

## EXECUTIVE BOARD

FRIDAY, 15TH FEBRUARY, 2013

**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

### 163 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 4 to the report entitled, 'Bridgewater Place Wind Mitigation Measures' referred to in Minute No. 174 is exempt in accordance with paragraph 10.4(5) of Schedule 12A (3) of the Local Government Act 1972 on the grounds that it contains information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. It is considered that the public interest in maintaining the content of Appendix 4 as exempt outweighs the public interest in disclosing the information as there are potential legal implications with the proposals contained in this report.
- (b) Appendix 1 to the report entitled, 'Leeds Arena: Legal Action: Montpellier Estates Ltd.' referred to in Minute No. 177 is exempt in accordance with paragraph 10.4(3) and (5) of Schedule 12A (3) of the Local Government Act 1972 on the grounds that it details the actions likely to be pursued by the Council in recovering its legal costs from MEL and comments on the potential of MEL progressing an appeal of the decision. The content of the Appendix would be covered by legal privilege, as it includes the substance of communications between the Council and its lawyers, where the purpose of those communications is the giving of legal advice. It is acknowledged that there is a strong element of public interest inbuilt into the privilege itself and, that the general maintenance of confidentiality between client and lawyer is a matter which is in the public interest. Conversely, whilst there is always some public interest in disclosure and whilst there may be relatively strong public interest in the public knowing about the way forward in respect of the recovery of legal costs and the potential of an appeal, it

would seem there is little public interest in the disclosure of the advice and information contained in the Appendix.

It is, therefore, considered that in all the circumstances of the case, the public interest in maintaining the content of the Appendix as Exempt outweighs the public interest in disclosing the information contained in the Appendix. In addition, the Appendix contains information about an individual's and companies financial and business affairs.

- (c) Appendix B to the report entitled, 'Little London and Beeston Hill and Holbeck Housing PFI Project' referred to in Minute No. 180 is exempt in accordance with paragraph 10.4(3) of Schedule 12A (3) of the Local Government Act 1972 on the grounds that it contains commercially sensitive information on the Council's approach to procurement issues, financial information and commercial information in relation to the Preferred Bidder, where the benefit of keeping the information confidential is considered greater than that of allowing public access to the information.

(With regard to (b) and (c) above, as it had not been possible to make available 28 clear days ahead of the meeting a notice detailing the intention to consider the exempt parts of those reports in private, then in line with Regulation 5 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, prior agreement had been obtained from the relevant Scrutiny Board Chairs that the consideration of such matters was urgent and could not reasonably be deferred to the next meeting).

#### **164 Late Items**

With the agreement of the Chair, the following late items of business were admitted to the agenda:-

- (a) 'Leeds Arena: Legal Action: Montpellier Estates Ltd (MEL).' This report had been submitted as a late item of business, as the decision on the legal proceedings between the City Council and MEL was only handed down by the Rt. Hon. Mr Justice Supperstone on 6 February 2013. It was therefore not possible for this report to be included within the formal agenda papers. However, it was deemed appropriate that Board Members were provided with a summary of the main findings of the Hearing at the earliest opportunity and also that there was a need for the Board to determine the approach to be taken regarding the recovery of costs incurred by the Council in the legal action. A matter which could not wait until the next scheduled meeting. (Minute No. 177 refers).
- (b) 'Little London and Beeston Hill and Holbeck Housing PFI Project'. This report had been introduced as a late item of business, as the urgency of the issues and implications of further delays to the project required the immediate consideration of Executive Board. It was determined that

such matters could not be reasonably delayed until the next scheduled meeting of the Board for reasons of good governance and transparency. (Minute No. 180 refers)

**165 Declaration of Disclosable Pecuniary and Other Interests**

Councillor A Carter declared an Other Significant Interest in respect of the item entitled, 'Leeds Arena: Legal Action: Montpellier Estates Ltd. (MEL)', due to his involvement in the Hearing which considered the legal claims made by MEL against the Council. Such involvement arose from the fact that he was the Leader of the Council and Executive Member for Development and Regeneration during the relevant period. In view of this, other than paying tribute to the officers involved, Councillor A Carter did not contribute towards the discussion on this report and did not participate in the voting thereon. (Minute No. 177 refers).

Councillor Mulherin declared an Other Significant Interest in respect of the item entitled, 'Basic Need Programme', due to her position as Chair of Governors at Robin Hood Primary School, which was affected by the proposals detailed within the submitted report. (Minute No. 185 refers).

Councillor Golton declared an Other Significant Interest in respect of the item entitled, 'Response to Deputation to Council – Leeds and District Gardeners' Federation regarding Grow Your Own Food in Leeds and the Costs to the Council of the Allotment Model', due to his involvement with the Leeds and District Gardeners' Federation (Minute No. 172 refers).

A further declaration of interest was made at a later point in the meeting. (Minute No. 172 refers).

**166 Minutes**

**RESOLVED** – That the minutes of the meeting held on the 9<sup>th</sup> January 2013 be approved as a correct record.

**DEVELOPMENT AND THE ECONOMY**

**167 West Park Centre Options Appraisal**

The Director of City Development submitted a report regarding the future of the West Park Centre in the context of the outcome of the consultation undertaken with users and the current health and safety issues which led to the temporary closure of the building in November 2012.

Following the consultation undertaken to date, an options appraisal had been drawn up resulting in the following 5 options being identified in respect of the future of the West Park Centre:-

- Option 1 – Retention of the West Park Centre building in its entirety.
- Option 2 – Partial demolition of the West Park Centre and re-opening of the remainder.

- Option 3 – Demolition of the West Park Centre and new facility built on site for Artforms and other existing users.
- Option 4 – Demolition of the West Park Centre and decant to alternative premises elsewhere.
- Option 5 - Demolition of the West Park Centre and decant city wide services elsewhere with a local community facility developed on the existing site.

The Executive Member for Development and the Economy highlighted the significant number of representations which had been made on this issue and undertook to ensure that discussions would be held with all main users of the centre. The Board acknowledged that a swift, but considered response to this matter was required, in order to ensure that the most appropriate option was progressed.

**RESOLVED –**

- (a) That the contents of the submitted report be noted.
- (b) That approval be given for officers to further develop options 2 and 5, as outlined above and as detailed within the submitted report, in consultation with potential users, with a report being submitted to Executive Board in April 2013 with detailed proposals and costs.
- (c) That the proposal to dispose of part of the West Park site that is implicit to the delivery of either options 5 or 2, as outlined above and as detailed within the submitted report, be noted.
- (d) That it be approved that the boundary between land to the immediate East of the West Park Centre and the site for the Queen Elizabeth II Fields In Trust scheme follows the existing fence line and site boundary, as detailed within Appendix 1 to the submitted report.

**ADULT SOCIAL CARE**

**168 Transforming Day Provision for People with Mental Health Needs**

Further to Minute No. 163, 11th February 2011, the Director of Adult Social Services submitted a report providing information on the outcome of the extensive consultation exercise undertaken in respect of the transformation programme which had been requested by the Board. In addition, the report made recommendations for the proposed Mental Health Recovery Service for Leeds and also in respect of proposals regarding the asset bases. Finally, the report provided information on the future commissioning of the voluntary sector mental health services.

The Executive Member for Adult Social Care thanked the Mental Health Advisory Board for the valuable work which it had undertaken on this issue,

whilst Members welcomed the content of the report and the process by which the proposals within it had been drawn up.

**RESOLVED –**

- (a) That the contents of the submitted report and the very extensive and wide ranging consultation undertaken, be noted.
- (b) That the implementation of the proposed Mental Health Recovery Service model, as described in the submitted report, be agreed.
- (c) That the proposals in respect of the asset bases be agreed as follows:
  - Lovell Park to become a mental health hub;
  - Stocks Hill co-locates with partner organisation/s;
  - The service currently delivered from The Vale moves to Tunstall Road and The Vale is declared surplus to requirements for ASC. Consideration of use of a proportion of the capital receipt to fund improvements to Stocks Hill should be given once the service configuration is defined.
- (d) That the implementation of the proposals be agreed, together with a move towards the new model from April 2013 through to December 2013.

**RESOURCES AND CORPORATE FUNCTIONS**

**169 Financial Health Monitoring 2012/13 - Month 9 report**

The Director of Resources submitted a report setting out the Council's projected financial health position for 2012/13 after nine months of the financial year.

Given the unprecedented financial circumstances that the Council currently faced, the Chair thanked all of the officers who had contributed towards the Council's current position, which was an overall projected underspend of £600,000.

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

**170 Revenue Budget 2013/2014 and Capital Programme**

- (A) Leeds City Council Revenue Budget and Council Tax 2013/2014  
Further to Minute No. 126, 12th December 2012, the Director of Resources submitted a report on the proposals for the City Council's Revenue Budget for 2013/2014, on the Leeds element of the Council Tax to be levied in 2013/2014 and on Council House rents for the same period, which had been prepared in the context of the Council's initial budget proposals agreed by Executive Board in December 2012 and the Local Government Finance Settlement.

Members welcomed the proposal to freeze the Leeds element of the Council Tax for 2013/14, so that it remained the same as the 2012/13 level.

A request was made that the Council ensured that the provision of resource was equitably distributed across all communities throughout the city.

In conclusion, the Chair highlighted the very significant budgetary challenges that the Council continued to face and emphasised the all-party representations which had been made to Government in respect of the Local Government Finance Settlement which had been allocated to Leeds.

**RESOLVED –**

- (a) That Council be recommended to approve the Revenue Budget for 2013/14 totalling £583,925,000 as detailed and explained within the submitted report and accompanying papers, with no increase in the Leeds' element of the Council Tax for 2013/14.
  - (b) That Council be recommended to approve grants totalling £123,000 to be allocated to Parishes, as detailed within paragraph 6.7 of the submitted report.
  - (c) That in respect of the Housing Revenue Account, Council be recommended to: -
    - (i) approve the budget at an average rent increase figure of 5.9%;
    - (ii) increase the charge for garage rents to £6.78 per week (based on 52 rent weeks);
    - (iii) increase service charges in line with rents (5.9%).
  - (d) That it be agreed that the line of eligibility for adult community care services remains unchanged for 2013/14.
- (B) Capital Programme Update 2013-2016  
The Director of Resources submitted a report setting out the updated Capital Programme for 2013-2016 which included details of forecast resources for that period.

**RESOLVED –**

- (a) That the following be recommend to Council:-
  - (i) That the Capital Programme, as attached to the submitted report, be approved;
  - (ii) That the Executive Board be authorised to approve in year amendments to the Capital Programme, including

transfers from and to the reserved programme in accordance with Financial Procedure Rules; and

- (iii) That the proposed Minimum Revenue Provision (MRP) policies for 2013/2014, as set out within paragraph 3.6 of the submitted report and as explained in Appendix E, be approved.
  - (b) That approval be given to the list of land and property sites shown in Appendix D to the submitted report, being disposed of in order to generate capital receipts for use in accordance with the MRP policy.
  - (c) That the Director of Resources be authorised to manage, monitor and control scheme progress and commitments in order to ensure that the programme is affordable.
- (C) Treasury Management Strategy 2013/2014  
The Director of Resources submitted a report setting out the Treasury Management Strategy for 2013/2014 and the revised affordable borrowing limits under the prudential framework. In addition, the report also provided a review of strategy and operations in 2012/2013.

**RESOLVED –**

- (a) That approval be given to the initial treasury strategy for 2013/2014, as set out within Section 3.3 of the submitted report, and that the review of the 2012/13 strategy and operations, as set out within Sections 3.1 and 3.2 of the submitted report, be noted.
- (b) That Council be recommended to set the borrowing limits for 2012/13, 2013/14, 2014/15 and 2015/16, as detailed within Section 3.4 of the submitted report.
- (c) That Council be recommended to set the treasury management indicators for 2012/13, 2013/14, 2014/15 and 2015/16, as detailed within Section 3.5 of the submitted report.
- (d) That Council be recommended to set the investment limits for 2012/13, 2013/14, 2014/15 and 2015/16, as detailed within Section 3.6 of the submitted report.

(The matters referred to in Minute Nos. 170 (A)(a)-170(A)(c)(iii), 170(B)(a)(i)-170(B)(a)(iii) and 170(C)(b)-170(C)(d) being matters reserved to Council, were not eligible for Call In)

(Under the provisions of Council Procedure Rule 16.5, Councillors A Carter and Golton required it to be recorded that they respectively abstained from voting on the decisions referred to within Minute No. 170(A))

**171 2011 Census - Leeds: The Big Picture**

The Assistant Chief Executive (Customer Access and Performance) submitted a report providing a summary of the city-wide 2011 Census results, highlighting some of the issues emerging from the results and advising of future data releases and proposals for analysis.

**RESOLVED –**

- (a) That the issues emerging from 2011 Census be noted.
- (b) That the "Leeds: Big Picture" document be recommended to be received by all Scrutiny Boards and Directorates, with a request for them to consider what the data might mean for their service areas.
- (c) That it be recommended that future locality based assessments be referred to Area Committees for their consideration.

**ENVIRONMENT**

**172 Response to Deputation to Council - Leeds and District Gardeners Federation regarding Grow Your Own Food in Leeds and the costs to the Council of the Allotment Model**

The Director of Environment and Neighbourhoods submitted a report responding to the deputation presented to Council on the 14<sup>th</sup> November 2012 by the Leeds and District Gardeners Federation in respect of growing your own food in Leeds and the costs to the Council of the Allotment Model.

Members welcomed the ongoing dialogue which was taking place with the Federation, highlighted the demand which existed for allotment plots throughout Leeds and acknowledged the positive impact that allotment gardening and initiatives such as 'Feed Leeds' had upon public health levels and residents' access to greenspace.

**RESOLVED –** That the contents of the submitted report in response to the deputation from the Leeds And District Gardeners' Federation be noted.

(Councillor A Carter declared an Other Significant Interest in relation to this item, due to his position as President of the Calverley Horticultural Society)

**173 Sustainable Communities Investment Programme - Cross Green and Nevilles**

The Director of Environment and Neighbourhoods submitted a report providing details on the proposals for a programme to deliver energy efficiency works to homes and environmental improvements in the neighbourhoods of Cross Green and the Nevilles.

Members highlighted the need for investment within the Cross Green and the Nevilles neighbourhoods and welcomed the positive impact that the proposals within the submitted report would have. In addition, Members emphasised the



need for such investment initiatives to be undertaken in a comprehensive and cohesive manner, in order to ensure that the resulting improvements were maximised and also sustainable.

A request was made that the Economic Initiatives Programme was made more accessible, in order to ensure that all communities throughout the city which could potentially benefit from it, could be considered as part of the Programme in the future.

**RESOLVED –**

- (a) That the contents of the submitted report be noted.
- (b) That the programme and project proposals for the Sustainable Communities Investment Programme for the Cross Green and the Nevilles Neighbourhoods be agreed.
- (c) That the investment of £5,000,000 from the Economic Initiatives Capital Programme for the delivery of the projects outlined in the submitted report be agreed.
- (d) That the management of the programme be delegated to the Director of Environment and Neighbourhoods, with further details on the major projects being received by the Board in due course.

**DEVELOPMENT AND THE ECONOMY**

**174 Bridgewater Place Wind Mitigation Measures**

The Director of City Development submitted a report providing an update on the current position regarding discussions with the owners of Bridgewater Place and advising on the results from the latest round of wind tunnel testing on the preferred building modification measures and their implications for the development of a mitigation scheme. In addition, the report informed of the interim measures which were being taken and potential future mitigation proposals within the highway to improve wind issues, whilst also seeking support for the current proposals and the potential financial implications for pursuing this option. Finally, the report provided an update on the ongoing Inquest into the death of Dr Slaney.

Following consideration of Appendix 4 to the submitted report, designated as exempt under Access to Information Procedure Rule 10.4(5), which was considered in private at the conclusion of the meeting, it was

**RESOLVED –**

- (a) That the contents of the submitted report in terms of the background information, interim mitigation solutions on the ground and work in progress towards a comprehensive solution, be noted.
- (b) That the continued development of work towards an agreed and deliverable solution to the wind issue be endorsed.

- (c) That in principle support be given to the proposed baffles above the highway on Water Lane, with Authority to Spend being given for the sum of £245,000 for continued wind testing, legal support, highway officer time and engineering design work in order to enable a detailed design to be provided for a baffle solution.
- (d) That a further report be brought back to Executive Board to cover the details of the design of the baffles and the cost of implementing them.

**175 Proposed Extension to the Hours of Pedestrianisation of the Leeds City Centre Retail Core**

The Director of City Development submitted a report in relation to the principle of extending the hours of pedestrianisation within the city centre's pedestrianised core.

The Board acknowledged the broad retail offer provided by Leeds, when compared with other city centres, and in connection with this, it was noted that the initial concerns held by a specific Member in respect of the proposals had now been addressed.

**RESOLVED –**

- (a) That support for the principle of extending the hours of pedestrianisation in the city centre be agreed.
- (b) That it be agreed that the proposed extension in pedestrianised hours from the current window of 10:30 – 16:30 to 10:30 until 20:00, seven days a week, is subject to statutory consultation for at least 21 days.
- (c) That a report be submitted to the Board following the conclusion of the statutory consultation period in order to consider any final proposals brought forward.

**176 High Speed Rail Phase 2 (HS2) Announcement, 28 January 2013**

The Director of City Development submitted a report advising on the proposals announced by the Government in respect of Phase 2 of the High Speed Rail (HS2) project contained within their Command Paper entitled, 'High Speed Rail: Investing in Britain's Future Phase Two - The route to Leeds, Manchester and beyond'.

Members welcomed the investment in the rail infrastructure and the resultant benefits that the HS2 initiative would bring to the region. However, it was emphasised that for the benefit of those communities which may be affected by the initiative, some certainty needed to be gained in respect of HS2's final route.

Members highlighted that all actions needed to be taken to ensure that the western route was developed at the earliest opportunity.

In conclusion, it was requested that in order to mitigate any potential impact and minimise uncertainty, the HS2 team be approached, with a view to facilitating greater levels of communication between HS2 and the affected communities.

**RESOLVED –**

- (a) That the Government's announcements for Phase Two of the proposed high speed rail network be welcomed.
- (b) That the content of the submitted report and the Government's proposals for taking the project forward, as published in the Command Paper, be noted.
- (c) That a further report be received at a future Executive Board concerning the Council's intentions for response, once the Government's timetable for formal consultation is known.
- (d) That the importance of early investment in the transport infrastructure at Leeds Rail Station be acknowledged, together with the fact that the rail network will be essential to making the city ready for HS2.

**177 Leeds Arena: Legal Action: Montpellier Estates Ltd**

The Director of City Development submitted a report summarising the main findings of the judgement handed down by the Right Honourable Mr Justice Supperstone (Mr Justice Supperstone) on 6th February 2013, concerning the two actions brought by MEL against the Council relating to the competition held by the Council in 2007 and 2008 for the development of the Leeds arena. In addition, the report also outlined the proposed action to be pursued in order to recover costs incurred by the Council in successfully defending the claims brought by MEL against Leeds City Council.

Duncan Hope, of DWF LLP solicitors, was in attendance in order to provide the Board with a brief summary of the case and the resultant judgement, as the company had been retained by the Council in order to advise on the case.

On behalf of the Council, the Board and the Chief Executive placed on record their appreciation and gratitude to all of those who had been required to give evidence on behalf of the Council throughout the case. Members highlighted the professional manner in which they had conducted themselves and impeccably represented the people of Leeds. In paying tribute to those officers involved, the Board did not only thank those who were still employed by the Council, but also highlighted those individuals who had since retired.

Following consideration of Appendix 1 to the submitted report, designated as exempt under Access to Information Procedure Rule 10.4(3) and (5), which was considered in private at the conclusion of the meeting, it was

**RESOLVED –**

- (a) That the contents of the submitted report be noted.
- (b) That the Director of Resources, in consultation with the City Solicitor, be instructed and authorised to take all appropriate measures to ensure that the City Council maximises the costs recovered in successfully defending the claims brought by Montpellier Estates Ltd against the City Council.

(The matters referred to within this minute were not eligible for Call In, due to the strict timescales to which the appeals procedure operates and the timing of any application for costs needs to be made, and should an appeal be formally lodged by MEL, then the Council would need to respond without delay)

**NEIGHBOURHOODS, PLANNING AND SUPPORT SERVICES**

**178 The Community Infrastructure Levy - Preliminary Draft Charging Schedule**

Further to Minute No. 156, 14<sup>th</sup> December 2011, the Director of City Development submitted a report recommending the rates to be set in the Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule, for the purposes of public consultation. In addition, the report outlined how such rates had been determined, including the range of supporting evidence and the requirements of the CIL Regulations.

As part of a question and answer session, officers provided Members with responses to a number of specific enquiries.

With regard to future infrastructure funding, Members highlighted the demands currently being placed upon the provision of schools, and the need to ensure that there was sufficient resource allocated to this area.

The Chief Executive highlighted the integral role of Parish and Town Councils in the CIL process, and suggested that such organisations were engaged at the earliest opportunity during the consultation exercise.

**RESOLVED –**

- (a) That the CIL rates in the Preliminary Draft Charging Schedule, including the charging zone boundaries, be agreed.
- (b) That the scope of the evidence base and associated documents supporting the setting of the CIL rates be agreed.
- (c) That approval be given to proceed with 6 weeks of formal public consultation on the Preliminary Draft Charging Schedule.

### **179 Housing Revenue Account Business Plan Update 2013**

The Director of City Development and the Director of Environment and Neighbourhoods submitted a joint report setting out the main strategic priorities and progress that had been made in developing the Housing Revenue Account Business Plan.

#### **RESOLVED –**

- (a) That the progress made in delivering the self-financing HRA Business Plan be noted together with the priorities identified for managing the future Council Housing service priorities.
- (b) That the strategic priority to increase the supply of affordable housing in Leeds be agreed via:
- Local authority new build.
  - Working in partnership with private Registered Providers to release HRA sites to develop and deliver new build.
  - Disposal of HRA land to the private sector and the use of capital receipts to develop affordable housing.
  - Bringing local authority empty properties back into use.
  - Acquiring private properties into the HRA.
- (c) That it be noted that during the course of the year, future reports setting out future years strategies and modelling will be brought forward to the Executive Board.

### **180 Little London and Beeston Hill and Holbeck Housing PFI Project**

Further to Minute No. 40, 18<sup>th</sup> July 2012, the Director of Environment and Neighbourhoods submitted a report providing an update on the current position of the Little London and Beeston Hill and Holbeck PFI Housing project and detailing a chronology of its delayed procurement. In addition, the report also set out the actions that the Council was taking to secure other improvements in the project areas in advance of and alongside the PFI works.

In presenting the report, the Executive Member for Neighbourhoods, Planning and Support Services highlighted the frustration which had been felt by the Council, and those tenants and residents within the project areas, following receipt of the confirmation in January 2013 that the Treasury was no longer willing to accept the financial terms negotiated for the funding of the PFI project. The Executive Member then paid tribute to all of the officers involved for the swift progress which had been made on this issue since late January 2013 and highlighted that it was hoped a financial close could be achieved by July 2013.

Following consideration of Appendix B 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 Council's continued commitment to securing PFI housing investment for the neighbourhoods of Little London, Beeston Hill and Holbeck be confirmed.
- (b) That the current position on procurement of the project and the delays in reaching Financial Close be noted, and that approval be given for the strongest possible representations to be made to Government in clarifying and resolving its new requirements.
- (c) That the separate regeneration projects that are underway or planned in the Beeston Hill, Holbeck and Little London areas be noted and supported.
- (d) That the first call on the capital receipt from the sale of land at the Little London Community Hub be made to fund the relocation of the Neighbourhood Housing Office and reprovision of new community centre facilities.
- (e) That a further report setting out the confirmed financial position and a revised programme for financial close be reported to Executive Board at the earliest opportunity.

**ADULT SOCIAL CARE**

**181 Older People's Housing and Care**

The Director of Adult Social Services, the Director of City Development and the Director of Environment and Neighbourhoods submitted a joint report seeking approval for the implementation of a holistic, city-wide approach towards increasing and improving the range of accommodation for older people available in Leeds. The report also outlined a co-ordinated programme of activity which had been developed across the directorates of City Development, Adult Social Services and Environments and Neighbourhoods.

**RESOLVED –**

- (a) That the requirements for specialist accommodation for older people be noted.
- (b) That support be given to the approach to investment outlined within sections 3.3-3.98 of the submitted report which includes delivery through working with housing associations and independent providers, bidding for external funding support and some direct investment in new build housing.

- (c) That the principle of the Council disposing of the sites (subject to consultation where necessary) listed at Appendix of the submitted report (sections 1.5,2.4 and 3.4) for extra care accommodation be agreed, with a further approval being sought from Executive Board for a less than best disposal, should this be required following marketing.
- (d) That the release of sites at Appendix 1 and Appendix 2 (section 3.5) of the submitted report be agreed (subject to consultation where necessary) for the purpose of disposal on the open market, with the Board noting the potential to ring fence the receipts to support the delivery of the programme and the requirement for separate Executive Board approval.

**182 Better Lives for the people of Leeds - Residential Care for Older People**  
Further to Minute No. 67, 7<sup>th</sup> September 2011, the Director of Adult Social Services submitted a report on the progress made in respect of implementing the options which had been approved by Executive Board in September 2011 regarding long term residential care and outlining the vision for the future delivery of services in order to meet the needs of future generations of older people.

Responding to a Member's concerns, assurances were provided specifically around the geographical proximity of the sites involved, with confirmation also being provided that the consultation exercise would be meaningful and comprehensive. In addition, the Board was provided with reassurances around the timeliness of the consultation exercise and how it fitted into the Council's budget setting process.

Members highlighted the importance of ensuring that there was a mixed economy of residential care provision in Leeds, in order to ensure that it remained sustainable.

**RESOLVED –**

- (a) That the content of the submitted report be noted, with the progress made so far in implementing the options approved by the Executive Board in September 2011 on the future of the Council's residential care homes being recognised.
- (b) That having noted that detailed consultation with those directly affected took place as part of the 'Future Options for Long Term Residential and Day Care for Older People' review in 2011, approval be given for the commencement of formal statutory consultation on the proposed options, as outlined within paragraph 5 of the submitted report, to be carried out in the same way. (This will also take into account the benefits from lessons learned and the insights gained from the consultation undertaken in 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)

- 183 Better Lives for the people of Leeds - Day Centres for Older People**  
Further to Minute No. 67, 7<sup>th</sup> September 2011, the Director of Adult Social Services submitted a report on the progress which had been made in delivering the options approved by Executive Board in September 2011 in respect of Day Care services for older people. In addition, the report also sought the Board's approval to undertake a formal consultation exercise on the proposed options for the future of those day centres where no recommendations had been made as part of the first phase of this programme.

**RESOLVED –**

- (a) That the contents of the submitted report be noted with the progress made so far in implementing the options approved by the Executive Board in September the future of the Council's day centres for older people being recognised.
- (b) That having noted that detailed consultation with those directly affected took place as part of the 'Future Options for Long Term Residential and Day Care for Older People' review in 2011, approval be given for the commencement of consultation on the proposed options, as outlined within paragraph 5 of the submitted report, to be carried out in the same way. (This will also take into account the benefits from lessons learned and the insights gained from the consultation undertaken in 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)

**CHILDREN'S SERVICES**

- 184 Response to the Deputation to Council from Leeds Students Unions regarding the Council's Support for Current and Future Students of Leeds in 3 Areas: Education, Employment and Empowerment**

The Director of Children's Services submitted a report responding to the deputation presented to Council on 14<sup>th</sup> November 2012 by the Leeds University Union, Leeds Trinity Students' Union and Leeds Metropolitan Students' Union in respect of the Council's support for current and future students of Leeds in the three areas: namely, education, employment and empowerment.

The Executive Member for Children's Services paid tribute to the work of the Leeds Students' Unions in addressing the issues faced by students in the fields of education, employment and empowerment.

Members briefly discussed the availability of data illustrating the number of Leeds City Region students from disadvantaged backgrounds who had made applications to access Higher Education for the forthcoming academic year.



**RESOLVED –**

- (a) That support be given to an ongoing dialogue between officers and universities/colleges, both individually and collectively through the Higher Education Access: Rewarding Transforming (HEART) structures, in order to monitor and assess the impact of national funding changes and local and regional policies on the economic and social contribution students make to the city.
- (b) That support be given to the investigation of potential new channels for improving dialogue with HE students and the development of new opportunities for students to engage with schools and local communities through volunteering.
- (c) That the range of developments and initiatives already in place to support progression to higher education be noted, together with the work being undertaken to develop alternative routes to gain higher level qualifications.

**185 Basic Need Programme: (A) Permission to Consult on a Further Round of School Place Expansions for 2014 and (B) Design and Cost Report for Morley Newlands Primary School**

The Director of Children's Services submitted a report on two elements of the Basic Need Programme. Specifically, the report sought permission to undertake consultation on a further phase of school expansions, whilst it also sought approval to incur expenditure in respect of proposals to redevelop Morley Newlands Primary School to provide a new three form entry school to replace the existing two form entry primary school.

**RESOLVED –**

- (a) That the consultation exercises regarding the following proposals be approved:
  - to expand Allerton Bywater Primary School from a capacity of 210 pupils to 420 pupils with an increase in the admission number from 30 to 60 with effect from September 2014;
  - to expand Asquith Primary School from a capacity of 210 pupils to 420 pupils with an increase in the admission number from 30 to 60 with effect from September 2014;
  - to expand St Francis Catholic Primary School Morley from a capacity of 154 pupils to 210 pupils with an increase in the admission number from 22 to 30 with effect from September 2014;
  - to expand East Ardsley 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 Robin Hood 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 lower the age range of Hollybush Primary School from 5 to 11 to 3 to 11.
- (b) That expenditure of £9,396,800 from capital scheme number 16505 NEW 000 be authorised to fund the project to expand and rebuild Morley Newlands Primary School as part of Children’s Services Basic Need programme.

**186 Annual Standards Report (Early Years Foundation Stage, Primary and Secondary Schools)**

The Director of Children’s Services submitted a report summarising the achievement of learners at all Key Stages in 2012 and the good progress which had been made in Early Years Foundation Stage and primary and secondary education in Leeds. In addition, the report also outlined the action taken by the Council to fulfill its responsibilities to support, monitor, challenge and intervene as necessary.

By way of introduction to the report, the Executive Member for Children’s Services highlighted that across all key stages of learning, the standards achieved in 2012 had been the highest ever recorded in the city. The Executive Member paid tribute to all of the young people and staff throughout Leeds who had contributed towards this achievement, however, it was emphasised that work would continue via the Leeds Education Challenge to ensure that the progress continued.

Responding to a Member’s enquiry, officers undertook to provide Executive Board Members with Leeds’ data comparative with Core Cities, rather than that which related to the national level or statistical neighbours, as detailed within the submitted report.

Reference was made to the national GCSE English re-grading issue and its impact upon schools and individuals across the city, whilst Members specifically noted the positive progress being made with Looked After Children in Leeds.

**RESOLVED** – That the Board endorse and support the following:

- The progress that has been made at all key stages and the areas that need further improvement;
- The future provision of support, challenge and intervention in Leeds to ensure that progress continues to be made;
- The further development of the Leeds Education Challenge in securing improvement.

**187 Updated Statement of Purpose for the Private Fostering Service, Leeds City Council**

The Director of Children's Services submitted a report which sought approval of the revised Statement of Purpose in respect of Leeds City Council's Private Fostering Service.

The Board discussed the timing of this report and in response to a Member's specific enquiry, officers undertook to provide the Member in question with data regarding the number of young people in Leeds who were privately fostered.

**RESOLVED** – That Leeds City Council's Statement of Purpose for Private Fostering Services 2012-2013 be approved.

**188 Behaviour, Emotional and Social Difficulties (BESD) - Permission to consult on BESD school expansions for January 2014**

The Director of Children's Services submitted a report requesting permission to consult on the proposed expansion of two Specialist Inclusive Learning Centres, proposed to take effect from January 2014, in order to meet the authority's statutory duty to secure sufficient school places for children with statements of SEN which identify a BESD need. The proposals were in parallel with linked plans to decommission the current Key Stage 2 Pupil Referral Unit (PRU), Key Stage 3 PRU and Key Stage 4 PRU, in favour of expanded BESD SILC provision, and greater locality provision by schools and partnerships of schools.

Responding to Members' enquiries, officers undertook to provide the relevant Members with a detailed briefing on several issues arising from the proposals outlined within the submitted report.

**RESOLVED** – That consultation exercises in respect of the following proposals be approved:

- Linked proposals to change the age range of the BESD Specialist Inclusive Learning Centre from 5 to 16 to 11 to 16, and to expand the capacity of the provision from 150 to 230 pupils using sites at Elmete Wood, Stonegate Road, the Burley Park Centre, the Hunslet Gate Centre and the Tinsill Centre with effect from January 2014;
- Proposal to expand the North East Specialist Inclusive Learning Centre (Oakwood Lane) 4-11 BESD provision from a capacity of 30 pupils aged 4-11 to 50 pupils aged 4-11 with effect from January 2014.

**189 Permission to Consult on Proposals to Redevelop the Children's Services Transport Policy and Strategy**

The Director of Children's Services submitted a report which sought permission to move to a phase of public consultation upon the future of the discretionary elements within the current Leeds Children's Services Transport Policy. The consultation proposed would also seek to explore further opportunities to work with partners in order to improve overall provision in support of the Council's ambition to be a Child Friendly City.

In response to an enquiry, the Board was reassured that the proposed consultation exercise was in relation to the discretionary elements of the Children's Services Transport Policy only. However, it was noted that further work may be undertaken in the future in order to ensure that the Council was fulfilling its statutory obligations in this field as effectively as possible.

**RESOLVED –**

- (a) That a period of 28 days public Consultation, to commence on 25<sup>th</sup> February 2013, on the future of the discretionary elements of the Transport Policy, which will support the development of a new Children's Services Transport Policy, be agreed. (This may see the removal or amendment of some or all of the present discretionary aspects of the transport policy from September 2013. The consultation will also seek to explore how the Council can work with partners to enhance the wider offer and maximise opportunities that may be available).
- (b) That it be confirmed that the design and delivery of the consultation exercise should be fully informed by the views of young people, whilst ensuring that all stakeholders are encouraged to participate and to submit their own ideas on the shape, emphasis and delivery of the new policy provisions.

(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)

**190 Permission to Consult on the Proposal to Cease the Provision of School Clothing Allowances**

The Director of Children's submitted a report which outlined the current school clothing allowance scheme, recognised the availability of targeted pupil premium funding to all schools across Leeds and which sought permission to consult upon the proposal to cease the current discretionary school clothing allowance scheme for the start of the school year in September 2013 and the payments which would be paid in advance, mainly in June of 2013.

Members discussed the dialogue taking place with schools regarding the use of the Pupil Premium resource for the purposes of school clothing provision.

**RESOLVED –** That a consultation exercise be undertaken in February 2013 on the proposal to cease the current discretionary school clothing allowance scheme to take effect for the start of the new school year in September 2013 and payable in June of 2013.

(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)

**DATE OF PUBLICATION:** 19<sup>TH</sup> FEBRUARY 2013

**LAST DATE FOR CALL IN  
OF ELIGIBLE DECISIONS:** 26<sup>TH</sup> FEBRUARY 2013 (5.00 PM)

(Scrutiny Support will notify Directors of any items called in by 12.00 p.m. on 27th February 2013)