

EXECUTIVE BOARD

THURSDAY, 9TH MAY, 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

239 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 2 to the report entitled, 'Disposal of Cleared Site in Holbeck to Unity Housing Association', referred to in Minute No. 249 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 information relating to the financial or business affairs of the Council. It is considered that the release of such information would or would be likely to prejudice the Council's commercial interests in relation to the disposal of sites to Housing Associations 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 this transaction and consequently the public interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time. It is therefore considered that this element of the report should be treated as exempt under Access to Information Procedure Rule 10.4 (3).

240 Late Items

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

- (a) 'Leeds LDF Site Allocations Plan: Issues and Options for Public Consultation'. Due to the timescales involved in the Development Plan Panel clearance process, it was not possible for this report and appendices to be circulated with the formal agenda papers. It was therefore submitted as a late item of business. Getting to the current stage of plan preparation had meant a heavy work programme for both officers and Elected Members. Extra meetings of the Development

Plan Panel were scheduled on 9th and 16th April 2013 and Members also agreed to a day of site visits on 18th April 2013. Those extra meetings were held to maintain the progress in developing the Leeds LDF Site Allocations Plan, and with this in mind, in order to maintain such progress, it was recommended that this matter was determined at the 9th May 2013 Executive Board meeting. However, final Development Plan Panel clearance to enable a recommendation to be made to Executive Board was only obtained at a meeting on 30th April 2013. Given this and the need to accommodate any changes arising from the Panel debate on 30th April, it was not possible to meet the statutory publication requirements. (Minute No. 243 referred).

- (b) 'Transfer of School Sites under the Schools Standards and Framework Act 1998 and the Schools Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007'. This report was submitted as a late item of business, because although the report covered all future transfers that may be requested under the act, there was one specific transfer which needed to be progressed by the end of May 2013 in relation to Brodetsky Primary School. Executive Board approval to transfer land under the act was therefore required in May, along with delegation of final approval of the terms of such disposals to the Director of City Development. This was due to the fact that the availability of DfE funding for the new proposed Free School on the Brodetsky Primary School site was conditional upon the remaining land held by the Council being transferred. The DfE would not sign the Funding Agreement that would allow the Brodetsky Jewish Primary School Foundation Trust to commence with construction works as programmed, to develop their free school provision in time for September 2013. Therefore, any significant delays would mean that the opening of the free school would have to be delayed until September 2014. (Minute No. 246 referred).

241 Declaration of Disclosable Pecuniary Interests

There were no Disclosable Pecuniary Interests declared at the meeting, however, in relation to the item entitled, 'Basic Need Programme: Outcome of Consultation on Proposals for Expansion of Primary Provision in 2014 and Permission to Consult on Proposals for the Expansion of Primary Provision in 2015', Councillor Mulherin drew the Board's attention 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. 245 referred).

242 Minutes

RESOLVED – That the minutes of the meeting held on 24th April 2013 be approved as a correct record.

NEIGHBOURHOODS, PLANNING AND SUPPORT SERVICES

243 Leeds LDF Site Allocations Plan - Issues and Options for Public Consultation

Further to Minute No. 250, 16th May 2012, the Director of City Development submitted a report which sought the Board's approval of the Site Allocations material, specifically Volumes 1 and 2 of the Issues and Options documents, as appended to the submitted report, in order to enable a period of public consultation to be undertaken during June and July 2013 on the Site Allocations Plan.

In presenting the report, the Executive Member for Neighbourhoods, Planning and Support Services placed on record his thanks to all officers who had been involved in the development of the Site Allocations documentation for their considerable efforts in getting the documents to this current stage. In addition, the Executive Member also thanked all Councillors who had contributed as part of the associated Elected Member engagement processes which had been undertaken to date.

Correspondence which had been received from Stuart Andrew MP regarding Leeds' housing targets was tabled at the meeting for Board Members' consideration. Responding to the correspondence and also to Members' comments, the Board received information on the reasoning behind the housing targets detailed within the Leeds LDF Site Allocations Plan being consistent with the level of housing need identified within the Core Strategy. In addition, consideration was also given to how the approach proposed in Leeds compared to that being taken by neighbouring Local Authorities.

Also tabled at the meeting was amended wording in respect of paragraph 1.4.3 and section E5 of Volume 2, Housing Market Characteristic Area (HMCA) 1 (Aireborough) regarding Leeds Bradford International Airport. It was recommended that the revised wording was incorporated into the relevant sections of the issues and options document.

In considering the documentation, a question and answer session ensued. The key points raised were as follows:-

- It was noted that Members may have specific concerns regarding individual site allocations proposed, however, it was acknowledged that the purpose of the documentation submitted to the Board was to facilitate early community and stakeholder engagement on a range of options;
- It was emphasised that the site allocations process needed to be progressed at the earliest opportunity in order to enable the Council to produce a Site Allocations Plan which would demonstrate that sufficient land would be available when needed to meet the Core Strategy targets. It was noted that having such arrangements in place would enable the Council to have greater influence and provide greater direction on development throughout the city;
- Members welcomed the fact that the number of site allocations proposed in the 'green' and 'amber' categories was substantially

greater than the residual requirement in each of the HCMAs, thus providing considerable choice for public comment;

- The Board highlighted the need for the proposed public consultation exercise to be robust and genuine, and emphasised the need for all sections of the community to be involved, including young people and the elderly;
- Emphasis was placed upon the need to ensure that the unique character of communities throughout Leeds was retained;
- The importance of the Neighbourhood Planning agenda was highlighted, along with the ways in which the agenda related to the Site Allocations process. In addition, emphasis was also placed upon the efforts being made to support Neighbourhood Planning in Leeds;
- The ambitious nature of the city was highlighted together with the need to ensure that Site Allocations process reflected such ambitions;
- The Board highlighted the vital importance of ensuring that appropriate levels of infrastructure were secured across Leeds, which were in line with demand, catered for all sections of the community and took into consideration the city's changing demographics. With regard to such matters, emphasis was placed upon education, adult social care, transport and health provision respectively.

In conclusion, as part of the ongoing engagement with Members, it was requested that Leaders of all political groups be invited to meet to consider a number of key issues in respect of the Site Allocations process, in particular the methodology and extent of the proposed consultation exercise.

RESOLVED –

- (a) That the Site Allocations Plan Issues and Options documents (Volumes 1 and 2 as appended to the submitted report) be approved for the purposes of public consultation, subject to the inclusion of the updated text which was circulated at the meeting in respect of Leeds Bradford International Airport.
- (b) That as part of the ongoing engagement with Members, Leaders of all political groups be invited to meet to consider a number of key issues in respect of the Site Allocations process, in particular, the methodology and extent of the proposed consultation exercise.

(Under the provisions of Council Procedure Rule 16.5 Councillor Golton required it to be recorded that he abstained from voting on the decisions referred to within this minute)

244 Implementation of an Area Lead Member Role

Further to Minute No. 139, 12th December 2012, the Assistant Chief Executive (Customer Access and Performance) submitted a report providing details of the proposed formation of Area Lead Roles following the recent consultation exercise which has been undertaken. The main aim of re-launching the roles was to provide clarification around the roles themselves, strengthen links to Executive Members and Council services, improve training, whilst also supporting and encouraging both formal and informal links with relevant

partners. In addition, the report recommended that Area Committees appoint to those roles in the new municipal year.

RESOLVED – That approval be given to the proposals contained within the submitted report for Area Committees to appoint Area Lead Members for the 2013/2014 municipal year, in accordance with a number of defined roles to be presented at the Annual Meeting of Council on 20th May 2013.

CHILDREN'S SERVICES

245 Basic Need Programme: Outcome of consultation on Proposals for Expansion of Primary Provision in 2014 and Permission to Consult on Proposals for the Expansion of Primary Provision in 2015

The Director of Children's Services submitted a report outlining proposals which were designed to meet the local authority's duty to ensure sufficiency of school places. The report was divided into two parts: Part A detailed the outcomes from the public consultation exercise on the expansion of primary provision across the city for September 2014, and made recommendations for the next steps for each of the proposals, whilst Part B sought the Board's permission to commence a public consultation exercise upon the proposals for the expansion of primary provision in the city from September 2015.

With regard to the proposals, Members highlighted the considerable demand being placed on specific schools highlighted within the submitted report.

Responding to a Member's enquiry, reassurance was provided in respect of the timescales by which proposals addressing primary provision in Farnley would be submitted to the Board.

Members commented upon the Council's Schools Admissions Policy, specifically regarding the way in which the distance between an individual's home and school was measured, and whether consideration was given to transport barriers between an individual's home and school. In response, reassurance was provided that work was currently being undertaken on the Policy to ensure that it was as clear and accessible as possible.

RESOLVED –

- (a) That the publication of a statutory notice for the expansion of 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, be approved.
- (b) That the publication of a statutory notice for the expansion of 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, be approved.
- (c) That the publication of a statutory notice for the expansion of Morley St Francis Catholic Primary School 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, be approved.

- (d) That the publication of a statutory notice for the expansion of 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, be approved.
- (e) That the publication of a statutory notice for the expansion of 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, be approved.
- (f) That the publication of a statutory notice to lower the age range of Hollybush Primary School from 5 to 11 to 3 to 11, be approved.
- (g) That permission be given to consult upon the expansion of Pudsey Primrose Hill 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 2015;
- (h) That permission be given to consult upon a linked proposal to expand Guiseley Infant and Nursery School from a capacity of 270 pupils to 420 pupils and raise the age range from 3 to 7 to 3 to 11 with effect from September 2015;
- (i) That permission be given to consult upon a linked proposal to expand St Oswald's Church of England Junior School from a capacity of 360 pupils to 420 pupils and lower the age range from 7 to 11 to 5 to 11 with effect from September 2015.

246 Transfer of School Sites under the Schools Standards and Framework Act 1998 and the Schools Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007

The Director of Children's Services and the Director of City Development submitted a joint report which sought in principle approval for the transfer of land to Applicant Schools under the control of Leeds City Council, in accordance with the relevant legislation. In addition, the report also sought approval for the necessary authority to be delegated to the Director of City Development which would enable him to approve the detailed terms for such transfers, in consultation with Director of Children's Services, Executive Member for Children's Services and appropriate Ward Members.

RESOLVED –

- (a) That the transfer of Council owned land to Applicant Schools, as set out within the submitted report, be approved, and that the Director of City Development, in consultation with the Director of Children's Services, the Executive Member for Children's Services and appropriate Ward Members, be delegated the necessary authority to approve the detailed terms of the transfers.

- (b) That the principal of transferring land in the ownership of the Council (and which an Applicant School may call for) to the Controlling Body, be approved on the basis set out within the submitted report, and that final approval of the terms of such disposals be delegated to the Director of City Development.

RESOURCES AND CORPORATE FUNCTIONS

247 Executive and Decision Making Procedure Rules

The Head of Governance Services submitted a report setting out proposed amendments to the Executive and Decision Making Procedure Rules intended to reflect the Council's current practice and procedure in relation to executive decision making, as amended in light of the enactment of the Local Authorities (Executive Arrangements) (Meetings and Access to Information)(England) Regulations 2012.

RESOLVED – That Rules 1.1 to 1.4, 2.1 and 3.1 of the Executive and Decision Making Procedure Rules, as set out within Appendix A to the submitted report, be approved.

HEALTH AND WELLBEING

248 Response to Deputation - Health and Wellbeing of people living in Hyde Park and the need for local Schools and Community to access Sports and Leisure Facilities

Further to Minute No. 125, 12th December 2012, the Director of Public Health and the Chief Planning Officer submitted a joint report responding to the deputation presented to the full Council meeting on 12th September 2012 from the Hyde Park Olympic Legacy Committee regarding the health of people in Hyde Park and the need for local schools and community to access decent sports facilities. This report followed the initial consideration of this matter at the December 2012 Executive Board meeting.

In presenting the report, the Executive Member for Health and Wellbeing requested that the second sentence within paragraph 5.1 of the submitted report be amended, so that it read, 'However, in a planning context officers are mindful that refusal of the Victoria Road application would not automatically serve to enhance local sports provision or community health as desired'.

Responding to a Member's enquiry, officers provided the Member in question with the current position regarding local primary schools' access to local sports facilities, including those referenced by the deputation.

RESOLVED –

- (a) That the inclusion of the amendment to paragraph 5.1 of the submitted report (as detailed above) be agreed.
- (b) That it be noted and acknowledged that the area in question has a deficiency in sports facilities and pitches. In addition, whilst

recognising the role of the Local Planning Authority, the Board's support be given to the principle of enhancing opportunities for the local community to engage in physical activity in order to improve health and wellbeing in the area.

DEVELOPMENT AND THE ECONOMY

249 Disposal of Cleared Site in Holbeck to Unity Housing Association

The Director City Development submitted a report which sought approval to dispose of a cleared site in Holbeck at less than best consideration and on the basis of a "one to one" negotiation with Unity Housing Association. The report noted that the disposal of the specified site would facilitate the development of an affordable housing scheme in a priority regeneration area of the city.

The proposals detailed within the submitted report were welcomed, as it was noted that such proposals would provide much needed accommodation and would also assist with the regeneration of the area.

Following consideration of Appendix 2 to the submitted report, designated as exempt under the provisions of Access to Information Procedure Rule 10.4(3), which was considered in private at the conclusion of the meeting, it was

RESOLVED –

- (a) That a proposal to dispose of a cleared site in Holbeck, as identified at Appendix 1 to the submitted report, be approved, on the basis of a "one to one" negotiation with Unity Housing Association at a less than best consideration, on the terms detailed within exempt Appendix 2 to the submitted report.
- (b) That the necessary authority be delegated to the Director of City Development (with the power to sub delegate) in order to approve the detailed terms of the sale.

250 A58 Inner Ring Road Essential Maintenance Scheme

Further to Minute No. 237, 11th April 2012, the Director of City Development submitted a report providing an update on the progress made in respect of the A58M Leeds Inner Ring Road Essential Maintenance Scheme. In addition, subject to Full Approval from the Department for Transport, the report also sought authority to incur expenditure for the construction stage of the Woodhouse Tunnel Strengthening Scheme.

Responding to a Member's enquiry, clarification was provided to the Board regarding the Department for Transport approvals process.

RESOLVED –

- (a) That the update provided in the submitted report, including the substantial completion of New York Flyover and Lovell Park Bridge, be noted.

- (b) That it be noted that a contractor has been appointed for Woodhouse Tunnel and is currently utilising Early Contractor Involvement to look at the optimum solution for delivery, and also to feed into the Full Approval process.
- (c) That subject to Full Approval by the Department for Transport, expenditure of up to £19,483,000 be authorised in order to implement the construction phase for Woodhouse Tunnel.

DATE OF PUBLICATION: 13TH MAY 2013

**LAST DATE FOR CALL IN
OF ELIGIBLE DECISIONS:** 20TH MAY 2013 (5.00 P.M.)

(Scrutiny Support will notify Directors of any items called in by 12.00 p.m. on the 21st May 2013)