accordance with Section 9FH Local Government Act 2000

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Scrutiny Board (Resources and Council Services)

The Scrutiny Board (Resources and Council Services) is authorised to discharge the following overview and scrutiny functions¹:

1. to review or scrutinise decisions made or other action taken in connection with any council or executive function or any matter which affects the authority's area or the inhabitants of that area;²
2. to carry out such other reviews or policy development tasks as it may be requested to do by either the Executive Board or the Council;
3. to act as the appropriate Scrutiny Board³ in relation to the Executive's initial proposals for a plan or strategy⁴ within the Budget and Policy Framework;⁵
4. to review or scrutinise executive decisions⁶ that have been Called In;
5. to review outcomes, targets and priorities within the Council Business Plan;
6. to receive requests for scrutiny and councillor calls for action and undertake any subsequent work; and
7. to make such reports and recommendations as it considers appropriate and to receive and monitor formal responses to any reports or recommendations made.

¹ In relation to functions delegated under the Officer Delegation Schemes for the Chief Executive, the Deputy Chief Executive, the Assistant Chief Executive (Citizens and Communities) (except in relation to function (a)), and the City Solicitor (whether or not those functions are concurrently delegated to any other committee or officer); and any other function not within the terms of reference of any other Scrutiny Board.

² Including matters pertaining to outside bodies and partnerships to which the authority has made appointments

³ Under the Budget and Policy Framework Procedure Rules

⁴ Namely the Licensing Authority Policy Statement, the Vision for Leeds, the Council Business Plan and the Budget, and any other plan or policy which shall be added to the Policy Framework and is not included within the Terms of Reference of any other Scrutiny Board.

⁵ Including in relation to the Budget

⁶ Other than those within the Terms of Reference of any other Scrutiny Board

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Standards and Conduct Committee

The Standards and Conduct Committee is authorised to discharge the following functions:

1. To promote and maintain high standards of conduct by members and co-opted members of the authority¹.
2. To advise the authority in relation to the adoption, revision or replacement of the code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity.
3. To consider and determine written allegations that a member or co-opted member of the authority has failed to comply with the authority's code of conduct, or that a member or co-opted member of a parish council in the Leeds area has failed to comply with the parish council's code of conduct².
4. Following a determination of whether or not a member or co-opted member of the authority has failed to comply with the code of conduct, to consider whether or not action might be necessary, and to make recommendations³ on the form of action⁴.
5. To advise the authority in relation to the adoption, revision or replacement of the code dealing with the conduct that is expected of employees of the authority⁵.

¹ In accordance with Section 27 of the Localism Act 2011.

² In accordance with Section 28(6), (7) and (9) of the Localism Act 2011.

³ Including to full Council, the Leader, the Chief Executive, or the relevant Group Whip.

⁴ In accordance with Section 28(11) of the Localism Act 2011.

⁵ It is not the function of the Committee to determine or become involved in individual employee conduct or disciplinary cases.

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Corporate Governance and Audit Committee

The Corporate Governance and Audit Committee is authorised to discharge the following functions¹:

1. to consider the Council's arrangements relating to accounts² including:
 - (a) the approval of the statement of accounts and any material amendment of the accounts recommended by the auditors;
 - (b) the approval of the Annual Governance Statement³; and
 - (c) with the exception of any matter, which may result in the accounts being qualified, responding to the Council's auditors in respect of any matter where it is not considered appropriate to make the amendments recommended by the auditors.

2. to consider the Council's arrangements relating to external audit requirements including:
 - (a) agreement and review of the nature and scope of the annual audit plan,
 - (b) the receipt of external audit reports so as to:
 - (i) inform the operation of Council's current or future audit arrangements; and
 - (ii) provide a basis for gaining the necessary assurance regarding governance prior to the approval of the Council's accounts.

3. to review the adequacy of policies and practices to ensure compliance with statutory and other guidance

4. to review the adequacy of the Council's Corporate Governance arrangements (including matters such as internal control and risk management) and

5. to consider the Council's arrangements relating to internal audit requirements including:
 - (a) considering the Annual Internal Audit Report
 - (b) monitoring the performance of internal audit

¹ Functions" for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions.

² Item 45 Paragraph I Schedule 1 of Local Authorities (Functions and Responsibilities) (England) Regulations as amended.

³ The Annual Governance Statement is Leeds City Council's Statement on Internal Control which is approved under Regulation 4(3) of the Accounts and Audit (England) Regulations 2011.

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General Purposes Committee

With the exception of any matter which falls within the terms of any other council committee, the General Purposes Committee is authorised:

1. to consider and determine any Council (non-executive) function¹ delegated² to a Director³ which does not fall within the terms of reference of any other committee;
2. to consider proposals to amend the constitution and make recommendations to full Council; and
3. to make recommendations to full Council in connection with the discharge of any of its functions.⁴

¹ These functions include local choice functions, which have been determined as non executive functions.

² Whether or not the post is vacant

³ 'Director' includes those Officers specified in Sections 1 and 2 of Part 3 of the Constitution.

⁴ 'Function' in this context does not include shared functions with the executive

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Community Committees

Within each Committee's area:

(Council functions)

1. To adopt and review a Community Plan¹;
2. to make Elected Member² appointments³ to Outside Bodies as determined by the Member Management Committee;
3. to advise or make representations to the Council or the Executive Board⁴ on all matters affecting community interests;⁵
4. to consider and respond to consultations on planning briefs and frameworks and on major development proposals;⁶
5. to consider proposals referred to the Committee by the Council or the Executive Board⁷ and to report back the Committee's views to the referring body;⁸
6. to receive and hear deputations;
7. to consider the performance, targeting, frequency and co-ordination of services and make recommendations to the Executive and to the Council's partners as appropriate;⁹

(Executive functions)¹⁰

8. *to promote and improve the economic, social and environmental well-being of the Committee's area*¹¹;
9. *to exercise Executive Functions*;¹²

¹ Which shall include such community engagement plans as necessary and appropriate to reflect the themes, neighbourhoods and communities in the area.

² Including the appointment of a suitable nominee as set out in the Appointments to Outside Bodies Procedure Rules

³ In accordance with the Appointments to Outside Bodies Procedure Rules at Part 4 of the Constitution.

⁴ Or to any committee appointed by the Council or the Executive

⁵ This is an advisory function under Section 102(4) Local Government Act 1972.

⁶ This is an advisory function under Section 102(4) Local Government Act 1972.

⁷ Or to any committee appointed by the Council or the Executive

⁸ This is an advisory function under Section 102(4) Local Government Act 1972.

⁹ This is an advisory function under Section 102(4) Local Government Act 1972

¹⁰ All executive functions will be exercisable concurrently with the Executive Board.

¹¹ In furtherance of, and subject to the limitations set out in the Community Committee Executive Delegation Scheme detailed in Part 3 Section 3D(a) of the Constitution, as determined from time to time by the Executive Board

¹² As determined from time to time by the Executive and in furtherance of, and subject to the limitations set out in the Community Committee Executive Delegation Scheme detailed in Part 3 Section 3D(a) of the Constitution and the Community Committee Procedure Rules in Part 4 of the Constitution.

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Employment Committee

The Employment Committee is authorised to discharge the following Council (non-executive)¹ functions².

1. to make recommendations to Council to appoint or dismiss the Chief Executive.
2. to take disciplinary action short of dismissal against the Chief Executive.
3. to hear any grievance submitted by the Chief Executive and referred to it by the Chief Officer Human Resources.
4. to hear any appeal referred to it by the Chief Officer Human Resources against the outcome of the first formal stage of a grievance against the Chief Executive.
5. to suspend the Chief Executive, Monitoring Officer or Deputy Chief Executive pending completion of the disciplinary process. Any such suspension must not last longer than two months (unless extended by the Designated Independent Person³).
6. to appoint or dismiss or take disciplinary action against Directors⁴.
7. to deal with appeals⁵ relating to grading, grievance and disciplinary action short of dismissal in respect of the Chief Executive.
8. to deal with appeals⁵ relating to grading, grievance and disciplinary action (including dismissal) in respect of Directors⁴.

¹ Item 37 of paragraph I of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended

² 'Functions' for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions

³ Regulation 6 and Schedule 3 of the Local Authorities (Standing Orders) (England) Regulations 2001

⁴ 'Directors' in this context is to be construed as any officer referred to in sub-paragraph (b), (c), or (d) of paragraph 3 of Part II of Schedule 1 of the Local Authorities (Standing Orders)(England) Regulations 2001, namely:

- the Deputy Chief Executive, the Assistant Chief Executive, those named as Directors in the Council structure and any other officers who are required to report directly to, or who are directly accountable to, the Chief Executive in relation to most or all of the duties of their posts; and
- any officer who is required to report directly to, or is directly accountable to, any officer included within the immediately preceding paragraph in relation to all or most of the duties of their post.

⁵ Any such appeals shall be heard by a differently constituted Employment Committee from that which heard the original grievance or dealt with the original disciplinary proceedings, as the case may be

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Member Management Committee

The Member Management Committee is authorised to discharge the following functions¹:

1. to determine which outside bodies² require Elected Member³ representation or appointment and to act as Appointing Body for the purposes of making appointments to outside bodies categorised as Strategic and Key Partnership Outside Bodies⁴;
2. to determine requests to establish informal Working Groups of Members, except where such a request falls to be determined by another Committee⁵;
3. to act as an Advisory Body for the purposes of implementing practices and procedures affecting Elected Members⁶; and
4. to consider matters in relation to the Training and Development of Elected Members;
5. to represent the views of Elected Members to the executive, in relation to the provision to Elected Members of information, communication and associated technologies; and
6. to represent the views of Elected Members to the executive, in relation to the provision of accommodation for Elected Members.

¹ 'Functions' for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions.

² Excluding those appointments which are reserved to full Council

³ Including the appointment of a suitable nominee as set out in the Appointments to Outside Bodies Procedure Rules

⁴ Within the Appointments to Outside Bodies Procedure Rules, such bodies are categorised as either Strategic and Key Partnership bodies (for which this Committee is the Appointing Body) or Community and Local Engagement bodies (for which the relevant Community Committee is the Appointing Body).

⁵ This Committee will not be the sole body for appointing Working Groups and, specifically, those Working Groups referred to in the Scrutiny Board Procedure rules are excluded. However, the Committee may be asked to consider cases where it is necessary to set up an ad hoc Working Group to reflect a wide range of Member views and there are no clear criteria for determining membership.

⁶ This Committee may not vary the requirements of the Constitution but there may be cases where alternative arrangements may have general implications for Members and it is appropriate to seek a view which reflects a broad view of Members before determining how a particular matter should be progressed

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The Licensing Committee

With the exception¹ of

- any function of the licensing authority under the Licensing Act 2003 (the 2003 Act), the Gambling Act 2005 (the 2005 Act), or the Police Reform and Social Responsibility Act 2011 (the 2011 Act) reserved to full Council;² or
- any licensing function where full Council has referred a matter to another committee,³

the Licensing Committee is authorised to discharge⁴ the following functions⁵:

1. to discharge the licensing functions of the licensing authority;⁶
- 2.1 to discharge any other function of the authority referred to it by full Council;⁷
- 2.2 pursuant to the provision in section 2.1 above full Council has delegated to the Licensing Committee the following functions:
 - 2.2.1 the power to make a designated public places order in respect of alcohol consumption under the Criminal Justice and Police Act 2001⁸
 - 2.2.2 hackney carriages and private hire vehicles⁹
 - 2.2.3 sexual entertainment venues, sex shops and sex cinemas¹⁰
 - 2.2.4 performances of hypnotism¹¹
 - 2.2.5 charitable collections¹²
 - 2.2.6 the late night levy¹³

¹ In accordance with Section 7(2) of the 2003 Act or s154 (2) (a) and (c) of the 2005 Act.

² Part 3, Section 2A of the Constitution sets out functions of the licensing authority reserved to full Council, as licensing authority under the 2003 Act, 2005 Act or 2011 Act.

³ Under the provisions of Section 7(5)(a) of the 2003 Act.

⁴ The Committee may arrange for any of its functions to be discharged by one or more sub-committees, or by an officer, subject to the exceptions set out in Section 10(4) of the 2003 Act see also Section 154 of the 2005 Act.

⁵ 'Functions' for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions.

⁶ This includes the power to set fees under Section 212 of the 2005 Act

⁷ Full Council may arrange for the Licensing Committee to discharge any function of the authority which relates to a matter referred to the Committee but is not a licensing function (Section 7(3)). It may also refer a matter to the Committee where a matter relates to both a licensing function and to a function of the authority which is not a licensing function, and arrange for the Committee to discharge the other function (Section 7(5)(b) of the 2003 Act). Before exercising this power, the Council must consult with the Committee.

⁸ Item 49 of Para I of Schedule 1 to the 2000 Regulations

⁹ Item 3 – 5 of Para. B of Schedule 1 to the 2000 Regulations

¹⁰ Item 15 of Para. B of Schedule 1 to the 2000 Regulations and Section 27 Policing and Crime Act 2009 and Schedule 3 Local Government (Miscellaneous Provisions) Act 1982

¹¹ Item 16 of Para. B of Schedule 1 to the 2000 Regulations

¹² Item 39 of Para. B of Schedule 1 to the 2000 Regulations

¹³ In accordance with Chapter 2 of Part 2 of the 2011 Act including decisions in relation to the late night supply period, permitted exemption categories and permitted reduction categories in accordance with Sections 132 and 133 of that Act.

Council Committees' Terms of Reference

- 3 in respect of any approval, consent, licence, permission, or registration which they may grant,
 - (a) To impose conditions limitations or restrictions;
 - (b) To determine any terms;
 - (c) To determine whether and how to enforce any failure to comply;
 - (d) To amend, modify, vary or revoke;
 - (e) To determine whether a charge should be made or the amount of such a charge.
4. to make recommendations to full Council in connection with the discharge of its functions as licensing authority;¹⁴ and
5. to receive reports from, and to make recommendations and representations to other committees or bodies as appropriate.¹⁵

¹⁴ Including recommendations arising from the monitoring of the operation and impact of the licensing or Gambling policy by the Licensing Committee.

¹⁵ Where the licensing authority exercises its power under Section 7(5)(a) of the 2003 Act the other Committee must consider a report of the Licensing Committee. Where the Council does not make arrangements under Section 7(3), it must (unless the matter is urgent) consider a report of the Licensing Committee with respect to the matter before discharging the function (Section 7(4)).

Area Plans Panels

The Area Plans Panels are authorised¹ to discharge² the following functions³

1. all Council (non-executive)⁴ functions relating to:
 - (a) town and country planning and development management⁵ with the exception of functions which the City Plans Panel is authorised to discharge.
 - (b) safety certificates for sports grounds⁶;
 - (c) common land or town and village greens⁷;
 - (d) street works and highways⁸;
 - (e) public rights of way⁹
 - (f) the protection of hedgerows and the preservation of trees¹⁰; and
 - (g) high hedges¹¹
2. in respect of any approval, consent, licence, permission, or registration which they may grant:
 - (a) to impose conditions limitations or restrictions;
 - (b) to determine any terms;
 - (c) to determine whether and how to enforce any failure to comply;
 - (d) to amend, modify, vary or revoke; and/or
 - (e) to determine whether a charge should be made or the amount of such charge.
3. to discharge any licensing function¹², where full Council has referred a matter to the Area Plans Panel.

¹ Each Plans Panel is authorised to discharge functions in respect of its own geographical area as indicated on the plan attached. (A larger scale more detailed copy of the plan is maintained by the Chief Planning Officer)

² With the exception of any licensing function under the Licensing Act 2003, the Panel and the Council may arrange for any of these functions to be discharged by an officer – the functions for the time being so delegated are detailed in Section 2 of Part 3 of this Constitution.

³ "Functions" for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions

⁴ Local Authorities (Functions and Responsibilities)(England)Regulations 2000 as amended

⁵ Items 5-31, Para. A of Schedule 1 of the 2000 Regulations

⁶ Items 26 and 27 of Para B of Schedule 1 of the 2000 Regulations

⁷ Items 37, 38 and 72 of Para B and Items 51-53 of Para I of Schedule 1 of the 2000 Regulations

⁸ Items 41,46A to 55 of Para B of Schedule 1 of the 2000 Regulations

⁹ Part I of Para I of Schedule 1 of the 2000 Regulations

¹⁰ Items 46 and 47 of Para I of Schedule 1 of the 2000 Regulations

¹¹ Item 47A of Para. I of Schedule 1 of the 2000 Regulations

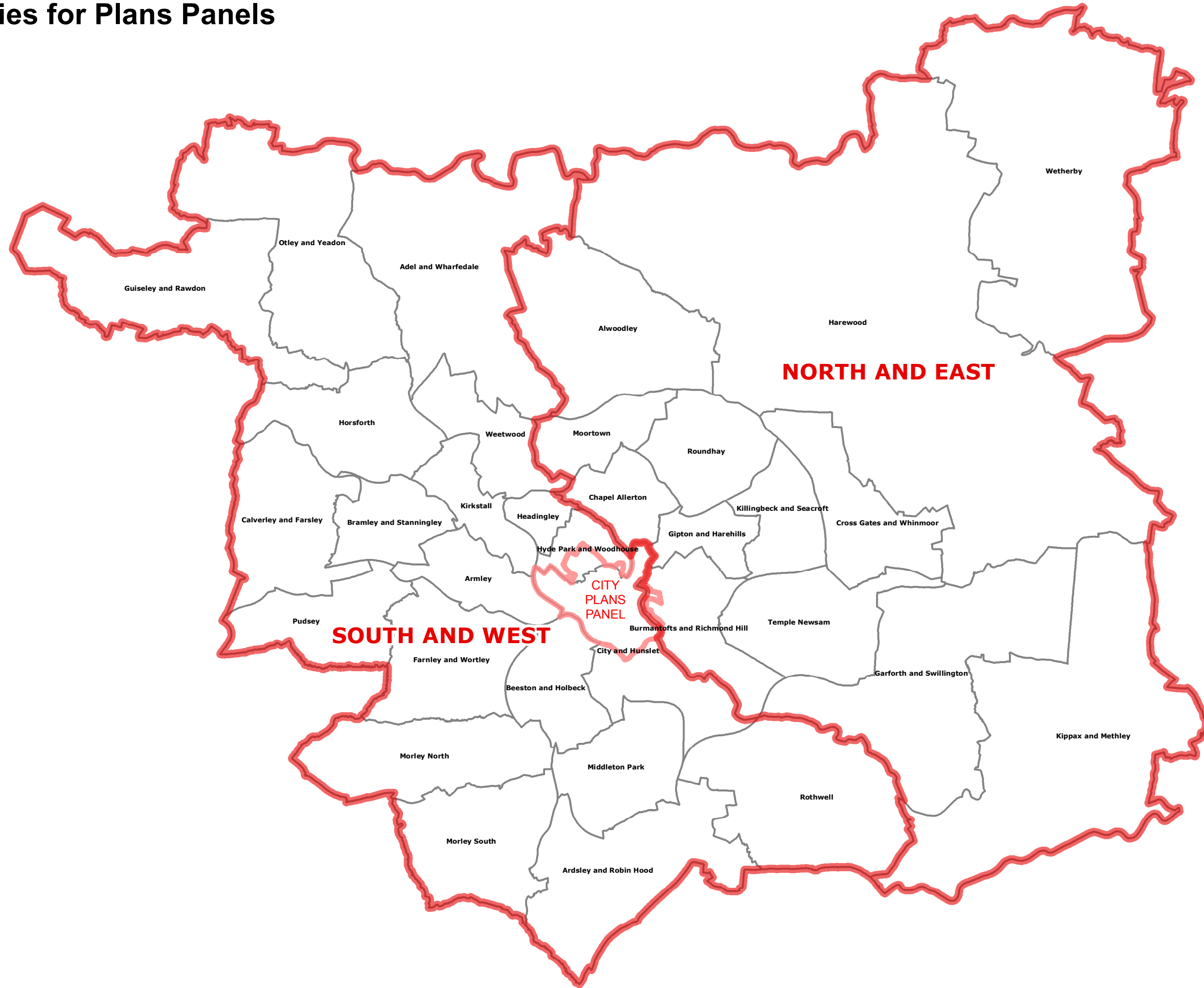
¹² (section 7 (5) (a) of the Licensing Act 2003) The matter must relate to:

- a licensing function of the licensing authority and
- a function which is not a licensing function

Unless the matter is urgent, the Panel must consider a report of the Licensing Committee in respect of the matter before discharging the function concerned (Section 7 (6))

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Boundaries for Plans Panels



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City Plans Panel

The City Plans Panel is authorised to discharge¹ the following functions²

1. all Council (non-executive)³ functions relating to:
 - (a) town and country planning and development management⁴ in respect of the following types of applications:
 - proposals within the City Centre⁵
 - proposals that (in the opinion of the Chief Planning Officer having consulted the appropriate Executive Member⁶ and Chair of the relevant Area Plans Panel⁷ and the Chair of the City Plans Panel) are of major strategic significance (either individually or cumulatively) in terms of one or more of the following; job growth or retention; investment value and regeneration
 - residential schemes involving 200 residential units or more or a site area of 4 hectares or more if the number of units is not known.
 - non residential schemes involving proposed floor space of 5,000 square metres (gross) or more, or a site area of 2 hectare or more if the floor space is not known.
 - proposals that (in the opinion of the Chief Planning Officer having consulted the appropriate Executive Member and Chair of the relevant Area Plans Panel and the Chair of the City Plans Panel) are eligible for significant , time limited public funds (including PFI schemes)
 - (b) within the City Centre⁸ :
 - safety certificates for sports grounds⁹;
 - common land or town and village greens¹⁰;
 - street works and highways¹¹;
 - public rights of way¹²;
 - the protection of hedgerows and the preservation of trees¹³; and
 - high hedges¹⁴

¹ With the exception of any licensing function under the Licensing Act 2003, the City Plans Panel and the Council may arrange for any of these functions to be discharged by an officer – the functions for the time being so delegated are detailed in Section 2 of Part 3 of this Constitution.

² “Functions” for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions

³ Local Authorities (Functions and Responsibilities)(England)Regulations 2000 as amended

⁴ Items 5-31, Para. A of Schedule 1 of the 2000 Regulations

⁵ The City Centre for these purposes is the area indicated on the plan attached

⁶ An “appropriate Executive Member” is the Leader or other appropriate portfolio-holding Member of the Executive Board.

⁷ “relevant Area Plans Panel” means the Plans Panel which covers the geographical area within which the application is submitted

⁸ See footnote 5 for definition of City Centre

⁹ Items 26 and 27 of Para B of Schedule 1 of the 2000 Regulations

¹⁰ Items 37, 38 and 72 of Para B and Items 51-53 of Para I of Schedule 1 of the 2000 Regulations

¹¹ Items 41,46A to 55 of Para B of Schedule 1 of the 2000 Regulations

¹² Part I of Para I of Schedule 1 of the 2000 Regulations

¹³ Items 46 and 47 of Para I of Schedule 1 of the 2000 Regulations

¹⁴ Item 47A of Para. I of Schedule 1 of the 2000 Regulations

Council Committees' Terms of Reference

2. in respect of any approval, consent, licence, permission, or registration which they may grant:
 - (a) to impose conditions limitations or restrictions;
 - (b) to determine any terms;
 - (c) to determine whether and how to enforce any failure to comply;
 - (d) to amend, modify, vary or revoke; and/or
 - (e) to determine whether a charge should be made or the amount of such charge.

3. to discharge any licensing function¹⁵ where full Council has referred a matter to the City Plans Panel.

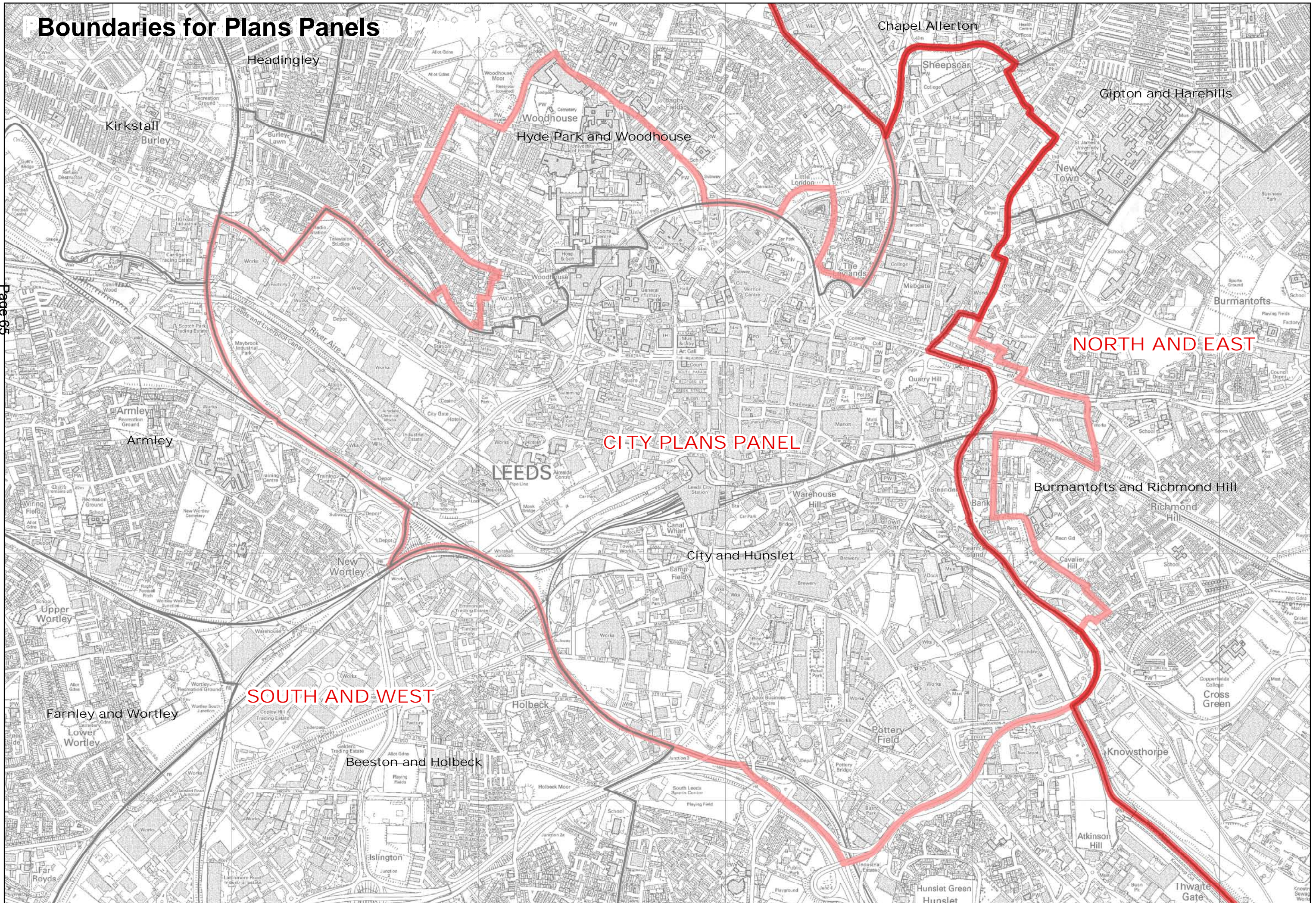
¹⁵ (section 7 (5) (a) of the Licensing Act 2003) The matter must relate to:

- a licensing function of the licensing authority and
- a function which is not a licensing function

Unless the matter is urgent, the City Plans Panel must consider a report of the Licensing Committee in respect of the matter before discharging the function concerned (Section 7 (6))

Boundaries for Plans Panels

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Health and Wellbeing Board

The Health and Wellbeing Board is authorised to carry out the following functions¹:

1. to encourage integrated working² in relation to arrangements for providing health, health-related or social care services;
2. to prepare and publish a joint strategic needs assessment (JSNA)³;
3. to prepare and publish a joint health and wellbeing strategy (JHWS)⁴;
4. to provide an opinion to the authority on whether the authority is discharging its duty to have regard to the JSNA, and the JHWS, in the exercise of its functions⁵;
5. to review the extent to which each Clinical Commissioning Group (CCG) has contributed to the delivery of the JHWS⁶;
6. to provide an opinion to each CCG on whether their draft commissioning plan takes proper account of the JHWS⁷;
7. to provide an opinion to NHS England on whether a commissioning plan published by a CCG takes proper account of the JHWS⁸;
8. to prepare a local pharmaceutical needs assessment⁹; and
9. to exercise any other functions of the authority which are referred to the Board by the authority¹⁰.

¹ "Functions" for these purposes shall be construed in a broad and inclusive fashion and shall include doing anything which is calculated to facilitate or is conducive or incidental to the discharge of any of these functions.

² In accordance with Section 195 Health and Social Care Act 2012. This includes encouraging arrangements under Section 75 National Health Service Act 2006 (the NHSA 2006).

³ Section 116 Local Government and Public Involvement in Health Act 2007 (the LGPIHA 2007)

⁴ Under Section 116A LGPIHA 2007

⁵ Under Section 116B LGPIHA 2007

⁶ Under Section 14Z15(3) and Section 14Z16 NHSA 2006

⁷ Section 14Z13(5) NHSA 2006

⁸ Section 14Z14 NHSA 2006

⁹ Section 128A NHSA 2006

¹⁰ The Leader may delegate executive functions to the Board at any time during the year, in accordance with the Executive and Decision Making Procedure Rules.

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ADVISORY COMMITTEE

Development Plan Panel

An advisory Committee¹ authorised to make recommendations regarding:

1. the Authority's Unitary Development Plan; and
2. the Local Development Framework.

In particular

To advise the Council in relation to functions which are²

- specified as being non executive functions or
- being local choice functions, are reserved to the Council; and

To advise the Executive in relation to functions which are²

- *specified as being executive functions, or*
- *being local choice functions, are not reserved to the Council, or*
- *are functions which are not specified as being either non executive functions or local choice functions and by default are executive functions*

¹ Appointed by the Council in accordance with Section 102(4) of the Local Government Act 1972.

² In accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as from time to time amended.

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ADVISORY COMMITTEE

Housing Advisory Board¹

In relation to the authority's role as housing authority², the Housing Advisory Board is authorised:

1. To consider and respond to the Executive in respect of proposals or consultations relating to:
 - The Housing Investment Plan and the Housing Service Plan;
 - The Key Lettings policy; and
 - Major projects under the capital programme.
2. To advise the Executive on the strategic direction of housing management;
3. To carry out such policy development tasks as may be requested by the Executive or the Council;
4. To review performance and make recommendations to the Executive as appropriate; and
5. To consider and advise on any other issue referred to the Housing Advisory Board by the Executive.

¹ Appointed by the Council as an advisory committee under Section 102(4) Local Government Act 1972

² Excluding those functions which the authority has agreed, with the approval of the Secretary of State, that another person should exercise as agent of the authority.

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**Schedules 9(b)(i), (ii) and (iii) detailing appointments to
Committees, Boards and Panels**

(Schedules to follow)

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LEEDS CITY COUNCIL

ANNUAL MEETING

9th JUNE 2014

APPROVAL OF MEMBERSHIP OF COMMUNITY COMMITTEES 2014/2015¹

Inner North West Community Committee

Councillor J Pryor (Headingley)
Councillor J Walker (Headingley)
Councillor N Walshaw (Headingley)
Councillor J Akhtar (Hyde Park and Woodhouse)
Councillor C Towler (Hyde Park & Woodhouse)
Councillor G Harper (Hyde Park & Woodhouse)
Councillor J Chapman (Weetwood)
Councillor J Bentley (Weetwood)
Councillor S Bentley (Weetwood)

Outer North West Community Committee

Councillor B Flynn (Adel & Wharfedale)
Councillor B Anderson (Adel & Wharfedale)
Councillor J L Carter (Adel & Wharfedale)
Councillor P Latty (Guiseley & Rawdon)
Councillor G Latty (Guiseley & Rawdon)
Councillor P Wadsworth (Guiseley & Rawdon)
Councillor B Cleasby (Horsforth)
Councillor C Townsley (Horsforth)
Councillor D Collins (Horsforth)
Councillor R Downes (Otley & Yeadon)
Councillor S Lay (Otley & Yeadon)
Councillor C Campbell (Otley & Yeadon)

¹ Exempt from proportionality under Statutory Instrument 1990/1553 Reg 16A

Inner North East Community Committee

Councillor J Dowson (Chapel Allerton)
Councillor E Taylor (Chapel Allerton)
Councillor M Rafique (Chapel Allerton)
Councillor S Hamilton (Moortown)
Councillor A Sobel (Moortown)
Councillor R Charlwood (Moortown)
Councillor G Hussain (Roundhay)
Councillor B Urry (Roundhay)
Councillor C MacNiven (Roundhay)

Outer North East Community Committee

Councillor P Harrand (Alwoodley)
Councillor N Buckley (Alwoodley)
Councillor D Cohen (Alwoodley)
Councillor M Robinson (Harewood)
Councillor A Castle (Harewood)
Councillor R Procter (Harewood)
Councillor J Procter (Wetherby)
Councillor G Wilkinson (Wetherby)
Councillor A Lamb (Wetherby)

Inner East Community Committee

Councillor R Grahame (Burmantofts & Richmond Hill)
Councillor M Ingham (Burmantofts & Richmond Hill)
Councillor A Khan (Burmantofts & Richmond Hill)
Councillor K Maqsood (Gipton & Harehills)
Councillor R Harington (Gipton & Harehills)
Councillor A Hussain (Gipton & Harehills)
Councillor B Selby (Killingbeck & Seacroft)
Councillor G Hyde (Killingbeck & Seacroft)
Councillor V Morgan (Killingbeck & Seacroft)

Outer East Community Committee

Councillor P Gruen (Crossgates & Whinmoor)
Councillor D Coupar (Crossgates & Whinmoor)
Councillor P Grahame (Crossgates & Whinmoor)
Councillor S McKenna (Garforth & Swillington)
Councillor A McKenna (Garforth & Swillington)
Councillor M Dobson (Garforth & Swillington)
Councillor K Wakefield (Kippax & Methley)
Councillor M Harland (Kippax & Methley)
Councillor J Lewis (Kippax & Methley)
Councillor M Lyons (Temple Newsam)
Councillor J Cummins (Temple Newsam)
Councillor K Mitchell (Temple Newsam)

Inner South Community Committee

Councillor D Congreve (Beeston & Holbeck)
Councillor A Gabriel (Beeston & Holbeck)
Councillor A Ogilvie (Beeston & Holbeck)
Councillor M Iqbal (City & Hunslet)
Councillor E Nash (City & Hunslet)
Councillor P Davey (City & Hunslet)
Councillor K Groves (Middleton Park)
Councillor P Truswell (Middleton Park)
Councillor J Blake (Middleton Park)

Outer South Community Committee

Councillor L Mulherin (Ardsley & Robin Hood)
Councillor K Renshaw (Ardsley & Robin Hood)
Councillor J Dunn (Ardsley & Robin Hood)
Councillor T Leadley (Morley North)
Councillor R Finnigan (Morley North)
Councillor R Gettings (Morley North)
Councillor S Varley (Morley South)
Councillor J Elliott (Morley South)
Councillor N Dawson (Morley South)
Councillor S Golton (Rothwell)
Councillor D Nagle (Rothwell)
Councillor K Bruce (Rothwell)

Inner West Community Committee

Councillor A Smart (Armley)
Councillor A Lowe (Armley)
Councillor J McKenna (Armley)
Councillor K Ritchie (Bramley & Stanningley)
Councillor C Gruen (Bramley & Stanningley)
Councillor T Hanley (Bramley & Stanningley)
Councillor E Venner (Kirkstall)
Councillor L Yeadon (Kirkstall)
Councillor J Illingworth (Kirkstall)

Outer West Community Committee

Councillor R Wood (Calverley & Farsley)
Councillor A Carter (Calverley & Farsley)
Councillor J W Marjoram (Calverley & Farsley)
Councillor T Wilford (Farnley & Wortley)
Councillor D Blackburn (Farnley & Wortley)
Councillor A Blackburn (Farnley & Wortley)
Councillor M Coulson (Pudsey)
Councillor J Jarosz (Pudsey)
Councillor R Lewis (Pudsey)

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**Schedule 9(C) detailing the appointment of Chairs to
Committees, Boards and Panels**

(Schedule to follow)

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**Schedules 9(D)(i) and (ii) detailing the appointment of
Chairs to Community Committees**

(Schedules to follow)

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Schedule 9(E) detailing appointments to Outside Organisations and Joint Committees

(Schedule to follow)

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**Schedule 9(F) detailing appointments and nominations to
the West Yorkshire Combined Authority**

(Schedule to follow)

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Schedule 10 approval of Officer Delegation Scheme (Council(non-executive) functions)

(Schedule attached)

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GENERAL DELEGATIONS TO OFFICERS

1. The fact that a function has been delegated to an officer does not require that officer to give the matter his/her personal attention and that officer may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the officer to whom the delegation has been made remains responsible for any decision taken pursuant to such arrangements

2. Subject to the exception listed below, in respect of approvals, licences, permission or registrations which come within the terms of their delegated authority, the Chief Executive, Deputy Chief Executive, Assistant Chief Executive (Citizens and Communities), all Directors, City Solicitor and other named officers¹ are authorised²:
 - (a) to impose conditions, limitations or restrictions;
 - (b) to determine any terms to which they are subject;
 - (c) to determine whether and how to enforce any failure to comply³;
 - (d) to amend, modify, vary or revoke; and
 - (e) to determine whether a charge should be made or the amount of such a charge.

3. The Chief Executive, the Deputy Chief Executive, the Assistant Chief Executive (Citizens and Communities), all Directors and City Solicitor are authorised to carry out the following in respect of those functions for which they have delegated authority⁴:
 - (a) to make payments or provide other benefits in cases of maladministration⁵;

¹ These are all other officers listed in Article 12.

² An officer may consider in respect of any matter that the authority delegated under this scheme may not be exercised and if so, may refer the matter to the relevant committee for determination.

³ including

- any failure to comply with such an approval, consent, licence, permission or registration,
- any failure to comply with a condition, limitation or term; to which any such approval, consent, licence, permission or registration is subject; or
- any other contravention in relation to a matter with regard to which the function of determining an application for approval, consent, licence, permission or registration would not be the responsibility of the executive.

⁴ An officer may consider in respect of any matter that the authority delegated under this scheme may not be exercised and if so, may refer the matter to the relevant committee for determination.

⁵ Item 48 of Para I of Schedule 1 to the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 as amended

Officer Delegation Scheme (Council (non-executive) functions)

- (b) functions relating to health and safety under any relevant statutory provision within the meaning of Part 1 of the Health and Safety at Work Act 1974, to the extent that these functions are discharged otherwise than in the Council's capacity as employer;
- (c)⁶
 - (i) to appoint staff within the approved establishment in accordance with the Council's Recruitment and Selection Procedure;
 - (ii) to appoint staff on a temporary basis to provide cover for absences or cater for peaks in workload subject to there being budgetary provision. Such staff should be employed on terms set out in the guidance issued by the Director of Resources; and
 - (iii) to determine issues relating to officers' terms and conditions of employment and to take such action and enter into such agreement as may be required to give effect to such determinations.
- (d) The enforcement of byelaws.

Exceptions:

The Chief Planning Officer's authority is subject to those exceptions set out in the Chief Planning Officer's delegation within the Officer Delegation Scheme (Council (non-executive) functions).

The named officers'⁷ authority is subject to an exception in respect of those matters where the relevant Director has directed that the delegated authority should not be exercised and that the matter be referred to him/her or the relevant committee for consideration.

⁶ All officers are nominated for this purpose by the Head of Paid Service

⁷ See footnote 2 above

Chief Executive

1. The Chief Executive is the Head of Paid Service for the Council.
2. The Chief Executive is the Electoral Registration Officer for the Council, and the Returning Officer for local elections.

The Chief Executive¹ is authorised to discharge the following Council (non-executive) functions:

Functions relating to Elections

(a)	To assign officers in relation to requisitions of the registration officer	Section 52(4) of the Representation of the People Act 1983
(b)	To provide assistance at European Parliamentary elections	Section 6(7) and (8) of the European Parliamentary Elections Act 2002
(c)	To divide constituency into polling districts	Section 18A to 18E of and Schedule A1 to the Representation of the People Act 1983
(d)	To divide electoral divisions into polling districts at local government elections	Section 31 of the Representation of the People Act 1983
(e)	Powers in respect of holding of elections	Section 39(4) of the Representation of the People Act 1983
(f)	To pay expenses properly incurred by electoral registration officer	Section 54 of the Representation of the People Act 1983
(g)	To fill vacancies in the event of insufficient nominations	Section 21 of the Representation of the People Act 1985
(h)	To declare vacancy in office in certain cases	Section 86 of the Local Government Act 1972
(i)	To give public notice of a casual vacancy	Section 87 of the Local Government Act 1972
(j)	To submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000	Section 10 of the Representation of the People Act 2000
(k)	Functions relating to community governance ²	
	i. Duties relating to community governance reviews	Section 79 of the Local Government and Public Involvement in Health Act 2007

¹ The fact that a function has been delegated to the Chief Executive does not require the Chief Executive to give the matter his/her personal attention and the Chief Executive may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Chief Executive remains responsible for any decision taken pursuant to such arrangements.

² Functions relating to making of recommendations under section 87 – 92 of the Local Government and Public Involvement in Health Act 2007 (Item 5 Paragraph EB of Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000/2853) are reserved to the relevant committee that is responsible for making recommendations to full Council.

Officer Delegation Scheme (Council (non-executive) functions)

	ii. Functions relating to community governance petitions.	Sections 80, 83 to 85 of the Local Government and Public Involvement in Health Act 2007
	iii. Functions relating to terms of reference of review	Sections 81(4) to (6) of the Local Government and Public Involvement in Health Act 2007
	iv. Power to undertake a community governance review.	Section 82 of the Local Government and Public Involvement in Health Act 2007
	v. Duties when undertaking review.	Section 93 to 95 of the Local Government and Public Involvement in Health Act 2007
	vi. Duty to publicise outcome of review.	Section 96 of the Local Government and Public Involvement in Health Act 2007
	vii. Duty to send two copies of order to Secretary of State and Electoral Commission.	Section 98(1) of the Local Government and Public Involvement in Health Act 2007
(l)	Functions relating to consultation and notification processes in relation to changing the name of an electoral area ³	S59 of the Local Government and Public Involvement in Health Act 2007
(m)	To dissolve small parish councils	Section 10 of the Local Government Act 1972
(n)	To make orders for grouping parishes, dissolving groups and separating parishes from groups	Section 11 of the Local Government Act 1972
(o)	To make temporary appointments to parish councils	Section 91 of the Local Government Act 1972

Functions relating to changing governance arrangements

(a)	To secure that copies of a document setting out new governance arrangements are available for public inspection, and to publish a notice about the change	Section 9KC Local Government Act 2000
(b)	To take any step, subject to timely consultation with General Purposes Committee in advance of any action being taken, under or for the purposes of complying with any order from the Secretary of State under Section 9N of the Local Government Act 2000, or related regulations	Section 9N Local Government Act 2000

³ The function of passing a resolution to change the name of an electoral area under s59(1) of the Local Government and Public Involvement in Health Act 2007 is reserved to full Council

Assistant Chief Executive (Citizens and Communities)

Subject to the exceptions listed below, the Assistant Chief Executive (Citizens and Communities)¹ is authorised to discharge the following Council (non-executive) functions:

1. Regulatory Functions

(a)	To approve premises for the solemnisation of marriages	Section 46A of the Marriage Act 1949 and the Marriages (Approved Premises) Regulations 1995(SI 1995/510)
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Exceptions²

The Assistant Chief Executive is not authorised to discharge the function above where objections have been received.

2. Functions of the Licensing Authority delegated by Full Council

Subject to the exception set out below, the Assistant Chief Executive (Citizens and Communities) is authorised to discharge the functions of the licensing authority as set out below:-

(a)	Any function of a Licensing Authority ³	Licensing Act 2003 and any regulations or orders made under that Act ⁴ .
(b)	Powers and functions relating to late night levy requirements	Chapter 2 of Part 2 of the Police Reform and Social Responsibility Act 2011 and any regulations made under that Chapter.

Exceptions:

- any function of the Licensing Authority reserved to full Council⁵;

¹ The fact that a function has been delegated to the Assistant Chief Executive does not require the Assistant Chief Executive to give the matter his/her personal attention and the Assistant Chief Executive may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However, the Director remains responsible for any decision taken pursuant to such arrangements.

² Under this delegation scheme (Council functions). The General Purposes Committee may however arrange for the discharge of any of its functions by the Assistant Chief Executive - (Section 101(2) Local Government Act 1972.

³ These functions will be carried out to support those matters which cannot be delegated by the Licensing Authority.

⁴ Including functions which, by virtue of the 2005 Act are delegated to the Licensing Committee.

⁵ Part 3, Section 2A of the Constitution sets out licensing functions reserved to full Council, as licensing authority under the 2011 Act.

3. Functions of the Licensing Authority delegated by Licensing Committee

Subject to the exceptions listed below, the Assistant Chief Executive (Citizens and Communities) is authorised to discharge the licensing functions⁶ of the licensing authority as set out below:-

(a)	Any function of a Licensing Authority	Licensing Act 2003 and any regulations or orders made under that Act ⁷ .
(b)	Powers and functions relating to late night levy requirements	Chapter 2 of Part 2 of the Police Reform and Social Responsibility Act 2011 and any regulations made under that chapter
(c)	Duty to comply with requirement to provide information to Gambling Commission.	Section 29 of the Gambling Act 2005
(d)	Functions relating to the exchange of information	Section 30 of the Gambling Act 2005
(e)	Functions relating to occasional use notices	Section 39 of the Gambling Act 2005
(f)	Power to designate officer of a licensing authority as an authorised person for a purpose relating to premises	Section 304 of the Gambling Act 2005
(g)	Power to institute criminal proceedings	Section 346 of the Gambling Act 2005
(h)	Power to exchange information	Section 350 of the Gambling Act 2005
(i)	Functions relating to the registration and regulation of small society lotteries	Part 5 of Schedule 11 to the Gambling Act 2005

Exceptions:

- any function of the Licensing Authority⁸ reserved to full Council⁹;
- any function of the Licensing Authority where full Council has referred a matter to a committee other than the Licensing Committee¹⁰;
- any function of the Licensing Authority reserved to the Licensing Committee;
- any function of the Licensing Authority within the terms of reference of the Licensing Sub-committees¹¹;and

⁶ "Licensing functions" means functions under the 2003 Act, the 2005 Act and the Police Reform and Social Responsibility Act 2011.

⁷ Including functions which, by virtue of the 2005 Act are delegated to the Licensing Committee.

⁸"Licensing functions" - see footnote 6 above

⁹ Part 3, Section 2A of the Constitution sets out licensing functions reserved to full Council, as licensing authority under the 2003 Act.

¹⁰ Under the provisions of Section 7(5)(a) of the 2003 Act.

¹¹ Except where a Licensing sub-committee has arranged for the discharge of any of their functions by an Officer.

- to object when the Authority is consultee and not the relevant authority considering an application under the 2003 Act

4. Functions related to the Licensing Functions delegated by Licensing Committee¹²

Subject to the exceptions listed below, the Assistant Chief Executive (Citizens and Communities) is authorised to discharge the functions set out in the following table that are delegated to the Assistant Chief Executive (Citizens and Communities) by Licensing Committee

(a)	To license hackney carriages and private hire vehicles	(a) As to hackney carriages, the Town Police Clauses Act 1847 as extended by section 171 of the Public Health Act 1875 and section 15 of the Transport Act 1985 and sections 47, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976 (b) As to private hire vehicles, sections 48, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976
(b)	To license drivers of hackney carriages and private hire vehicles	Section 51, 53, 54, 59, 61 and 79 of the Local Government (Miscellaneous Provisions) Act 1976
(c)	To license operators of hackney carriages and private hire vehicles	Sections 55 to 58, 62 and 79 of the Local Government (Miscellaneous Provisions) Act 1976
(d)	** To license sex shops and sex cinemas and sexual entertainment venues.	The Local Government (Miscellaneous Provisions) Act 1982, Section 2, Schedule 3, the Policing and Crime Act 2009, Section 27.
(e)	To license performances of hypnotism.	The Hypnotism Act 1952
(f)	*** To license persons to collect for charitable and other causes	Section 5 of the Police, Factories etc (Miscellaneous Provisions) Act 1916 and section 2 of the House to House Collections Act 1939

¹² These functions were delegated to the Licensing Committee by full Council on 14 July 2010.

Exceptions

The Assistant Chief Executive (Citizens and Communities) is not authorised to discharge those functions marked ** above where the application is for the grant, renewal or transfer of a sexual entertainment venue licence irrespective of whether objections have been received, or the grant of a sex shop or sex cinema licence irrespective of whether objections have been made, or renewal or transfer of a sex shop or cinema licence where objections have been received

The Assistant Chief Executive (Citizens and Communities) is not authorised to discharge those functions marked *** above where objections have been received.

The Director of Children's Services¹

The Director of Children's Services² is authorised to discharge the following Council (non-executive) functions:

To license the employment of children	Part II of the Children and Young Persons Act 1933 bylaws made under that Part, and Part II of the Children and Young Persons Act 1963
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¹ Appointed under Section 18 Children Act 2004

² The fact that a function has been delegated to the Director does not require the Director to give the matter his/her personal attention and the Director may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Director remains responsible for any decision taken pursuant to such arrangements.

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Director of City Development

The Director of City Development¹ is authorised to discharge the following Council (non-executive) functions:

(a)	To license market and street trading	Part III of, and Schedule 4 to, the Local Government (Miscellaneous Provisions) Act 1982
(b)	To issue, amend or replace safety certificates (whether general or special) for sports grounds	The Safety of Sports Grounds Act 1975
(c)	To issue, cancel, amend or replace safety certificates for regulated stands at sports grounds	Part II of the Fire Safety and Safety of Places of Sport Act 1987
(d)	To grant a street works licence	Section 50 of the New Roads and Street Works Act 1991
(e)	To grant permission for provision etc of services, amenities, recreation and refreshment facilities on highway and related powers	Sections 115E, 115F and 115K of the Highways Act 1980
(f)	To publish notice in respect of proposal to grant permission under section 115E of the Highways Act 1980	Section 115G of the Highways Act 1980
(g)	To permit deposit of builder's skip on highway	Section 139 of the Highways Act 1980
(h)	To license planting, retention and maintenance of trees etc in part of highway	Section 142 of the Highways Act 1980
(i)	To authorise erection of stiles etc on footpaths or bridleways ²	Section 147 of the Highways Act 1980
(j)	To license works in relation to buildings etc which obstruct the highway	Section 169 of the Highways Act 1980
(k)	To consent to temporary deposits or excavations in streets	Section 171 of the Highways Act 1980

¹ The fact that a function has been delegated to the Director does not require the Director to give the matter his/her personal attention and the Director may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Director remains responsible for any decision taken pursuant to such arrangements.

² Functions (i), (q), (s) and (v) are also delegated to the Director of Environment and Housing whose powers are limited to areas contained within the Definitive Map of Public Rights of Way.

Officer Delegation Scheme (Council (non-executive) functions)

(l)	To dispense with obligation to erect hoarding or fence	Section 172 of the Highways Act 1980
(m)	To restrict the placing of rails, beams etc over highways	Section 178 of the Highways Act 1980
(n)	To consent to construction of cellars etc under street	Section 179 of the Highways Act 1980
(o)	To consent to the making of openings into cellars etc under streets and pavement lights and ventilators	Section 180 of the Highways Act 1980
(p)	To make a special extinguishment order	Section 118B of the Highways Act 1980
(q)	To assert and protect the rights of the public to use and enjoyment of highways	Section 130 of the Highways Act 1980
(r)	To serve notice of proposed action in relation to obstruction	Section 130A of the Highways Act 1980
(s)	To apply for variation of order under section 130B of the Highway Act 1980	Section 130B(7) of the Highways Act 1980
(t)	To make good damage and remove obstructions	Section 135B of the Highways Act 1980
(u)	To remove nuisances deposited on the highway	Section 149 of the Highways Act 1980
(v)	To designate footpath as cycle track	Section 3 of the Cycle Tracks Act 1984
(w)	To authorise stopping up or diversion of highway	Section 247 of the Town and Country Planning Act 1990
(x)	Functions in relation to the submission of the Transport and Works Act Order application for the New Generation Transport (NGT) Scheme	Minute 27, Full Council, 1 st July 2013

Chief Planning Officer

Subject to the exceptions listed below, the Chief Planning Officer¹ is authorised to discharge the following Council (non-executive) functions:

1 Town and Country Planning and Development Control

(a)	To determine application for planning permission	Sections 70(1)(a) and (b) and 72 of the Town and Country Planning Act 1990
(b)	To determine applications to develop land without compliance with conditions previously attached	Section 73 of the Town and Country Planning Act 1990
(c)	To grant planning permission for development already carried out	Section 73A of the Town and Country Planning Act 1990
(d)	To decline to determine application for planning permission	Section 70A of the Town and Country Planning Act 1990
(e)	Duties relating to the making of determinations of planning applications	Sections 69, 76 and 92 of the Town and Country Planning Act 1990 and Articles 8, 10 to 13, 15 to 22 and 25 and 26 of the Town and Country Planning (General Development Procedure) Order 1995 (SI 1995/419) and directions made thereunder
(f)	To determine application for planning permission made by a local authority, alone or jointly with another person	Section 316 of the Town and Country Planning Act 1990 and the Town and Country Planning General Regulations 1992 (SI 1992/1492)
(g)	To make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights	Parts 6, 7, 11, 17, 19, 20, 21 to 24, 26, 30 and 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (SI 1995/418)
(h)	To enter into agreement regulating development or use of land	Section 106 of the Town and Country Planning Act 1990
(i)	To issue a certificate of existing or proposed lawful use or development	Sections 191(4) and 192(2) of the Town and Country Planning Act 1990
(j)	To serve a completion notice	Section 94(2) of the Town and Country Planning Act 1990
(k)	To grant consent for the display of advertisements	Section 220 of the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 1992
(l)	To authorise entry onto land	Section 196A of the Town and Country Planning Act 1990
(m)	To require the discontinuance of a use of land	Section 102 of the Town and Country Planning Act 1990
(n)	To issue a temporary stop notice	Section 171E of the Town and Country

¹ The fact that a function has been delegated to the Chief Planning Officer does not require the Chief Planning Officer to give the matter his/her personal attention and the Chief Planning Officer may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Chief Planning Officer remains responsible for any decision taken pursuant to such arrangements.

Officer Delegation Scheme (Council (non-executive) functions)

		Planning Act 1990
(o)	To serve a planning contravention notice, breach of condition notice or stop notice	Sections 171C, 187A and 183(1) of the Town and Country Planning Act 1990
(p)	To issue an enforcement notice	Section 172 of the Town and Country Planning Act 1990
(q)	To apply for an injunction restraining a breach of planning control	Section 187B of the Town and Country Planning Act 1990
(r)	To determine applications for hazardous substances consent, and related powers	Sections 9(1) and 10 of the Planning (Hazardous Substances) Act 1990
(s)	To determine conditions to which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites, or mineral permissions relating to mining sites, as the case may be, are to be subject	Paragraph 2(6)(a) of Schedule 2 to the Planning and Compensation Act 1991, paragraph 9(6) of Schedule 13 to the Environment Act 1995 (c 25) and paragraph 6(5) of Schedule 14 to that Act
(t)	To require proper maintenance of land	Section 215(1) of the Town and Country Planning Act 1990
(u)	To determine application for listed building consent, and related powers	Sections 16(1) and (2), 17 and 33(1) of the Planning (Listed Buildings and Buildings and Conservation Areas) Act 1990
(v)	Duties relating to applications for listed building consent	Sections 13(1) and 14(1) and (4) of the Planning (Listed Buildings and Buildings and Conservation Areas) Act 1990 and regulations 3 to 6 and 13 of the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) Regulations 1990 and paragraphs 8, 15 and 26 of Department of the Environment , Transport and the Regions Circular 01/01
(w)	To serve a building preservation notice, and related powers	Sections 3(1) and 4(1) of the Planning (Listed Buildings and Buildings and Conservation areas) Act 1990
(x)	To issue enforcement notice in relation to demolition of listed building in conservation area	Section 38 of the Planning (Listed Buildings and Buildings and Conservation Areas) Act 1990
(y)	To acquire a listed building in need of repair and to serve a repairs notice	Sections 47 and 48 of the Planning (Listed Buildings and Buildings and Conservation Areas) Act 1990
(z)	To apply for an injunction in relation to a listed building	Section 44A of the Planning (Listed Buildings and Buildings and Conservation Areas) Act 1990
(aa)	To execute urgent works	Section 54 of Planning (Listed Buildings and Buildings and Conservation Areas) Act 1990

2 Commons Registration

(a)	To register common land or town or village greens, except where the power is exercisable solely for the purpose of giving effect to (i) an exchange of lands affected by an order under section 19(3) of, or paragraph 6(4) of Schedule 3 to, the Acquisition of Land Act 1981 (c 67) or (ii) an order section 147 of the Inclosure Act 1845 (c8 & 9 Vict c 118)	Regulation 6 of the Commons Registration (New Land) Regulations 1969 (SI 1969/1843)
(b)	To register variation of rights of common	Regulation 29 of the Commons Registration (General) Regulations 1966 (SI 1966/1471)
(c)	Functions relating to the registration of common land and town or village greens	Part 1 of the Commons Act 2006 (c.26) and the Commons Registration (England) Regulations 2008 (S.I. 2008/1961)
(d)	Power to apply for an enforcement order against unlawful works on common land	Section 41 of the Commons Act 2006
(e)	Power to protect unclaimed registered common land and unclaimed town or village greens against unlawful interference.	Section 45(2)(a) of the Commons Act 2006.
(f)	Power to institute proceedings for offences in respect of unclaimed registered common land and unclaimed town or village greens	Section 45(2)(b) of the Commons Act 2006

3 Hedgerows and Trees

(a)	The protection of important hedgerows	The Hedgerows Regulations 1997
(b)	The preservation of trees	Sections 197 to 214D of the Town and Country Planning Act 1990, and the Trees Regulations 1999

4 High Hedges

(a)	Complaints about high hedges	Part 8 of the Anti-Social Behaviour Act 2003
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Officer Delegation Scheme (Council (non-executive) functions)

Exceptions:

The Chief Planning Officer is not authorised² to discharge the following functions:

1 Town and Country Planning and Development Control

(a)	the determination of applications following a written request ³ to the Chief Planning Officer by a Ward Member <ul style="list-style-type: none">• concerning an application within the Ward he/she represents, or• concerning an application within a neighbouring Ward where that Ward Member considers that the development would have a significant effect on the ward he/she represents that an application be referred to the relevant Plans Panel;
(b)	the determination of applications for development that would constitute a significant departure from the Development Plan, including a significant departure from any Local Development Framework currently in force;
(c)	the determination of applications for development that would be materially different from any supplementary planning guidance or planning brief approved by or on behalf of the Council;
(d)	the determination of applications for major development ⁴ which the Chair ⁵ considers are sensitive, controversial or would have significant impacts on local communities;
(e)	the approval of applications, where approval would reverse a previous decision taken by Plans Panel;
(f)	the approval of applications, where approval would conflict with an objection raised by a statutory technical consultee;
(g)	where the Chair ⁶ considers that the application should be referred to the relevant Plans Panel for determination because of the significance, impact or sensitivity of the proposal;
(h)	the determination of applications submitted in a personal capacity by or on behalf of Members, Directors or any other officer who carries out development management functions.

² Under this delegation scheme (council functions). A Plans Panel may however arrange for the discharge of **any** of its functions by the Chief Planning Officer - (Section 101(2) Local Government Act 1972).

³ This request must be made to the Chief Planning Officer and should normally be made within 21 days of the date of validation. The application can be legally determined after the 21 day statutory advertisement deadline if no such request has been received by that deadline. The request must set out the reason(s) for the referral based on material planning consideration(s) and must give rise to concerns affecting more than neighbouring properties (these being those which are notified by means of a letter as part of the Council's policy regarding publicity on householder planning applications).

⁴ "Major Development" for these purposes means:

- Residential development involving the erection of ten or more dwellings or, if the number of dwellings are not known, sites of 0.5 hectares or more.
- Other development proposals (apart from minerals and waste development) where the application would result in the erection of gross floorspace of not less than 1,000 msq, or sites of 1 hectare or more.

Minerals and waste development where the application does require an Environmental Impact Assessment

⁵ In conjunction with the Chief Planning Officer

⁶ In conjunction with the Chief Planning Officer

2 Commons Registration

(a)	Where objections have been received.
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Director of Environment and Housing

The Director of Environment and Housing¹ is authorised to discharge the following Council (non-executive) functions:

(a)	To issue licences authorising the use of land as a caravan site ("site licences")	Section 3(3) of the Caravan Sites and Control of Development Act 1960
(b)	To license the use of moveable dwellings and camping sites	Section 269(1) of the Public Health Act 1936
(c)	To license premises for acupuncture, tattooing, ear-piercing and electrolysis	Sections 13 to 17 of the Local Government (Miscellaneous Provisions) Act 1982
(d)	To license premises for the breeding of dogs	Section 1 of the Breeding of Dogs Act 1973 and Section 1 of the Breeding and Sale of Dogs (Welfare) Act 1999
(e)	To license pet shops and other establishment where animals are bred or kept for the purposes of carrying on a business	Section 1 of the Pet Animals Act 1951, section 1 of the Animal Boarding Establishments Act 1963, the Riding Establishments Act 1964 and 1970, section 1 of the Breeding of Dogs Act 1973 and sections 1 and 8 of the Breeding and Sale of Dogs (Welfare) Act 1999
(f)	To register animal trainers and exhibitors	Section 1 of the Performing Animals (Regulation) Act 1925
(g)	To license zoos	Section 1 of the Zoo Licensing Act 1981
(h)	To license dangerous wild animals	Section 1 of the Dangerous Wild Animals Act 1976
(i)	To grant consent for the operation of a loudspeaker	Schedule 2 to the Noise and Statutory Nuisance Act 1993
(j)	To issue licences for the movement of pigs	Article 12 of the Pigs (Records, Identification and Movement) Order 1995 (SI 1996/11)

¹ The fact that a function has been delegated to the Director does not require the Director to give the matter his/her personal attention and the Director may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Director remains responsible for any decision taken pursuant to such arrangements.

Officer Delegation Scheme (Council (non-executive) functions)

(k)	To license the sale of pigs	Article 13 of the Pigs (Records, Identification and Movement) Order 1995
(l)	To license collecting centres for the movement of pigs	Article 14 of the Pigs (Records, Identification and Movement) Order 1995
(m)	To issue a licence to move cattle from a market	Article 5(2) of the Cattle Identification Regulations 1998 (SI 1998/871)
(n)	To sanction use of parts of buildings for storage of celluloid	Section 1 of the Celluloid and Cinematograph Film Act 1922
(o)	Duty to enforce Chapter 1 and regulations made under it	Section 10(3) of the Health Act 2006
(p)	Power to authorise officers	Section 10(5) of, and paragraph 1 of Schedule 2 to, the Health Act 2006
(q)	Functions related to fixed penalty notices	Paragraphs 13,15 and 16 of Schedule 1 to the Health Act 2006. Smoke-free (Vehicle Operators and Penalty Notices) Regulations 2007 (SI 2006/760)
(r)	Power to transfer enforcement functions to another enforcement authority	Smoke-free(Premises and Enforcement) Regulations 2006 (SI 2006/3368)
(s)	To license pleasure boats and pleasure vessels	Section 94 of the Public Health Acts Amendment Act 1907
(t)	To authorise erection of stiles etc on footpaths or bridleways ²	Section 147 of the Highways Act 1980
(u)	To create footpath bridleway or restricted byway by agreement	Section 25 of the Highways Act 1980
(v)	To create footpaths bridleways and restricted byways	Section 26 of the Highways Act 1980
(w)	Duty to keep register of information with respect to maps, statements and declarations	Section 31A of the Highways Act 1980
(x)	To stop up footpaths bridleways and restricted byways	Section 118 of the Highways Act 1980
(y)	To determine application for public path extinguishment order	Sections 118ZA and 118C(2) of the Highways Act 1980
(z)	To make a rail crossing extinguishment order	Section 118A of the Highways Act 1980
(aa)	To divert footpaths bridleways and restricted byways	Section 119 of the Highways Act 1980

² Functions (t) – (ww) are limited to areas contained within the Definitive Map of Public Rights of Way. Functions (t), (ii), (jj) and (rr) are also delegated to the Director of City Development whose powers are not limited to areas contained within the Definitive Map of Public Rights of Way.

Officer Delegation Scheme (Council (non-executive) functions)

(bb)	To make a public path diversion order	Sections 119ZA and 119C(4) of the Highways Act 1980
(cc)	To make a rail crossing diversion order	Section 119A of the Highways Act 1980
(dd)	To make a special diversion order	Section 119B of the Highways Act 1980
(ee)	To require applicant for order to enter into agreement	Section 119C(3) of the Highways Act 1980
(ff)	To make an SSSI diversion order	Section 12B of the Highways Act 1980
(gg)	To keep register with respect to applications under sections 118ZA, 118C, 119ZA and 119C of the Highways Act 1980	Section 121B of the Highways Act 1980
(hh)	To decline to determine certain applications	Section 121C of the Highways Act 1980
(ii)	To assert and protect the rights of the public to use and enjoyment of highways	Section 130 of the Highways Act 1980
(jj)	To apply for variation of order under section 130B of the Highway Act 1980	Section 130B(7) of the Highways Act 1980
(kk)	To authorise temporary disturbance of surface of footpath bridleway or restricted byway	Section 135 Highways Act 1980
(ll)	To divert footpath bridleway or restricted byway temporarily	Section 135A of the Highways Act 1980
(mm)	To extinguish certain public rights of way	Section 32 of the Acquisition of Land Act 1981
(nn)	To keep definitive map and statement under review	Section 53 of the Wildlife and Countryside Act 1981
(oo)	To include modifications in other orders	Section 53A of the Wildlife and Countryside Act 1981
(pp)	To keep register of prescribed information with respect to applications under section 53(5) of the Wildlife and Countryside Act 1981	Section 53B of the Wildlife and Countryside Act 1981
(qq)	To prepare map and statement by way of consolidation of definitive map and statement	Section 57A of the Wildlife and Countryside Act 1981
(rr)	To designate footpath as cycle track	Section 3 of the Cycle Tracks Act 1984
(ss)	To extinguish public right of way over land acquired for clearance	Section 294 of the Housing Act 1981
(tt)	To authorise stopping up or diversion of footpath bridleway or restricted byway	Section 257 of the Town and Country Planning Act 1990
(uu)	To extinguish public rights of way over land held for planning purposes	Section 258 of the Town and Country Planning Act 1990
(vv)	To enter into agreements with respect to means of access	Section 35 of the Countryside and Rights of Way Act 2000
(ww)	To provide access in absence of agreement	Section 37 of the Countryside and Rights of Way Act 2000

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Deputy Chief Executive

1. Subject to the Exception listed below, the Deputy Chief Executive¹ is authorised to discharge the following Council (non-executive) functions:

Functions relating to Human Resources

(a)	Functions relating to local government pensions, etc	Regulations under section 7, 12 or 24 of the Superannuation Act 1972
(b)	To make arrangements to consider and determine employee appeals in relation to grievances, grading and dismissal ²	Section 112 Local Government Act 1972
(c)	To determine employee terms and conditions	Section 112 Local Government Act 1972

Functions relating to standing orders

(a)	To make standing orders in relation to Finance and Officer Employment	Section 106 of, and paragraph 42 of Schedule 12 to the Local Government Act 1972
(b)	To make standing orders as to contracts	Section 135 of the Local Government Act 1972

¹ The fact that a function has been delegated to the Director does not require the Director to give the matter his/her personal attention and the Director may arrange for such delegation to be exercised by an officer of suitable experience and seniority, however, the Director remains responsible for any decision taken pursuant to such arrangements.

² Except in relation to those which are to be determined by the Employment Committee.

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City Solicitor

1. The City Solicitor is the Monitoring Officer for the Council.
2. The City Solicitor is deputy Electoral Registration Officer¹.
3. The City Solicitor² is authorised to discharge the following Local Choice Functions which have been assigned to full Council (see Part 3 Section 1 of the Constitution):

(a)	To appoint review boards under the Social Security Act 1998 ³
(b)	To make arrangements for appeals against exclusion of pupils from maintained Schools
(c)	To make arrangements for appeals regarding school admissions ⁴
(d)	To make arrangements for appeals by governing bodies ⁵

4. The City Solicitor is authorised to discharge the following Council (non-executive) functions:

To make standing orders in relation to Access to Information	Section 106 of, and paragraph 42 of Schedule 12 to the Local Government Act 1972
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5. Appointments to Committees Boards and Panels

The City Solicitor is authorised to appoint members to vacancies during the period between the local elections and the Annual Council meeting, in consultation with appropriate whips, in order to secure that meetings necessary to be held during that period can proceed with adequate and appropriate membership levels.

¹ The Head of Licensing and Registration is also appointed as deputy Electoral Registration Officer.

² The fact that a function has been delegated to the City Solicitor does not require the City Solicitor to give the matter his/her personal attention and the City Solicitor may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the City Solicitor remains responsible for any decision taken pursuant to such arrangements.

³ s34 (4) Social Security Act 1998

⁴ s94 (1), (1A) and (4) School Standards and Framework Act 1998

⁵ s95 (2) School Standards and Framework Act 1998

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Receipt of the arrangements for the discharge of executive functions as set out by the Leader of Council

(Schedule to follow)

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SCHEDULE 12

LEEDS CITY COUNCIL

COUNCIL MEETING

9th JUNE 2014

Calendar of Council Meetings for the Municipal Year 2014-2015

Council is asked to approve the following programme of Ordinary Council meetings:

Wednesday 2nd July 2014 at 1.30pm

Wednesday 10th September 2014 at 1.30pm

Wednesday 12th November 2014 at 1.30pm

Wednesday 14th January 2015 at 1.30pm

Wednesday 25th February 2015 at 1.30pm

Wednesday 1st April 2015 at 1.30pm

Thursday 21st May 2015 at 6.00pm – ANNUAL MEETING

30 May 2014

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