

EXECUTIVE BOARD

WEDNESDAY, 22ND JANUARY, 2014

PRESENT: Councillor K Wakefield in the Chair

Councillors J Blake, A Carter, M Dobson,
S Golton, P Gruen, R Lewis, L Mulherin,
A Ogilvie and L Yeadon

154 Exempt Information - Possible Exclusion of the Press and Public

RESOLVED – That, in accordance with Regulation 4 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during consideration of the following parts of the agenda designated as exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information so designated as follows:-

- (a) Appendix 1 to the report entitled, 'Design and Cost Report: Mercury Abatement: Cottingley Crematorium' referred to at Minute No. 169 is designated as exempt in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that it contains information relating to the financial or business affairs of any person or company (including the authority holding that information) which may result in prejudicial trading of that company. It is therefore considered that it is not in the public interest to release this information at this time, as this would compromise the Council's position.

155 Declaration of Disclosable Pecuniary Interests

There were no Disclosable Pecuniary Interests declared to the meeting, however:-

In relation to the item entitled, 'Financial Health Monitoring 2013/2014: Month 8', Councillors Yeadon and Mulherin both drew the Board's attention to the fact that Councillor Yeadon was the Chair of the Leeds Grand Theatre and Opera House Board of Management and Councillor Mulherin was a member of the same Board. (Minute No. 160 refers).

156 Minutes

RESOLVED – That the minutes of the previous meeting held on 18th December 2013 be approved as a correct record.

LEISURE AND SKILLS

157 European Capital of Culture 2023

The Director of City Development submitted a report which sought to highlight the opportunity for Leeds to submit a bid to become European Capital of Culture 2023. In addition, the report outlined the issues and benefits associated with the title and aimed to canvas opinion from the Executive on this subject.

In presenting the report, the Executive Member for Leisure and Skills welcomed the positive responses received following informal discussions which had been conducted on this issue and highlighted that throughout any forthcoming consultation, consideration would continue to be given to the potential impact that achieving this award may have upon the people of Leeds.

RESOLVED -

- (a) That the contents of the submitted report, including those issues and opportunities raised within it regarding the consideration of whether or not to submit a bid for European Capital of Culture 2023, be noted.
- (b) That support be given to continued discussions taking place with a wide range of stakeholders over the next 9-12 months on this issue.
- (c) That a more detailed report be submitted to the Board in early 2015, outlining the results of the additional consultation, research and other considerations made at that point.

ADULT SOCIAL CARE

158 Response to Deputation - MENCAP regarding 'Question Time' Event at Leeds Civic Hall

The Director of Adult Social Services submitted a report responding to the deputation presented by a group of people with learning difficulties, who were supported by MENCAP, to the full Council meeting of 13th November 2013. The deputation related to the 'Question Time' event held at Leeds Civic Hall on 26th July 2013 and the potential establishment of a Leeds People's Parliament.

RESOLVED -

- (a) That the success of the 'Question Time' event which was held in the Council Chamber on 26th July 2013 be noted, together with the importance of people with a learning disability being involved in local democracy.
- (b) That support be provided to the 'Asking You!' Reference Group with regard to the group sharing learning with the Sheffield People's Parliament.

- (c) That support be provided to the 'Asking You!' Reference Group with regard to looking at regularly using the Council Chamber for their meetings, and also in respect of the group giving consideration to changing its name, if members of the group so wish, in order to reflect its links with local democracy.
- (d) That it be noted that the Joint Commissioning Manager will support the 'Asking You!' Reference Group in taking these recommendations forward.

LEADER OF COUNCIL'S PORTFOLIO

159 Response to Deputation - the role of Post Offices within Communities

The Assistant Chief Executive (Citizens and Communities) submitted a report responding to the deputation presented to the full Council meeting of 13th November 2013 concerning the role of Post Offices within the community.

RESOLVED -

- (a) That the work which is taking place in localities to support individual Post Offices be noted.
- (b) That the level and nature of the work which the Post Office currently conducts on behalf of the Council be noted.

160 Financial Health Monitoring 2013/2014 - Month 8

The Deputy Chief Executive submitted a report presenting the Council's projected financial position for 2013/2014 after eight months of the financial year.

The Chair thanked all officers concerned for their continued efforts which had led to the currently projected underspend after 8 months of the financial year.

Responding to a specific enquiry, a Member was provided with further information regarding the increased costs associated with dog kennelling services which had been experienced.

RESOLVED -

- (a) That the projected financial position of the authority after eight months of the financial year be noted.
- (b) That an additional grant payment of £142,000 from contingency be approved, in order to stabilise the Grand Theatre company's finances.

HEALTH AND WELLBEING

161 Review and Commissioning of Drug and Alcohol Treatment and Recovery Services

The Directors of Public Health, Adult Social Services, Children's Services and Environment and Housing submitted a joint report regarding the commissioning review undertaken in respect of drug and alcohol treatment

and recovery services, which followed directly on from the Leeds Drug and Alcohol Strategy and Action Plan approved by Executive Board in November 2013 (Minute No. 120 referred). The report highlighted the key findings from the review, detailed the draft service design and sought approval to proceed with the re-commissioning of the services.

In considering the submitted report, a Member sought to emphasise the potential cost efficiencies and savings which the re-commissioned integrated services could achieve. In response, the Board noted the comments made in respect of potential savings and highlighted the importance of re-investing such savings into service provision wherever possible.

In addition, specific reference was made to the work of Safer Leeds in respect of tackling the issue of drugs and alcohol misuse. Also, the Board's attention was drawn to the significant number of young people who were affected by parental drug and alcohol misuse in the UK.

RESOLVED – That the progress of the review be noted, and that approval be given to proceed with the re-commissioning of drug and alcohol treatment and recovery services.

DEVELOPMENT AND THE ECONOMY

162 High Speed Rail Phase 2: Formal Consultation Response

Further to Minute No. 176, 15th February 2013, the Director of City Development submitted a report providing an update on the Government's proposals for HS2 and which sought endorsement of the proposed City Council submission to the Department for Transport's consultation exercise on the initial preferred route and station proposals.

The draft submission to the HS2 Phase 2 consultation exercise was appended to the submitted report for Board Members' consideration.

Responding to a question, the Board was provided with clarification regarding the consistency of the representations which had been made by the Council in respect of the HS2 route and potential alternatives to it, together with the compensation arrangements. Regarding the compensation arrangements, emphasis was placed upon the need for such arrangements to be resolved at the earliest opportunity.

The Board discussed and noted the potential range of benefits which could be realised from the development, including improved connectivity throughout the city region, increased capacity upon the network, increased transportation of freight via rail and associated regeneration, jobs and skills opportunities. Members also noted the benefits from a coherent approach being adopted by the relevant authorities within the north of England.

RESOLVED -

(a) That the contents of the submitted report be noted.

- (b) That the proposed submission to the HS2 Phase 2 consultation, as set out within the appendix to the submitted report be approved, subject to any final amendments.
- (c) That the final submission of the response by the deadline date of 31st January 2014 be delegated to the Director of City Development.

(Under the provisions of Council Procedure Rule 16.5, Councillor Golton required it to be recorded that he abstained from voting on the decisions taken above)

(The matters referred to within this minute were designated by the Board as being exempt from Call In, due to the fact that the decisions arising from this report were deemed as urgent, given that the submission deadline for the consultation document is 31st January 2014. The Call In process would not enable the submission deadline to be met by the Council, and it is deemed that not meeting this deadline may prejudice the Council's or the public's interest)

163 A6120/A65 Horsforth Roundabout Improvement

The Director of City Development submitted a report advising of the scheme costs totalling £2,770,000 for the proposed improvements to Horsforth Roundabout and which also sought authority to incur additional expenditure of £2,520,000 (of which, £250,000 had been previously approved). In addition, the report also sought to invite tenders and to implement the proposed highway improvement works to Horsforth Roundabout.

RESOLVED –

- (a) That the construction of the Council's preferred scheme to fully signalise Horsforth Roundabout at an estimated cost of £2,770,000, be approved.
- (b) That an additional £1,450,000 be injected into the City Development Capital Programme for this scheme (noting that £1,320,000 is already included in the Capital Programme and also that the £1,450,000 is funded from a private developer contribution receipt).
- (c) That authority be given to incur additional expenditure of £2,520,000 (comprising of works costs of £2,380,000; staff fee costs of £110,000 and legal/other costs of £30,000) funded from the LTP Transport Policy Capital Programme (£1,070,000) and a Private Developer contribution receipt (£1,450,000).
- (d) That it be noted that previous Design and Cost reports approved authority to incur expenditure of £250,000 on initial staff design fee costs on this scheme, funded from the LTP Transport Policy Capital Programme.
- (e) That it be noted that the officer responsible for implementing these proposals is the Acting Head of Transport Policy, that the works will be

procured through competitive tender and delivered in line with the date identified in section 4.7 of the submitted report.

164 East Leeds Extension: Next Steps in Enabling Investment in Infrastructure and Housing

Further to Minute No. 100, 9th October 2013, the Director of City Development submitted a report providing an update on the work undertaken to establish the principles on which the financial contribution of housing developers to the construction of the East Leeds Orbital Road (ELOR) could be based. The submitted report invited the Board to note the rationale behind the approach proposed and to consider the implications for the Council and its role in leading the delivery of infrastructure and housing in the East Leeds Extension.

The Board acknowledged the significance of the scheme for East Leeds, both in respect of housing development and also with regard to associated infrastructure and noted that it was currently anticipated that the Northern Quadrant planning application would be submitted to City Plans Panel in February 2014.

Responding to an enquiry, the Board was provided with clarification both on the associated timescales for the scheme, together with the processes by which the development was being progressed.

Members noted that further work was to be undertaken with regard to proposals around greenspace provision associated with the development, whilst the Board also received an update in respect of the current position regarding infrastructure funding.

Regarding paragraph 2.11 of the submitted report, the Executive Member for Neighbourhoods, Planning and Support Services sought the Board's approval to withdraw a section of this paragraph (commencing: 'It is envisaged' through to 'to the A58', together with the removal of the word 'further' from the final sentence), in order to properly reflect the current position in respect of the Red Hall site, and the fact that preliminary work in the form of an Informal Planning Statement would continue in 2014, along with associated consultation. The paragraph within the submitted report would then read:

'In Section 1 – Red Hall, the Council itself owns the majority of the land, which was the subject of a report to Executive Board in September 2013. Members approved drafting of an informal Planning Statement for the site that following relocation of the existing Parks & Countryside nursery would guide possible future development and set out the requirement for local infrastructure and facilities. The detailed brief will be developed during 2014 and will be subject to consultation with local residents and other stakeholders'.

RESOLVED -

- (a) That the position reached in discussions with the Northern Quadrant consortium, as set out within the submitted report, be noted.

- (b) That with regard to paragraph 2.11 of the submitted report, the section of this paragraph (commencing: 'It is envisaged' through to 'to the A58', together with the word 'further' from the final sentence) be withdrawn from the report, in order to properly reflect the current position in respect of the Red Hall site, and the fact that preliminary work in the form of an Informal Planning Statement would continue in 2014, along with associated consultation. As a result, the paragraph within the submitted report would read as detailed above.
- (c) That support be given to the principle that (subject to the grant of planning permission) the delivery of the East Leeds Orbital Road between the A58 and A64 roundabouts should be funded by developer contributions, to be included in a s106 agreement to be negotiated by the Chief Planning Officer (paragraphs 3.8 – 3.12 of the submitted report refer).
- (d) That approval be given to the principle of direct delivery by the City Council of the East Leeds Orbital Road between the A58 and A64, to be led by the Chief Highways and Transportation Officer, subject to securing the necessary statutory consents, the grant of planning permission including the completion of the s106 agreement and the approval of a detailed financial business case (paragraphs 3.10 – 3.12 of the submitted report refer).
- (e) That approval be given for the Chief Highways and Transportation Officer to progress delivery of the East Leeds Orbital Road between the A58 and A64 on the basis that, should any compulsory purchase of land be required, the s106 agreement negotiated by the Chief Planning Officer will include an indemnity to the Council from the Northern Quadrant consortium for all costs properly incurred in pursuing a CPO (paragraphs 3.20 – 3.22 of the submitted report refer).
- (f) That a further report be brought back to Executive Board by the Director of City Development in order to agree the specific financial implications for the Council as early as possible once the details of the s106 Agreement for the Northern Quadrant have been established.
- (g) That approval be given to the approach as set out within resolutions (a) to (d) above. With this approach being used as a basis for the Chief Planning Officer to lead discussions with landowners and developers in the Red Hall, Middle and Southern Quadrants of the East Leeds Extension for establishing developer contributions to the funding of the East Leeds Orbital Road (as set out within paragraphs 3.25 – 3.27 of the submitted report), subject to the further legal clarification referred to in paragraph 3.30 of the submitted report.
- (h) That the due diligence now underway with the Homes and Communities Agency and development interests to secure access to up to £15,200,000 of support in the form of loans or equity from the government's Local Infrastructure Fund towards the costs of delivering

the East Leeds Orbital Road which will support the development of housing in the East Leeds Extension, be noted (paragraphs 3.32 – 3.33 of the submitted report refer).

165 Leeds City Council Input to Leeds City Region Strategic Economic Plan

The Director of City Development submitted a report setting out the recommended main proposals from Leeds City Council to be incorporated into the Leeds City Region Strategic Economic Plan.

Members noted the process by which greater levels of devolution to Local Authorities had been proposed, noted the respective levels of capital finance relating to this initiative when compared to revenue and acknowledged the need for such finances to feed into the development of strategic schemes wherever possible.

RESOLVED -

- (a) That the main emerging priorities from Leeds, which will form the basis for Leeds City Council's submission to the Leeds City Region Strategic Economic Plan be endorsed.
- (b) That the approach of using the Core Cities "asks" of Government, as the basis for our proposals to Government, through the Strategic Economic Plan and the City Growth Deal, for greater devolution to support economic growth, be endorsed.
- (c) That the Chief Economic Development Officer be requested to co-ordinate further work to develop the proposals from Leeds for input into the Strategic Economic Plan and to work closely with the Leeds City Region team on the production of the Strategic Economic Plan, recognising that this will be an iterative process.
- (d) That the submitted report and the issues covered within it be referred for consideration to a joint session of the Scrutiny Board (Sustainable Economy and Culture) and the Scrutiny Board (Housing and Regeneration).
- (e) That the Chief Economic Development Officer update Executive Board at its meeting on 5th March 2014 on the proposed input from Leeds into the Strategic Economic Plan, including on how the views of the Scrutiny Boards have been taken into account.

NEIGHBOURHOODS, PLANNING AND SUPPORT SERVICES

166 Proposal for Maximising the Use of Council Homes

The Director of Environment and Housing submitted a report which proposed a new incentive scheme to facilitate moves which would enhance the use of council stock and deliver improved outcomes for customers.

Members discussed the levels of demand for certain types of properties, and responding to an enquiry, the Board noted the flexible approach taken in certain circumstances with regard to under occupancy, where affordability of a larger property was not an issue for the customer and such an approach would increase both customer choice and also tenancy sustainability.

The Board considered the benefits of a mutual exchange incentive scheme and noted the more proactive and flexible approach to be taken by housing managers in future.

RESOLVED -

- (a) That the successes of the Council's under occupation scheme and the mutual exchange incentive scheme be noted.
- (b) That the formal closure of the Council's previous under-occupation incentive scheme be approved.
- (c) That £200,000 from the Housing Revenue Account for 2014/2015 be earmarked to fund a new incentive scheme to operate from April 2014 – March 2015, based upon the principles outlined within sections 4.16 – 4.37 of the submitted report.
- (d) That approval be given to a new scheme being developed by the Chief Officer Statutory Housing, in conjunction with officers from Housing Leeds Housing Management, to be launched from 1st April 2014.

CHILDREN'S SERVICES

167 Design & Cost Report for Allerton Bywater Primary School: Basic Need Project Phase 2 - New build accommodation to facilitate school expansion

The Director of Children's Services submitted a report regarding the proposed Basic Need expansion at Allerton Bywater Primary School which would enable the admission limit of the school to increase from 30 to 60 pupils. In addition, the report sought authority to incur capital expenditure of £2,035,338 in order to undertake the works required to provide 6 additional teaching spaces, cloakrooms space, toilet facilities and additional parking provision at the school.

The Board noted that an issue had recently arisen with regard to a redundant mine shaft on the land potentially identified for off-site car parking, however, Members were assured that this matter would not impact upon the proposals as set out within the submitted report.

RESOLVED -

- (a) That expenditure of £2,035,338 from Capital Scheme number 16585/ALB/000 be authorised in order to enable the construction of additional accommodation at Allerton Bywater Primary School.

- (b) That the programme dates, as identified within section 4.4 of the submitted report, regarding the implementation of this decision be noted, with it also being noted that the final delivery date for total completion of this scheme is August 2014.
- (c) That it be noted that the Director of Children's Services is responsible for the implementation of such matters.

ENVIRONMENT

168 Waste Collection Service Policies

Further to Minute No. 90, 9th October 2013, the Director of Environment and Housing submitted a report which sought to formalise the Council's policies for the kerbside collection of waste and recyclables. Specifically, the Board was recommended to formally adopt the specific operational kerbside collection policies, as proposed within section 3 of the submitted report.

By way of introduction to the submitted report, the Executive Member for the Environment provided the Board with a number of clarifications in respect of its contents, highlighting that the proposed policies were intended to formalise the Council's existing practices regarding the kerbside collection of waste and recyclables. Furthermore, the Executive Member paid tribute to all of the teams involved in the Council's kerbside collection services for the work they continue to undertake.

Responding to enquiries, the Board received an update and clarification upon a number of issues including: the provision of brown bins to more households across the city, the procedure to address missed collections and the provision of food waste collections.

RESOLVED – That the formal adoption of the specific operational kerbside collection policies, as proposed within section 3 of the submitted report, be approved.

(Under the provisions of Council Procedure Rule 16.5, Councillor A Carter required it to be recorded that he abstained from voting on the decisions taken above)

169 Design and Cost Report: Mercury Abatement - Cottingley Crematorium

Further to Minute No.15, 19th June 2013, the Director of Environment and Housing submitted a report advising of the progress made regarding the specification development and cost estimates in relation to Cottingley Crematorium, in addition to seeking approval to spend up to the financial limit as detailed within exempt appendix 1 of the submitted report. Furthermore, the report sought approval to let the contract following the conclusion of a design and build procurement process, subject to the preferred tender return being within the approved budget, as detailed within exempt appendix 1. Finally, the report sought approval of an injection of £425,000 into Capital Scheme No. 16194 to cover the costs identified in the exempt appendix.

Following consideration of Appendix 1 to the submitted report, designated as exempt from publication under the provisions of Access to Information Procedure Rule 10.4(3), which was considered in private at the conclusion of the meeting, it was

RESOLVED -

- (a) That expenditure of up to the limit detailed within exempt appendix 1 to the submitted report be authorised to replace the cremators at Cottingley Crematorium with equipment capable of abating mercury emissions.
- (b) That the award of a design and build contract be approved, subject to the preferred tender return being within the budget as detailed within exempt appendix 1 to the submitted report.
- (c) That an injection of £425,000 into Capital scheme 16194 / COT / 000 be approved in order to cover the costs as identified within exempt appendix 1 to the submitted report.
- (d) That the steps required to implement the decisions and associated timescales, as detailed within paragraph 3.2 of the submitted report be noted, together with the fact that the Chief Officer Parks and Countryside will be responsible for implementing such decisions.

DATE OF PUBLICATION: FRIDAY, 24TH JANUARY 2014

**LAST DATE FOR CALL IN
OF ELIGIBLE DECISIONS:** FRIDAY, 31ST JANUARY 2014 AT 5.00P.M.

(Scrutiny Support will notify Directors of any items called in by 12.00noon on Monday, 3rd February 2014)