

## EXECUTIVE BOARD

WEDNESDAY, 18TH JULY, 2012

**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

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

**RESOLVED** – That the public be excluded from the meeting during the 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 A to the report referred to in Minute No. 40 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the appendix contains commercially sensitive information on the Council's approach to procurement issues (including project affordability position) and commercially sensitive information in relation to the Preferred Bidder. As such, the benefit of keeping the information exempt is considered greater than that of allowing public access to the information.
- (b) Appendix 1 to the report referred to in Minute No. 42 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the appendix contains the detailed prices submitted by the contractor for the goods supplied. It is, therefore, considered that the public interest in maintaining the content of appendix 1 as exempt outweighs the public interest in disclosing the information contained in Appendix 1, as disclosure would prejudice the commercial interests of the contractor and the prices submitted relates to the financial/business affairs of a particular company.
- (c) Appendix 1 to the report referred to in Minute No. 45 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the appendix contains information which if disclosed to the public would, or would be likely to prejudice the commercial interests of the Council and/or proposed partner. It is therefore deemed in the public interest not to disclose such information.
- (d) Appendix A to the report referred to in Minute No. 53 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the public interest in maintaining the exemption in relation to this confidential appendix outweighs the public interest in disclosing the information, by reason of the fact that it contains information and

financial details which, if disclosed, would adversely affect the business of the Council and may also adversely affect the business affairs of the other parties concerned.

- (e) Appendices B to F to the report referred to in Minute No. 54 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the appendices contain information relating to the financial or business affairs of third parties and of the Council, and the release of such information would be likely to prejudice the interests of all parties concerned. Whilst there maybe a public interest in disclosure, in all the circumstances of the matter, maintaining the exemption is considered to outweigh the public interest in disclosing this information at this time.
- (f) The Appendix to the report referred to in Minute No. 57 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that this is information relating to the financial or business affairs of Caddick and the Council, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosure.
- (g) Appendix A, together with Plans A and B to the report referred to in Minute No. 60 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information). The public interest in maintaining the exemption in relation to this documentation outweighs the public interest in disclosing the information by reason of the fact that they contain information and financial details which, if disclosed, would adversely affect the business of the Council and may also adversely affect the business affairs of the other parties concerned.

#### **34 Late Items**

There were no late items as such, however, it was noted that exempt Appendix A to agenda item 9, entitled, 'Little London, Beeston Hill and Holbeck: Housing PFI Updated Affordability Position' had been circulated to Executive Board Members for their consideration, following the publication of the agenda (Minute No. 40 refers).

#### **35 Declaration of Disclosable Pecuniary and Other Interests**

There were no declarations of interest made at this point in the meeting, however, declarations of interest were made later in the meeting (Minute No. 54 refers).

#### **36 Minutes**

**RESOLVED** – That the minutes of the meeting held on 20<sup>th</sup> June 2012, be approved as a correct record.

## **NEIGHBOURHOODS, PLANNING AND SUPPORT SERVICES**

### **37 Gambling Act 2005 Statement of Licensing Policy**

The Head of Licensing and Registration submitted a report on the triennial review of the Gambling Act 2005 Statement of Licensing Policy, with the recommendation that the matter be referred to Scrutiny Board (Resources and Council Services) for consideration, in accordance with the Council's Budget and Policy Framework.

#### **RESOLVED –**

- (a) That the current Gambling Act 2005 Statement of Licensing Policy 2010-2012 be noted.
- (b) That the contents of the submitted report, together with the letter appended to the report, be noted.
- (c) That the policy be referred to Scrutiny Board (Resources and Council Services) for its consideration.

(The matters referred to within this minute were not eligible for Call In, as the development of a Policy under the Gambling Act 2005 was a matter for full Council and follows the Council's Budgetary and Policy Framework process)

### **38 Scrutiny Inquiry into Affordable Housing by Private Developers**

The Director of City Development together with the Director of Environment and Neighbourhoods submitted a joint report providing a response to the nine recommendations of the former Scrutiny Board (Regeneration), following its inquiry into Affordable Housing by Private Developers.

Councillor J Procter attended the meeting as Chair of the Scrutiny Board (Regeneration) which had undertaken the inquiry.

**RESOLVED –** That consideration of the responses to the Scrutiny Board's recommendations, as set out within section 3 of the submitted report, be deferred, in order to enable all relevant parties to discuss such matters further, with an updated report being submitted to the September 2012 meeting of Executive Board for consideration.

### **39 Derelict and Nuisance Site Programme**

The Director of City Development submitted a report presenting the emerging derelict and nuisance site programme, whilst also providing an overview of the early work which had been undertaken in this field.

A Member raised concerns in respect of the related consultation exercise which had been undertaken with Members and the extent to which the programme had been considered by Area Committees. In response, such concerns were acknowledged and it was noted that local Ward Members would be consulted directly on the programme. Additionally, it was noted that if Ward Members wished to suggest further sites for inclusion within the

programme, then such suggestions would be welcomed and considered in line with the programme's processes.

**RESOLVED –**

- (a) That the progress made on the project to deal with derelict and nuisance sites be noted.
- (b) That the first tranche of properties to be tackled be agreed, and that a further report be submitted to the Board in June 2013 covering the progress made during 2012/13.

**40 Little London, Beeston Hill & Holbeck: Housing PFI Updated Affordability Position**

Further to Minute No. 217, 7th March 2012, the Director of City Development submitted a report confirming the outcomes being sought for the Little London, Beeston Hill and Holbeck Private Finance Initiative Project and providing updated details of the financial position, in advance of the Financial Close.

Appendix A to the submitted report, which was designated as exempt under Access to Information Procedure Rule 10.4(3) was circulated to Board Members for their consideration, following the publication of the agenda papers.

Responding to an enquiry, the Board received assurances in respect of the processes which had been followed regarding public procurement regulations.

The Chief Executive advised that dialogue continued with central Government with the aim of ensuring that wherever possible, the pace of progress for such initiatives was maximised.

Following consideration of Appendix A 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 –** That (without affecting the authority to proceed to financial close of the project and approvals in relation there to resolved at previous meetings of this Board [and in particular Executive Board resolution 184 (g) – (j) inclusive made on 9 March 2011]):-

- (a) The progress made, and the intention to let the contract by the end of July 2012, or as soon as possible after that, to allow a start on site by November 2012, with mobilisation and preliminaries prior to this date, be noted.
- (b) The process in place to achieve financial close be noted, and in particular, the action taken by the Director of Environment and Neighbourhoods to seek revised section 27 Housing Act 1985 consents in support of the project be noted and endorsed.

- (c) The key decision to re-profile the Council's affordability contribution to the project, as set out within exempt Appendix A to the submitted report be approved, and the Director of Environment and Neighbourhoods be authorised to approve the final profiling of the contributions.
- (d) The updated financial implications and affordability parameters, as set out within exempt Appendix A to 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 referred to within this minute)

(The matters referred to within this minute were not eligible for Call In, as it was considered that any delay to such matters would seriously prejudice the Council's or the public's interests)

### **CHILDREN'S SERVICES**

#### **41 Design and Cost Report : Hugh Gaitskell Primary School: Additional Accommodation**

The Director of Children's Services submitted a report seeking approval to provide additional accommodation at Hugh Gaitskell Primary School for September 2012, whilst also seeking the necessary authority to incur the associated expenditure.

Responding to a concern raised, officers provided assurances in respect of the budgetary implications arising from the proposed provision of additional accommodation within schools and also undertook to submit a report to the September 2012 Executive Board meeting responding to a previous request specifically regarding Bankside Primary School.

#### **RESOLVED –**

- (a) That approval be given to proceed with works to provide additional accommodation at Hugh Gaitskell Primary School, at an estimated total cost of £514,690.
- (b) That approval be given to incur expenditure of £514,690 from capital scheme number 15822\HUG\000.

#### **42 Basic Need programme - Permission to consult on School Place Expansions for 2014**

The Director of Children's Services submitted a report which sought permission to consult upon proposals relating four primary school expansions, scheduled to take effect from September 2014, which would form part of the Council's Basic Need programme.

Having reported a concern which had been received from a school governor regarding faith education, the Executive Member for Children's Services

assured the Board that such matters would be addressed as part of the associated consultation exercise.

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 the development of the Little London community hub project be noted.
- (b) That approval be given to the following consultation exercises being undertaken:-
  - to expand Little London Primary School from a capacity of 210 pupils to 630 pupils with an increase in the admission number from 30 to 90 with effect from September 2014;
  - to expand Tranmere Park Primary School from a capacity of 315 pupils to 420 pupils with an increase in the admission number from 45 to 60 with effect from September 2014;
  - to expand Rufford Park Primary School from a capacity of 210 pupils to 315 pupils with an increase in the admission number from 30 to 45 with effect from September 2014;
  - to expand Sharp Lane Primary School from a capacity of 420 pupils to 630 pupils with an increase in the admission number from 60 to 90 with effect from September 2014.

**LEISURE AND SKILLS**

**43 Establishment of the Leeds Apprenticeship Training Agency (ATA)**

The Director of City Development submitted a report which sought approval for Leeds City Council to establish the Leeds Apprenticeship Training Agency (ATA) in partnership with Leeds City College, which would operate as a jointly owned and separate company limited by guarantee.

The Board emphasised the crucial role which Small and Medium Enterprises (SMEs) would play in the delivery of this initiative and received an update on the work currently ongoing to engage with such enterprises. In addition, Members were provided with assurances that the initiative would be a key component of Leeds becoming a NEET (Not in Education, Employment or Training) free city, and that it would also help to equip young people with the necessary skills they required for employment.

In conclusion, the Chair emphasised the ambitious nature of this initiative and thanked the Board for the cross-party support it had received.

**RESOLVED –**

- (a) That Leeds City Council's involvement in the establishment of the Leeds Apprenticeship Training Agency be approved.

- (b) That approval of the detailed terms of the Articles of Association and the Member Agreement be delegated to the Director of City Development.
- (c) That the Director of City Development, or his nominated representative, be appointed as a Director of the Leeds Apprenticeships Training Agency.
- (d) That the Board's endorsement be given to the new company being registered with Companies House.

## **ADULT SOCIAL CARE**

### **44 Update on the Award of the Contracts for Neighbourhood Network Services for the East of Leeds and on Wider Neighbourhood Network Developments**

Further to Minute No. 5, 22nd June 2011, the Director of Adult Social Services submitted a report which provided details of the approval given by the Director to award the contracts for the Neighbourhood Network Service provision for the East of Leeds. In addition, the report detailed background information to the current service provision and the decision to procure the services detailed within the submitted report, whilst also outlining the procurement process and the outcomes from the evaluation stage, taking account of the recommendations and lessons learned from the 2009 citywide Neighbourhood Networks procurement exercise and the Independent Review in 2010.

The Board welcomed the outcomes arising from the procurement process, whilst the Chair thanked the Director of Adult Social Services and her team for all of the work which they had undertaken on this matter.

#### **RESOLVED –**

- (a) That the award of the contracts for the Neighbourhood Network Services for the East of Leeds to the following organisations be noted:
  - Burmantofts area – Burmantofts Senior Action
  - South Seacroft area - South Seacroft Friends and Neighbours Scheme
  - Richmond Hill - Richmond Hill Elderly Action Limited
  - Swarcliffe area - Swarcliffe Good Neighbours Scheme
  - Crossgates - Crossgates & District Good Neighbours.
- (b) That the procurement process undertaken, and the implementation of lessons learned from the 2010 Independent Review, be noted.
- (c) That the continued importance and potential of the Neighbourhood Network Services in delivering the priorities associated with the Adult Social Care 'Better Lives for People in Leeds' programme, be noted.

**45 Shared Service Partnership with Calderdale Metropolitan Borough Council to meet Adult Social Care Technology Requirements**

The Director of Adult Social Services submitted a report outlining the options available for replacing the current Electronic Social Care Record (ESCR) and ESCR financial systems, whilst also detailing the case for adopting a shared service partnership arrangement with another local authority. In addition, the report outlined the supporting technology components, including Electronic Document Record Management and Reporting, to be implemented alongside the case management solution. The report also sought approval to enter into a partnership agreement with Calderdale Council, release the related funding and incur the necessary expenditure.

The report noted that a number of options for the replacement of the existing ESCR and ESCR financial systems had been investigated. The options considered related to:

- Upgrading the existing system;
- The use of health systems;
- The procurement of a third party system; and
- A potential 'shared service' arrangement with another local authority, where Leeds adopted their case management recording system.

Responding to specific concerns raised as to whether the Adult Social Care Client Information System used by Calderdale Council would be fit for Leeds' purpose, it was requested that related matters were referred to the Corporate Governance and Audit Committee, so that the acquisition of the system could be monitored.

Following a Member's enquiry regarding the costs associated with this scheme, together with the equivalent system used by Children's Services, the Member in question was provided with further details, with officers undertaking to provide more detailed information, should this be required.

Having noted the comments which had been made, it was agreed that further to the related matters being referred to the Corporate Governance and Audit Committee, Executive Board receive an update report every 6 months in order to monitor the progress of the initiative.

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 enter into a partnership agreement with Calderdale Metropolitan Borough Council for the purchase of an initial 20% share of their Adult Social Care Client Information System (CIS), with options to increase this share as described in section 3.2 of the submitted report.
- (b) That the necessary expenditure be authorised, as defined within exempt Appendix 1 to the submitted report, to undertake the following:-



- purchase a share in the system and implementation support from Calderdale Metropolitan Borough Council;
  - implement the Case management, integrated financial and contract management modules of Calderdale's CIS in partnership with Calderdale Metropolitan Borough Council to meet Leeds requirements;
  - implement and integrate Leeds City Council's corporate Electronic Document and Records Management System (EDRMS) in parallel with the Case Management System;
  - build and develop a reporting and Business Intelligence (BI) solution utilising existing corporate reporting and Business Intelligence technology.
- (c) That the matters raised in relation to the Adult Social Care Client Information System be referred to the Corporate Governance and Audit Committee, so that the acquisition of the system can be monitored.
- (d) That Executive Board receive a report every 6 months which provides an update in respect of the project's progress.

#### **46 Consultation on the Charges for Non-Residential Adult Social Care Services**

The Director of Adult Social Services submitted a report setting out proposals for a consultation process on proposed changes to charges for non-residential Adult Social Care services following approval for a further charging review by Executive Board on 27<sup>th</sup> July 2011 (Minute No. 36 referred). In addition, the report outlined the reasons for the proposals and the likely implications for customers and income levels. The report also detailed the way in which the public consultation on the impact of these proposals would be conducted.

Members highlighted the need to ensure that the proposed consultation exercise was handled as sensitively as possible.

#### **RESOLVED -**

- (a) That the public consultation on the proposed new charges that are set out within section 4.8 of the submitted report, be approved.
- (b) That the impact of the proposed changes on commissioned services, as outlined within sections 4.17 and 4.18 of the submitted report, be noted.
- (c) That the impact of the proposed changes on other Council services, as set out within sections 4.19 and 4.20 of the submitted report, be noted.
- (d) That the public consultation on the proposed changes to the financial assessment methodology that are set out within sections 4.21 and 4.22 of the submitted report, be approved.

- (e) That a further report be brought to Executive Board later this financial year, with final charging proposals following a more detailed analysis of the impact and the outcome of the consultation.

**47 Leeds Safeguarding Adults Partnership Annual Report 2011/2012**

The Director of Adult Social Services submitted a report introducing the fifth annual report of the Leeds Safeguarding Adults Partnership Board and providing an update on the work of the Leeds Safeguarding Adults Partnership.

Professor Paul Kingston, Independent Chair of the Adult Safeguarding Partnership Board, provided an introduction to the key points raised within the annual report, together with a summary of the work undertaken by the Partnership.

Responding to an enquiry, the Board was provided with details regarding the level and source of safeguarding referrals in Leeds. Having noted the significant increase in the number of safeguarding referrals which had been reported over the past year, Members discussed the reasons for such a rise and the accompanying capacity issues.

The Board highlighted the importance for Elected Members to be aware of the safeguarding process and welcomed the fact that a further Members' seminar on such matters was proposed for later in the year. In addition, it was requested that Executive Board members were provided with a further, more detailed breakdown of data relating to the source and levels of safeguarding referrals, which included a distinction between those referrals made in respect of public and private service provision and also NHS provision.

In conclusion, Members welcomed the annual report and the detailed discussion which had taken place, and it was agreed that the submitted report and associated documentation be referred to Scrutiny Board (Health and Wellbeing and Adult Social Care) for further consideration.

**RESOLVED –**

- (a) That the contents of the 2011/12 Leeds Safeguarding Adults Partnership Annual Report, as appended to the submitted report be noted, and that the work programme of the Adult Safeguarding Partnership Board for 2012/13 be endorsed.
- (b) That the submitted report and associated documentation be referred to Scrutiny Board (Health and Wellbeing and Adult Social Care) for further consideration.

**RESOURCES AND CORPORATE FUNCTIONS**

**48 Treasury Management Annual Outturn Report 2011/12**

The Director of Resources submitted a report providing a final update on the Council's Treasury Management Strategy and operations for 2011/2012.

The Chair thanked all of the officers who had been involved in the Council achieving its current Treasury Management position.

**RESOLVED** – That the treasury management outturn position for the year 2011/2012, be noted.

**49 Annual Risk Management Report**

The Director of Resources submitted a report providing assurances upon the strength of the Council's risk management arrangements, whilst presenting an overview of the authority's strategic risks.

The Executive Member for Development and the Economy provided the Board with an update in respect of the current position regarding city flooding. Having considered this matter, Members emphasised the need for all parties to continue to lobby central Government with regard to accessing the funding streams required to establish the level of flood defences necessary to protect the city, given the substantial economic and commercial impact that flooding to Leeds city centre would have upon the whole of the city region.

**RESOLVED** – That the contents of the annual risk management report be received, and the related assurances provided within the submitted report be noted.

**50 Financial Health Monitoring 2012/2013 - First Quarter Report**

The Director of Resources submitted a report presenting the Council's projected financial health position for 2012/2013 after three months of the financial year, in respect of the revenue budget and the Housing Revenue Account.

Responding to a Member's concerns, the Board discussed the projected overspend within refuse collection and any potential impact that this may have upon the roll out of further service provision in this area.

**RESOLVED** – That the projected financial position of the authority, after three months of the financial year, be noted.

**51 Capital Programme Update for 2012 - 2015**

The Director of Resources submitted a report providing an update upon the financial position for 2012/13 as at June 2012, including an update on capital resources, a summary of schemes upgraded from 'Amber' to 'Green' status since February and a summary of progress which had been made on some major schemes. In addition, the report also included ALMO capital investment proposals and sought specific approvals in order to allow some schemes to progress.

**RESOLVED** –

(a) That the latest position on the general fund and Housing Revenue Account capital programmes, be noted.

- (b) That the transfer of schemes from the Amber to the Green programmes, as set out within section 3.3 of the submitted report, be noted.
- (c) That the following allocations from the Economic Initiatives provision in the capital programme be approved:-
  - § £885,000 for the Eastgate development
  - § £250,000 for Brunswick Terrace
  - § £500,000 for Town and District Regeneration Scheme
  - § £3,345,000 to support the delivery of superfast broadband in the region
- (d) That the injection into the capital programme of £10,173,000, funded by government grant to enable the provision of additional primary school places, be approved.
- (e) That the economic impact of the Council's capital programme, as detailed within section 5 and Appendix D of the submitted report be noted.

**52 Council Business Plan Refresh 2012-2013**

The Assistant Chief Executive (Customer Access and Performance) submitted a report outlining a number of proposed amendments and updates to the Council Business Plan, which would ensure that the Plan remained up to date, continued to reflect the Council's main challenges and included targets which were both challenging, but also realistic.

Responding to a Member's enquiry, the Board received reassurance in respect of the proposed target for 2012/2013 regarding the maintenance of non main roads.

**RESOLVED** – That the changes to the Council Business Plan for 2012-2013, as detailed within the submitted report, be approved.

**53 Phase 1 Changing the Workplace: City Centre Office Accommodation**

Further to Minute No. 137, 2nd November 2011, the Director of Resources, the Assistant Chief Executive (Customer Access and Performance) and the Director of City Development submitted a joint report detailing the progress which had been made to date in relation to the Changing the Workplace programme, whilst also highlighting the benefits being delivered as a result. Specifically, the report sought agreement to roll out new ways of working within the city centre, which would lead to a reduction in the number of the Council's city centre office properties.

Members highlighted the importance of the scheme and the need to ensure that the progress of it was monitored in terms of costs, savings and value for

money. The Chair acknowledged the comments made and emphasised the vital role that face to face contact played in the delivery of Council services.

Following consideration of Appendix A 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** – That the proposals outlined within the submitted report, regarding city centre office accommodation, together with the specific recommendations contained within section 6.0 of the exempt appendix to the submitted report (which included the submission of an annual report to Executive Board providing an update position of spend on the programme against outcomes delivered), be approved.

**54 Loan with Yorkshire County Cricket Club - Variation of Agreement and Granting of Consents**

Further to Minute No. 184, 14<sup>th</sup> January 2009, the Director of Resources submitted a report providing information on a request received by the Council from Yorkshire County Cricket Club regarding a loan provided by the Council to the Club in 2005. The Club's request related to amending the current schedule of repayments for the loan and extending the repayment period. In addition, the report noted that the Club was also seeking the Council's consent to amend its term loan with its bank and to enter into a financial liability.

On behalf of the Board, the Chair thanked all officers who had been involved in the negotiation process with the Club in respect of this matter.

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

**RESOLVED** –

- (a) That the variation to the Council's loan agreement with Yorkshire County Cricket Club be agreed, as outlined within the submitted report.
- (b) That the necessary consents be granted to facilitate Yorkshire County Cricket Club entering into a variation in respect to their loan agreement with their bank and also to enable the Club to accept the loan from its Chairman.

(Councillor Yeadon declared an Other Significant Interest in respect of this matter, as a member of Yorkshire Disabled Cricket Club. The Director of City Development declared an interest in respect of this matter, as the Council's nominated Director on the Board of Yorkshire County Cricket Club)

**55 Commission on the Future of Local Government - Progress Update**

Further to Minute No. 232, 11<sup>th</sup> April 2012, the Assistant Chief Executive (Customer Access and Performance) submitted a report providing an update on the outcome of the work undertaken by the Commission on the Future of

Local Government which explored the concept of Civic Enterprise as a means to respond to the changes and challenges which faced local government.

**RESOLVED –**

- (a) That the findings of the Commission, in particular the five Propositions, along with the Commitments and Calls to Action, be noted.
- (b) That the work which is underway to enable Leeds to become an enterprising council be supported.

**DEVELOPMENT AND THE ECONOMY**

**56 Design and Cost Report for Broadband Projects**

The Director of City Development submitted a report regarding the various broadband initiatives which were underway in the city, whilst also seeking approval and commitment to a Leeds City Council contribution to the delivery of such projects.

**RESOLVED –**

- (a) That the Broadband Delivery UK (BDUK) Local Broadband Plan process be ratified and supported.
- (b) That the capital funding contribution to the BDUK and super connected cities project, as outlined within section 4.4.1 of the submitted report be approved.

**57 Quarry Hill, Leeds, LS2**

Further to Minute No. 7, 11<sup>th</sup> June 2008, the Director of City Development submitted a report advising of the revised terms upon which the Council's site at Quarry Hill in the city centre could be sold to Caddick Developments Limited.

Responding to an enquiry, Members received clarification in respect of proposals for the development regarding public car parking provision.

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** - That the terms, as detailed within the exempt appendix to the submitted report, be approved.

**58 Community Asset Transfer of Holbeck Youth Centre to Health for All (Leeds) Ltd**

The Director of City Development submitted a report on the proposed Community Asset Transfer of Holbeck Youth Centre to Health for All (Leeds) Ltd. by way of a 25 year peppercorn, full repairing and insuring lease.

**RESOLVED** – That the Community Asset Transfer of Holbeck Youth Centre to Health for All, by way of a 25 year peppercorn lease with full repairing and insuring liabilities, be approved.

**59 Community Asset Transfer of the former Bramley Lawn Day Centre to Bramley Elderly Action**

The Director of City Development submitted a report regarding the proposed Community Asset Transfer of Bramley Lawn Day Centre to Bramley Elderly Action by way of a 25 year peppercorn full repairing and insuring lease.

**RESOLVED** – That the Community Asset Transfer of Bramley Lawn Day Centre to Bramley Elderly Action, by way of a 25 year peppercorn lease with full repairing and insuring liabilities, be approved.

**60 Land Proposals for Eastgate**

Further to Minute No. 214, 7th March 2012, the Director of City Development submitted a report which sought to obtain the necessary authority for further land acquisition which related to the delivery of the Eastgate redevelopment scheme. In addition, the report also detailed the current position regarding the delivery of the John Lewis Partnership store as part of the development and which sought the necessary approvals to enable the delivery of a car park on the land presently held by the West Yorkshire Police Authority.

Following consideration of Appendix A and Plans A and B to the submitted report, designated as exempt under Access to Information Procedure Rule 10.4(3), which were considered in private at the conclusion of the meeting, it was

**RESOLVED –**

- (a) That approval be given to the capital injection of funds and the authority to spend (identified in the exempt appendix to the submitted report) into the capital programme for the Council to acquire the West Yorkshire Police landholdings, as shown on exempt plan A, and that approval also be given to allocating the sum identified within the exempt appendix for the demolition of the Millgarth building, which will be dealt with as a Design & Cost report to a future Executive Board.
- (b) That subject to the agreement of final terms, approval be given to the Council releasing to Hammerson part of the acquired site necessary to allow for the construction of the John Lewis building (as identified upon exempt plan A to the submitted report).
- (c) That the principle that the Council enters into an agreement, subject to the agreement of final terms, with either or both John Lewis and Hammerson, in respect to the delivery and/or operation of the car park, be approved.
- (d) That the principle that should the Council be unable to agree acceptable Heads of Terms with Hammerson to deliver the car park, approval be given to the Council delivering a car park, the details of

which would be subject to a further Design & Cost report to Executive Board.

- (e) That the necessary authority be provided to the Director of City Development, with the concurrence of the Executive Member for Development and the Economy and the Director of Resources, for the completion of all necessary Heads of Terms and legal documentation, for the various property transactions (as set out within the submitted report and exempt appendix A), so that such matters can be dealt with under the appropriate scheme of delegation.

(The matters referred to within this minute were not eligible for Call In as it was considered that any delay in such matters would seriously prejudice the Council's or the public interest. A delay in completing the Heads of Terms and legal documentation as soon as practically possible may have an impact upon the critical path of approvals which were being sought both from Hammerson and John Lewis Boards)

## **ENVIRONMENT**

### **61 Leeds Climate Change Strategy 2012-2015 (Light Touch Review)**

The Director of Environment and Neighbourhoods submitted a report seeking the endorsement of, and approval to publish the updated Leeds Climate Change Strategy 2012-2015. In addition, the report also outlined the support available from the European Local Energy Assistance (ELENA) mechanism and sought formal approval to join the EU Covenant of Mayors, as a first step towards submitting an ELENA bid.

#### **RESOLVED –**

- (a) That the Leeds Climate Change Strategy 2012-2015 be approved and that it be published via the Leeds Initiative channels, together with a short non-technical summary.
- (b) That the Council's role in delivering the priority actions contained within the strategy be supported and championed.
- (c) That the development of an expression of interest and full business case to ELENA to refine and commercialise a series of strategic low carbon energy infrastructure and energy efficiency projects, in order to deliver the objectives of the Leeds Climate Change Strategy 2012-2015, be supported.
- (d) That approval be given to Leeds becoming a signatory to the EU Covenant of Mayors and to the submission of the Leeds Climate Change Strategy 2012-2015, as Leeds' Sustainable Energy Action Plan, in order to support an ELENA bid.



**62 Funding Application to Department for Communities and Local Government for Weekly Food Waste Collections and Associated Infrastructure**

Further to Minute No. 144, 14th December 2011, the Director of Environment and Neighbourhoods submitted a report regarding the submission of a final bid for funding from the Weekly Collection Support Fund (WCSF) managed by the Department for Communities and Local Government (DCLG).

Responding to concerns raised, the Board was assured that the proposed bid was realistic and that the proposals outlined within the submitted report would not lead to a two-tier system across the city. In addition, assurances were also provided in respect of a Member's specific concerns regarding the future delivery of food waste collections in Leeds.

**RESOLVED –**

- (a) That the contents of the submitted report be noted, and that the submission of a final bid to the WCSF by August 17th 2012, to fund the roll-out of weekly food waste collections to 80% of residents in the City be approved.
- (b) That the continued provision of these weekly food waste collections for at least two years beyond the end of the DCLG funding period (i.e. 2015/16 and 2016/17) as required by DCLG, be agreed.
- (c) That additional funding of approximately £4,000,000 per annum to deliver this service during the financial years 2015/16 to 2016/17 be approved, but it be noted that the savings in disposal costs (compared to landfill) derived from the development of the Residual Waste Treatment PFI facility would significantly offset these costs. Savings of an estimated £2,500,000 per annum from the fortnightly collection of residual waste and recycling that would accompany weekly food waste collections would also mitigate the costs of food waste collections post 2014/15 (as section 4.4 of the submitted report details).
- (d) That authority be delegated to the Director of Environment and Neighbourhoods to amend the bid to address feedback from DCLG, provided that the proposals remain within the level of funding, as agreed at resolution (c) above.
- (e) That if the bid is successful, approval be given to a fully funded injection into the Capital Programme of the capital costs included within the final approved bid (currently calculated at £8,150,000), and that Authority to Spend up to this amount also be approved.
- (f) That officers' intentions to seek further Member approvals regarding the specific weekly food waste collection service roll-out plans be noted, including the proposed geographical areas for inclusion within Phase 1, or, in the event that the DCLG bid is unsuccessful, for the pilot phase of fortnightly residual waste and recycling collections agreed by Executive Board in December 2011.

(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 referred to within this minute)

**63 RE:FIT Phase 2**

Further to Minute No. 157, 5<sup>th</sup> January 2011, the Director of City Development and the Director of Resources submitted a joint report which sought the support of Executive Board to participate in phase 2 of the RE:FIT programme. In addition, the report also sought agreement to the scope of the procurement.

**RESOLVED –**

- (a) That the project proposals for RE:FIT phase 2, including the associated portfolio of buildings, be approved.
- (b) That the injection of £1,500,000 into the capital programme, to be fully funded by unsupported borrowing, be approved.
- (c) That the expenditure of up to £1,500,000 on this project be approved.
- (d) That authority be delegated to the Director of City Development in order to approve any changes to the portfolio of buildings falling under the RE:FIT phase 2 proposals, in terms of additions or removals.
- (e) That authority be delegated to the Director of City Development in order to approve the award of the contract.

**DATE OF PUBLICATION:** 20<sup>TH</sup> JULY 2012

**LAST DATE FOR CALL IN  
OF ELIGIBLE DECISIONS:** 27<sup>TH</sup> JULY 2012 (5.00 P.M.)

(Scrutiny Support will notify Directors of any items called in by 12.00 p.m. on 30<sup>th</sup> July 2012)