

EXECUTIVE BOARD

WEDNESDAY, 2ND APRIL, 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

219 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 C to the report entitled, 'Design and Cost Report for the Leeds (River Aire) Flood Alleviation Scheme', referred to at Minute No. 225 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 particular person (including the authority holding that information). It is therefore considered that the public interest in maintaining the content of Appendix C as exempt outweighs the public interest in disclosing the information. Appendix C is exempt as disclosing the cost estimate may affect the Council's ability to secure the best financial outcome through competition.
- (b) Appendices 1(a) and 1(b) to the report entitled 'Generating Income through Advertising', referred to at Minute No. 228 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 the information detailed within the appendices relates to the financial or business affairs of particular organisations and the Council. This information is not publicly available from the statutory registers of information kept in respect of certain companies and charities. It is considered that since this information relates to financial offers that the Council has received in response to a published invitation to bid for the opportunities in questions it is not in the public interest to disclose this information at this point in time. Also, it is considered that the release of such information would, or would be likely to prejudice the process under which the Council is seeking to award the two licences for billboard sites and city centre 6 sheet units. It is considered that whilst there may be a public interest in disclosure, this information will be publicly available upon award of the licences and consequently the public

interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time.

220 Late Items

There were no formal late items submitted, however, Board Members had been provided with colour versions of further visuals associated with agenda item 10, 'Design and Cost Report for the Proposed Improvement and Refurbishment of Kirkgate Market' (Minute No. 227 refers).

221 Declaration of Disclosable Pecuniary Interests

There were no Disclosable Pecuniary Interests made during the meeting, however, comments in respect of interests were made at later points in the meeting (Minute Nos. 226 and 229 refer respectively).

222 Minutes

RESOLVED – That the minutes of the previous meeting held on 5th March 2014 be approved as a correct record.

LEADER OF COUNCIL'S PORTFOLIO

223 Financial Health Monitoring 2013/2014: Month 11

The Deputy Chief Executive submitted a report presenting the Council's projected financial position for 2013/2014 after eleven months of the financial year. The report stated that current forecasts were that the Council's general fund budget would be underspent by £3.9million.

As part of the introduction to the report, the Deputy Chief Executive corrected a figure quoted in paragraph 2 of the 'Summary of Main Issues' section. It was also noted that the intention was not to submit a further monitoring report in respect of the Council's financial health until the June 2014 Board meeting, when the final outturn position would be presented for Members' consideration.

Members welcomed the actions being taken to ensure that the benefits from the Better Care Fund would be maximised.

In conclusion, the Chair thanked all officers concerned for their continued efforts which had led to the current financial position, after 11 months of the financial year.

RESOLVED – That the projected financial position of the authority after eleven months of the financial year be noted.

DEVELOPMENT AND THE ECONOMY

224 A6210/A657 Rodley Roundabout Improvement

The Director of City Development submitted a report detailing the total scheme costs of £3,475,000 for the Rodley Roundabout improvements initiative. In addition, the report sought authority to incur such expenditure and

also sought approval to invite tenders and to implement the proposed highway improvement works to the roundabout.

The Board welcomed the proposals to improve the A6120/A657 Rodley Roundabout, with specific reference being made to the benefit which would be gained from the provision of controlled pedestrian crossing facilities.

In highlighting the work which was also scheduled to take place to improve A65/A6012 Horsforth roundabout and also the A647/B6154 Thornbury Barracks junction, Members noted that the cumulative impact of such works would be monitored, and that every effort would be made to ensure that any disruption was minimised.

RESOLVED –

- (a) That the construction of the Council's scheme to fully signalise Rodley Roundabout with associated highway works, at an estimated cost of £3,475,000, be approved.
- (b) That approval be given to inject £3,475,000 into the City Development capital programme.
- (c) That authority be given to incur expenditure of £3,475,000 (comprising of works costs £3,202,375 and staff fee costs £272,625) funded from a Department for Transport Tranche 4 Local Pinch Point Fund Government grant of £2,432,000, a Local Transport Plan grant of £306,239, and a Private Developer section 106 receipt of £736,761.
- (d) That it be noted that the officer responsible for implementing these proposals is the Acting Head of Transport Policy and that the works would be procured through appropriate tender procedures and delivered in line with the dates identified in section 4.7 of the submitted report.
- (e) That it be noted that it is proposed to deliver the proposals contained within the submitted report with the already approved proposals for Horsforth Roundabout as a single contract.

225 Design and Cost Report for the Leeds (River Aire) Flood Alleviation Scheme

Further to Minute No. 74, 4th September 2013, the Director of City Development submitted a report providing an update on the progress of proposals to provide river flood defences for the city and provided the Board with an opportunity to agree a design freeze on the scheme. In addition, the report also sought approval to incur the necessary expenditure to implement the Leeds Flood Alleviation Scheme (LFAS) City Centre and Holbeck works.

The Board welcomed the proposals detailed within the submitted report, with reference being made to the innovative approach which had been taken towards the establishment of a flood defence system, which included the proposed development of movable weirs at Crown Point and Knostrop.

Members also welcomed the advanced flood mitigation works which began on site in Woodlesford in January 2014.

A Member highlighted the issue of home owners replacing gardens with impermeable surfaces, the potential impact that this may have in respect of local surface water levels and made enquiries into the actions being taken to monitor and address this issue. In response, officers undertook to incorporate this matter into the ongoing work which was being undertaken in respect of issues around surface water flooding, and it was noted that further information would be submitted to a future meeting of the Board.

Responding to an enquiry, the Board was provided with an update on the progress which had been made, together with the ongoing work which continued to take place in respect of the cleansing and maintenance of gullies.

The Board noted the timescales by which it was proposed the flood defence scheme for the city centre would be completed, and received assurances that there was nothing at this time to suggest that such timescales would not be met.

Following consideration of Appendix C 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 the scheme as described within the submitted report be approved.
- (b) That the promotion of Leeds City Council unsupported borrowing of £4,540,000 from the Amber to the Green Capital Programme be approved.
- (c) That expenditure from the Capital Programme of £36,463,200 for the implementation of the Leeds Flood Alleviation Scheme works be authorised. This includes costs of £75,000 to be incurred to investigate any surface water flooding issues.
- (d) That approval be given for Leeds City Council to take responsibility for the maintenance and operation of all assets constructed as part of the Leeds (River Aire) Flood Alleviation Scheme, including the movable weirs, walls and terraces.
- (e) That authority be given to enter into a legal agreement with a third party in order to incorporate a hydropower turbine into the water course adjacent to the location of Knostrop Weir.
- (f) That the Director of City Development be authorised to negotiate and approve the detailed terms of the following:-

- (i) the acquisition of land required to facilitate the construction of the moveable weirs at Knostrop and Crown Point; and
 - (ii) the incorporation of a hydropower turbine adjacent to Knostrop Weir;
 - (iii) the licence to access property owned by the Canals & Rivers Trust and carry out works to remove a length of Knostrop Cut;
 - (iv) the acquisition of the remainder of the island at Knostrop Cut;
 - (v) any lease or other agreement required to facilitate the relocation of the Trans Pennine Trail at Knostrop Cut.
- (g) That it be noted that the Chief Officer Highways and Transportation will be responsible for the implementation of the resolutions, as detailed above.

226 Leeds City Centre Business Improvement District

Further to Minute No. 75, 4th September 2013, the Director of City Development submitted a report setting out the next steps for consideration by the Council following the completion of a detailed feasibility study regarding the potential establishment of a Leeds City Centre Business Improvement District (BID). In addition, the report presented the recommendations from the study and sought in principle support for a Leeds City Centre BID, subject to a full proposal being submitted by the private sector steering group.

Members welcomed the principle of a Leeds City Centre BID, and highlighted the vital importance of a vibrant and attractive city centre with a balanced offer of retail and leisure facilities.

Having placed emphasis upon the need to ensure that any BID threshold established did not discriminate against smaller businesses, the Board noted that the BID proposals recommended that occupiers of small premises with a rateable value below a threshold yet to be determined were exempted from a potential BID levy.

Responding to a Member's enquiry regarding those companies who may have a portfolio of several premises within a BID boundary, and whether the premises of such organisations could be aggregated for the purposes of any BID levy established, officers undertook to look further into this matter and report back to the Board accordingly.

RESOLVED –

- (a) That the principle of a Leeds City Centre BID, with the aim of improving and promoting Leeds City Centre as a leading European business location, be supported.
- (b) That agreement be given to consider the Council's support for the final bid boundary following the next phase of consultation.
- (c) That the principle of occupiers of small business units (below a certain rateable value yet to be determined) being exempted from paying additional rates be supported.

- (d) That in principle support be given for the Council to be a levy payer, subject to it being satisfied with the proposed BID boundary, business plan and levy rate.
- (e) That agreement be given to the continued partnership with the private sector in the development of a Leeds City Centre BID by approving joint funding of the next phase of work to consult further, develop a proposed BID business plan, run a campaign to encourage occupiers to vote for a BID, and hold a bid ballot in November 2014.
- (f) That approval be given to provide up to £150,000 of funding, recoverable from the BID in the event there is a 'YES' vote, to the Chamber of Commerce for the next phase of work up to the BID ballot, which is on the understanding that there will also be significant private sector contribution (if a BID is established, this funding will be repaid to the Council by the BID in its first year).
- (g) That the Chief Economic Development Officer be instructed to submit a further report to a future meeting of Executive Board (likely to be September 2014) in order to seek approval on the proposed BID business plan, and to progress to a BID ballot.
- (h) That the following be noted:-
 - i. The stages required to implement the decision, as outlined within section 4 of the submitted report;
 - ii. The proposed timescales for implementation, as outlined within section 4 of the submitted report; and
 - iii. That the Chief Economic Development Officer will be responsible for the implementation of the resolutions, as detailed above.

(During the consideration of this item, Councillor Wakefield and the Chief Executive brought the Board's attention to their respective memberships of the Leeds, York and North Yorkshire Chamber of Commerce)

227 Design and Cost report for the Proposed Improvement and Refurbishment of Kirkgate Market

Further to Minute No. 145, 18th December 2013, the Director of City Development submitted a report which sought approval of the RIBA Stage D design and cost proposals for the improvement and refurbishment of Kirkgate Market. The report also sought approval for the authority to spend £10,800,000 as the balance of the funding required to undertake the works. In addition, the report sought approval to the injection and authority to spend of £330,000 for the enhanced stall fit out of a number of identified units and the provision of financial assistance to relocating tenants. Furthermore, agreement was sought to provide the Director of City Development with the necessary authority, in consultation with the Executive Member for Development and the Economy, to take decisions that facilitate the improvement and refurbishment of Kirkgate Market. Finally, the report

provided an update on the progress in appointing a developer to undertake the redevelopment of the George Street frontage.

The Board welcomed the proposals detailed within the submitted report and highlighted the key part that the market would continue to play in the city centre's varied retail offer.

In response to a specific enquiry, officers emphasised that dialogue with traders would continue throughout the proposed refurbishment process, in order to provide them with information and reassurance wherever possible.

RESOLVED –

- (a) That the RIBA Stage D design and cost proposals for the proposed improvement and refurbishment of Kirkgate Market be approved.
- (b) That authority be given to the expenditure of £190,800 in respect of Kirkgate refurbishment feasibility costs.
- (c) That a further injection of £330,000 into the capital programme be approved for the purposes of stall refurbishment and financial assistance to relocating tenants.
- (d) That authority be given to spend £10,800,000 on the proposed improvement and refurbishment of Kirkgate Market and also £330,000 on stall refurbishment and financial assistance to relocating tenants.
- (e) That the Director of City Development, in consultation with the Executive Member for Development and the Economy, be authorised to take decisions that facilitate the works to improve and refurbish Kirkgate Market.
- (f) That the following be noted:-
 - The actions required to implement the resolutions, as detailed above;
 - The proposed timescales to progress the project as detailed in paragraph 3.2.1 of the submitted report;
 - That the Chief Economic Development Officer and the Market Manager will be responsible for the implementation of the resolutions.

228 Generating Income through Advertising

The Director of City Development submitted a report which invited the Board to award the preferred organisation with a licence, for a period of 10 years, for the purposes of operating the Council's billboard site portfolio, along with development of new sites as proposed, subject to the required planning consents being granted. In addition, the report also sought approval to progress the preferred organisation to a further stage of development in respect of installing, operating and maintaining a portfolio of 6 sheet advertising units within the city centre for a period of 15 years, subject to necessary planning consents being secured.

Following consideration of Appendices 1(a) and 1(b) 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 the contents of the submitted report, together with the work undertaken to realise advertising opportunities that could potentially deliver a significant increase in income to the Council, be noted.
- (b) That, as per exempt Appendix 1(a), approval be given to the preferred organisation to manage under licence the Council's billboard site portfolio.
- (c) That, as per exempt Appendix 1(b), approval be given to the progression of the named organisation to a second stage of proposal refinement/development in respect of a city centre 6 sheet initiative.
- (d) That the Director of City Development be delegated the necessary authority to agree the final award of the city centre 6 sheet initiative.
- (e) That the following be noted:-
 - the stages required to implement the resolutions (above), as outlined within paragraphs 3.3.5 and 3.4.7 of the submitted report;
 - the proposed timescales for implementation of the resolutions, as outlined within paragraphs 3.3.5 and 3.4.7 of the submitted report; and
 - that the Head of Property Services will be responsible for the implementation of such matters.

229 Affordable Housing Growth and Investment through the Affordable Homes Programme

Further to Minute No. 179, 14th February 2014, the Director of City Development and the Director of Environment and Housing submitted a joint report providing an update on the delivery of affordable housing, particularly in the context of the Homes and Communities Agency's Affordable Homes Programme (AHP). In addition, the report presented an overview of how the Council had responded to the 2015-2018 Affordable Homes Programme from the Homes and Communities (HCA) and how the Council aimed to maximise development of affordable housing units throughout the programme. Furthermore, the report sought approval to dispose of the sites listed in Appendices 1 and 2 of the submitted report to Registered Providers (RPs) for affordable housing and to confirm the identification of the sites listed at Appendix 3 for the development of affordable housing, either wholly or in-part.

Members welcomed the proposals detailed within the submitted report and the proactive approach being taken towards making sites available for investment and development. In addition, the following key points were raised during the consideration of this item:

- The importance of a mixed economy of housing provision in communities across the city;
- Emphasis was placed upon the need for the proposed provision of affordable housing to be delivered within a 5 year period as part of the Council's 5 year land supply;
- The quality standards required for any new housing provision in Leeds.

In conclusion, and responding to enquiries made during the discussion, it was agreed that reports be submitted to future Board meetings with regard to the quality standard required for new housing provision in Leeds and also in respect of the potential use of vacant sites within the EASEL area.

RESOLVED –

- (a) That the contents of the submitted report be noted.
- (b) That the sites as detailed at Appendix 1 and 2 to the submitted report be declared as surplus to the Council's requirements.
- (c) That the Director of City Development be delegated the necessary authority to dispose of those sites as listed at Appendix 1 to the submitted report on a less than best basis, subject to justification for such a transfer being evidenced by an RP via a Financial Viability Assessment of the proposed scheme being carried out by a third party.
- (d) That the Director of City Development be delegated the necessary authority to dispose of those sites as listed at Appendix 2 to the submitted report at a less than best consideration calculated at £1,000 per plot.
- (e) That the identification of those sites listed at Appendix 3 to the submitted report for medium term development for either council housing, disposal to RPs or in conjunction with a developer, be approved.
- (f) That the sites, as identified in Appendices 2 and 3 to the submitted report which are additional to those included within the Housing Investment Land Strategy, be approved.
- (g) That the necessary authority be delegated to the Director of City Development in order to identify further sites to support the delivery of affordable housing.

- (h) That in principle approval be given to the proposal for the Council to acquire privately owned land for the development of affordable housing.
- (i) That the following be noted:-
- The stages required to implement the resolutions above, as outlined within paragraphs 3.31 and 3.32 of the submitted report.
 - The proposed timescales for implementation of such matters, as outlined within paragraph 3.33 of the submitted report.
 - That the Chief Officer Asset Management and Regeneration will be responsible for the implementation of such resolutions.
- (j) That reports be submitted to future Board meetings with regard to the quality standard required for new housing provision in Leeds and also in respect of the potential use of vacant sites within the EASEL area.

(During the consideration of this item, Councillor A Carter brought the Board's attention to his position as a Director of a Housing Association)

230 Kippax Village Centre Improvements: 25-37 High Street, Kippax

The Director of City Development submitted a report providing context to, and proposing an approach towards the delivery of improvements to land and buildings at 25-37 High Street, Kippax, following discussions with Ward Members, Kippax Parish Council and Kippax Traders Association. In addition, the report also sought approval to progress the preparation of a development brief for the site and to negotiate with the owner. Furthermore, it also raised the possibility of using compulsory purchase powers to underpin the delivery of a suitable scheme.

The Board welcomed the proposals detailed within the submitted report and highlighted the vital role played by the outlying communities throughout the city.

RESOLVED –

- (a) That the principle of further development within Kippax village centre be approved.
- (b) That the preparation of a Development Brief for 25-37 High Street, Kippax, by the Director of City Development which will be presented to Executive Board for approval in the autumn and will support the procurement of a developer and outline the basis for redevelopment, be approved.
- (c) That the continuation of negotiations by the Director of City Development with the owner, be approved.
- (d) That the potential for the use of Compulsory Purchase powers in relation to 25-37 High Street, Kippax, be noted.

CHILDREN'S SERVICES

231 Determination of School Admissions Arrangements 2015

The Director of Children's submitted a report which sought approval of the Local Authority's Admissions Policy and admissions arrangements for entry in September 2015.

RESOLVED –

- (a) That the Admissions Policy for community and voluntary controlled schools for September 2015, be approved, and that it be noted that the officer responsible for the publication of the determined arrangements is the Capacity Planning and Sufficiency Lead, with the date for implementation (ie publication) being 1 May 2014.
- (b) That the Co-ordinated Scheme for admissions arrangements for entry in September 2015, be approved, and that it be noted that the officer responsible for this work is the Capacity Planning and Sufficiency Lead, with the date for implementation (ie determination of any revised policy) being 15 April 2014.

LEISURE AND SKILLS

232 Tour de France - Progress Report

Further to Minute No. 135, 18th December 2013, the Director of City Development submitted a report providing an update on the progress which had been made in respect of the planning for the Tour de France Grand Depart 2014 since the submission of the previous update report.

By way of an introduction to the report, the Executive Member for Leisure and Skills highlighted the communications exercises which had taken place with affected residents and businesses and also provided an update on the events which were scheduled to take place as part of Yorkshire's '100 Day Cultural Festival' programme.

Responding to a Member's enquiry, the Board received an update regarding the work being undertaken with a range of partners on the provision of infrastructure for the event, such as cyclists' parking, pedestrian and disabled access and also public transport.

Having briefly discussed the legacy from the event and the work being undertaken around this issue, it was noted that a report regarding legacy was scheduled to be submitted to the Board in May 2014.

In conclusion, emphasis was placed upon the importance of the all-party support for the event which continued to be provided.

RESOLVED – That the progress made in preparation for the Tour de France Grand Depart 2014, together with the proposals detailed within the submitted report, be noted.

DATE OF PUBLICATION: FRIDAY, 4TH APRIL 2014

**LAST DATE FOR CALL IN
OF ELIGIBLE DECISIONS:** FRIDAY, 11TH APRIL 2014 AT 5.00 P.M.

(Scrutiny Support will notify Directors of any items called in by 12.00noon on Monday, 14th April 2014)