

## EXECUTIVE BOARD

WEDNESDAY, 5TH JANUARY, 2011

**PRESENT:** Councillor K Wakefield in the Chair

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

Councillors J Dowson and R Finnigan – Non-Voting Advisory Members

### 142 Exempt Information - Possible Exclusion of the Press and Public

**RESOLVED** – That 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 referred to in Minute No. 145, under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the appendix relates to the financial or business affairs of the Council. It is considered that it is not in the public interest to disclose this information at this point in time as it could undermine the method of disposal, should that come about and affect the integrity of disposing of the property. It is considered that the release of such information would or would be likely to prejudice the Council's commercial interests in relation to this or other similar transactions in that prospective purchasers of this or other similar properties would have information about the nature and level of consideration which may prove acceptable to the Council. It is considered that whilst there may be a public interest in disclosure, much of this information will be publicly available from the Land Registry following completion of any transaction and consequently the public interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time.
- (b) Appendix 1 to the report referred to in Minute No. 153, under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the appendix contains information relating to the estimated funding the Council would have to provide. It is felt that if this is disclosed, specifically to prospective software suppliers, this would, or would be likely to, prejudice the commercial interest of the Council in any future competitive procurement.

**143 Update on Refuse Collection Service**

Members requested an update regarding the current position of the refuse collection service, which was provided to the Board at the conclusion of the meeting.

**144 Declaration of Interests**

Councillor A Carter declared a personal interest in the item relating to the deputation from Morley Town Council, due to his position as a member of West Yorkshire Integrated Transport Authority and a personal interest in the item relating to the deputation from Users of Barwick in Elmet Primary School, due to his position as a trustee of Calverley Girl Guides Association (Minute Nos. 148 and 152 refer respectively).

Councillor Finnigan declared a personal interest in the item relating to the deputation from Morley Town Council, due to his position as a Morley Town Councillor (Minute No. 148 refers).

Further declarations of interest were made at a later point in the meeting (Minute No. 155 refers)

**DEVELOPMENT AND REGENERATION**

**145 The Former Royal Park School**

Further to Minute No. 196, 10<sup>th</sup> March 2010, the Acting Director of City Development submitted a report regarding the disposal of the former Royal Park Primary School. The report also sought consideration of the request from the North West (Inner) Area Committee to waive the court costs granted against the individuals who had illegally occupied the site.

Following consideration of appendix 1 to the submitted report, designated as exempt under Access to Information Procedure Rule 10.4(3), which was considered in private during the meeting, it was

**RESOLVED -**

- (a) That the single offer from Royal Park Community Consortium (RPCC) be accepted, subject to Members being satisfied that the disposal of the property is likely to promote or improve the economic, social and/or environmental well being of the area or of local residents.
- (b) That the necessary authority be delegated to the Director of City Development in order to accept the financial offer from Royal Park Community Consortium and to enter into detailed negotiations to agree heads of terms for a lease on a less than best basis and then to enter into an agreement to lease, conditional upon the following:
  - (i) capital investment funding of £750,000 being secured within nine months from the date of this decision, with a report being submitted to Executive Board after six months, in order to provide details on the progress made in obtaining the necessary funding.

- (ii) the start date of the lease being immediately after award of funding of at least £750,000 and the offer sum of £250,000 being paid to the Council.
  - (iii) if the Royal Park Community Consortium cannot raise at least £750,000 within the period set out in paragraph (i) above, then the agreement for lease will automatically cease and the Director of City Development be asked to bring forwards options for consideration at that time should it be necessary.
  - (iv) should Members agree to dispose of the building to RPCC on the terms set out above, it is also subject to there being no agreement with RPCC until the fees have been paid as required by the court order.
  - (v) a report being submitted to Executive Board in six months when RPCC's key fundraising position will be clearer.
- (c) That the request from the North West (Inner) Area Committee for Executive Board to waive the legal fees awarded against the individuals who trespassed on the site, be noted but declined.

#### **146 Woodhouse Community Centre**

The Director of Environment and Neighbourhoods and the Acting Director of City Development submitted a joint report outlining proposals to grant a 50 year lease of the Woodhouse Community Centre to the local charity Oblong, using powers to dispose at less than best consideration.

#### **RESOLVED –**

- (a) That the proposal from Oblong be noted.
- (b) That approval be given to Oblong being provided with a 50 year lease for the Woodhouse Community Centre on a peppercorn rent on the basis that:
  - Evidence is provided of an offer of funding of at least £400,000 from the Community Builders programme;
  - The lease will restrict use for community purposes;
  - Youth Service can access free lettings for the period of the lease as detailed at paragraph 3.7 of the submitted report.

#### **147 Minutes**

**RESOLVED –** That the minutes of the meeting held on 15<sup>th</sup> December 2010 be approved as a correct record.

## **DEVELOPMENT AND REGENERATION**

### **148 Deputation to Council - Morley Town Council regarding Bus Services in Morley**

The Acting Director of City Development submitted a report in response to the deputation to Council on 17<sup>th</sup> November 2010 from Morley Town Council regarding bus services in Morley.

Officers undertook to respond to a Member request regarding the timescales associated with the introduction of the Quality Bus Contract Scheme.

#### **RESOLVED –**

- (a) That the contents of the submitted report be noted.
- (b) That it be noted that Metro will publish further information in due course concerning the consultation being undertaken on proposals for a Quality Bus Contract Scheme in West Yorkshire.
- (c) That the Leader of the City Council meet with the local bus operators and Metro in order to discuss the issues raised by the Town Council and to highlight the City Council's concerns.
- (d) That a report be submitted to Executive Board on proposals to improve the delivery of an integrated transport system across Leeds and West Yorkshire, including the relationship between the new Local Enterprise Partnership and Metro, and the opportunity for more powers to be devolved from central Government.

### **149 Proposal to Serve an Article 4 Direction to Require Planning Permission for a Change of Use from Use Class C3 to C4 in Selected Areas of Leeds**

The Acting Director of City Development submitted a report in response to the recent changes to Houses in Multiple Occupation (HMO) legislation and the proposed strategic response by Leeds City Council.

#### **RESOLVED -**

- (a) That approval in principle be given to the preparation and serving of an article 4 direction to remove permitted development rights for use class C3 to use class C4 on a non-immediate basis and subject to a period of public consultation.
- (b) That the article 4 direction be applied to the indicative area, as shown upon the plan detailed at appendix 2 to the submitted report.
- (c) That the necessary powers be delegated to the Chief Planning Officer in order to prepare and serve the Article 4 Direction notice, including a draft interim policy and to undertake appropriate consultation.
- (d) That further consideration be given to whether any or all of the additional areas proposed by Members should be covered by a further article 4 direction.

## **ENVIRONMENTAL SERVICES**

### **150 Annual Environmental Statement**

The Acting Director of City Development submitted a report presenting the Council's Annual Environmental Statement for 2009/2010 for approval and for the purposes of publication.

The Annual Environmental Statement was appended to Board Members' agendas for their consideration and had also been made available to others electronically.

**RESOLVED** – That the publication of the Council's Annual Environmental Statement be endorsed.

## **NEIGHBOURHOODS AND HOUSING**

### **151 Transfer of the Beverleys Site for Redevelopment**

Further to Minute No. 202, 12<sup>th</sup> March 2008, the Director of Environment and Neighbourhoods submitted a report regarding the proposed transfer of the Beverleys site jointly to Chevin Housing Association and Unity Housing Association at nil value in order to enable the commencement of work on site to provide 55 new affordable homes.

#### **RESOLVED –**

- (a) That the proposals to transfer the Beverleys site jointly to Chevin Housing Association and Unity Housing Association at nil cost be approved.
- (b) That a further report be brought back to Executive Board seeking approval for the disposal of the remaining sites cleared with Single Regional Housing Pot (SRHP) funding following the exploration of other options for the potential to secure a receipt as detail emerges from proposals contained within the recent Comprehensive Spending Review.

## **CHILDREN'S SERVICES**

### **152 Deputation to Council - Users of Barwick in Elmet Primary School regarding the Community Use of Schools Policy**

The Director of Children's Services submitted a report in response to the deputation to Council on 17<sup>th</sup> November 2010 from Users of Barwick in Elmet Primary School regarding the Community Use of Schools Policy.

Members emphasised the need to ensure that both schools and community groups were communicated with effectively on this issue.

#### **RESOLVED -**

- (a) That the import and significant role that Guide and Scout groups play in supporting the development and progress of children and young people in Leeds be acknowledged.

- (b) That in light of wider Council policy, changes to national legislation over several years and current and future financial pressures, the policy to remove the subsidy for community use of schools, as approved by Executive Board at their 23<sup>rd</sup> September 2010 meeting be endorsed.
- (c) That the necessary actions be taken to ensure that both schools and community groups are communicated with effectively on this issue.

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

### **153 Social Care Systems Review**

Further to Minute No. 14, 22<sup>nd</sup> June 2010, the Director of Children's Services and the Director of Adult Social Care submitted a joint report outlining proposals regarding the procurement and implementation of children's social care information systems and associated business changes. The report also seeks approval to defer the decision to procure systems for Adult Social Care.

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

#### **RESOLVED -**

- (a) That approval be given to incur expenditure as detailed within appendix 1 of the submitted report, in order to procure and implement social care solutions for Children's Services.
- (b) That approval be given to defer the decision to procure new solutions for Adult Social Care until spring/summer 2011, taking into consideration the potential costs, as outlined within section 9.0 of the submitted report, that will be required to be provided within the Council's capital programme in order to deliver this.
- (c) That regular update reports be submitted to Executive Board in due course in order to enable the Board to monitor the progress being made in respect of this initiative.

### **ADULT HEALTH AND SOCIAL CARE**

#### **154 Leeds Centre for Integrated Living Proposals regarding Change of Legal Status**

The Director of Adult Social Care submitted a report outlining the development and current role of Leeds Centre for Integrated Living (LCIL), and detailing the reasons for the recommendations within the submitted report that LCIL became a User Led Organisation independent of Leeds City Council. In addition, the report detailed the process used to determine the most appropriate legal status for LCIL, in order to facilitate its operation as an independent User Led Organisation.

Linda Boadle, Chair of the LCIL Management Committee and Susan Morrell, manager of the LCIL service were in attendance at the meeting, in order to answer Members' questions and provide further details.

**RESOLVED -**

- (a) That approval be given to the establishment of Leeds Centre for Integrated Living (LCIL) as a Social Enterprise Limited by Guarantee with Charitable Status, from 1<sup>st</sup> April 2011.
- (b) That given the approval provided at (a) above, it be noted that the Director of Adult Social Services will sign a waiver to invoke Contracts Procedure Rule 31.1 and waive Contracts Procedure Rule 13, High Value Procurements, in order to allow Adult Social Care to enter into a new contract with LCIL for a period of 3 years with the option to extend twice for a further 12 month period if required, commencing April 1<sup>st</sup> 2011.

**RESOURCES AND CORPORATE FUNCTIONS**

**155 Deputation to Council - Leeds Student Unions regarding the Impact of the Government's Proposals to Increase University Tuition Fees on Leeds**

The Director of Resources submitted a report in response to the deputation to Council on 17<sup>th</sup> November 2010 from Leeds Student Unions regarding the impact of the Government's proposal to increase university tuition fees on Leeds students.

**RESOLVED –**

- (a) That the deputation's speech, as appended to the submitted report be noted.
- (b) That officers be authorised to engage with the universities and other relevant parties in order to undertake a piece of work to help fully understand the impact of the changes on students, the universities and the economy in Leeds, with a further report detailing the findings being submitted to the Board in due course.

(Councillors J Blake and Finnigan both declared personal interests in this item, due to having children currently studying at university).

**156 Provisional Local Government Finance Settlement 2011/12 and 2012/13**

The Director of Resources submitted a report providing details of the recently announced provisional Local Government Finance Settlement for 2011/12 and 2012/13.

The Chair welcomed and thanked Board Members for the cross-party support received to lobby the Government on this issue.

**RESOLVED -** That the contents of the submitted report be noted.

**157 RE:FIT**

The Director of Resources and the Director of City Development submitted a joint report outlining the proposed scope of the procurement for the RE:FIT pilot project and seeking support for the Council's participation in the initiative.

**RESOLVED -**

- (a) That the initial funding for procurement provided by Core Cities be noted.
- (b) That the RE:FIT project proposals, including the portfolio of buildings as reviewed by Asset Management Board, be approved.
- (c) That the authority to spend for this project be approved.
- (d) That authority be delegated to the Director of City Development in order to approve the award of the contract.
- (e) That this pilot project be recommended to be rolled out through the Chief Officer of the Public Private Partnership Unit to:
  - o other buildings within Leeds City Council in further RE:FIT phases;
  - o other public sector bodies within the Leeds City Region; and
  - o wider partners including other local public bodies, private sector and any future partnership developments.

**158 Design and Cost Report: The Web and Intranet Replacement Project**

The Assistant Chief Executive (Planning, Policy and Improvement) submitted a report outlining proposals and seeking the relevant approvals to fund the design and development of a new website and intranet presence for the Council as part of the Web and Intranet Replacement Project.

Members highlighted the need for the Board to monitor the development of this initiative, noted the interaction with the private sector and emphasised the integral nature of online service provision.

**RESOLVED –**

- (a) That authority be given to spend existing capital provision for ICT developments, equating to £959,300 in 2010/11, £767,600 in 2011/12 and £80,700 in 2012/13 in order to fund the design and development of a new website and intranet presence as part of the Web and Intranet Replacement Project.
- (b) That progress reports be submitted to Executive Board at each phase of the project's development.
- (c) That following the conclusion of the Scrutiny Inquiry being undertaken in respect of this matter, an overarching report be submitted to Executive Board which draws together all of the Council's ICT priorities and needs.

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



**DATE OF PUBLICATION:** 7<sup>TH</sup> JANUARY 2011

**LAST DATE FOR CALL IN  
OF ELIGIBLE DECISIONS:** 14<sup>TH</sup> JANUARY 2011 (5.00 P.M.)

(Scrutiny Support will notify Directors of any items called in by 12.00noon on 17<sup>th</sup> January 2011)