

EXECUTIVE BOARD

22ND MARCH 2006

PRESENT: Councillor A Carter in the Chair
Councillors D Blackburn, J L Carter, Harrand,
Harris, Jennings, J Procter, Smith and Wakefield

Councillor Blake – Non-voting advisory member

222 **Substitute Member**

Under the terms of Executive Procedure Rule 2.3 Councillor Bentley was invited to attend the meeting on behalf of Councillor Harker

223 **Exclusion of the Public**

RESOLVED – That the public be excluded from the meeting during consideration of Appendix 1 to the report referred to in minute 229 and Appendix 1 to the report referred to in minute 240 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 or confidential information, defined in Access to Procedure Rules as indicated in the minute.

224 **Declarations of Interest**

Councillors Smith and Wakefield declared personal and prejudicial interests in the item relating to Ensuring a Patient-Led NHS (minute 233) and personal interests in the item relating to Our Health, Our Care, Our Say (minute 234) as non-executive members of the South and East Leeds PCTs respectively.

Councillor Harris declared personal and prejudicial interests in the items relating to Review of Cemeteries and Crematoria (minute 247) in relation to Jewish community interests in this matter and Discretionary Licensing of the Private Rented Sector (minute 243) as an owner of rented property.

Councillors Blake and Harrand declared personal interests in the items relating to Ensuring a Patient-Led NHS (minute 233) and Our Health, Our Care, Our Say (minute 234) as members of the Making Leeds Better Board.

Councillor Jennings declared a personal interest in the item relating to Review of Cemeteries and Crematoria (minute 247) having a family plot at Lawnswood Cemetery.

Councillor D Blackburn declared a personal interest in the item relating to Community Centres (minute 245) as a member of a community centre management board.

All members present declared personal interests in relation to school performance matters as referred to in minutes 229,230 and 231 as governors of schools referred to in those reports.

225 Beacon Status for Procurement Services

The Chair reported that the Council's Procurement Service had been awarded Beacon status.

RESOLVED – That procurement staff be congratulated on this achievement.

226 Minutes

The Director of Legal and Democratic Services reported that subsequent to the February meeting Councillors A Carter, Harris and J Procter had accepted advice that the personal interests which they had declared in relation to minute 209 (Leeds City Council's Shareholding in Leeds/Bradford International Airport) were in fact personal and prejudicial interests and that as they had remained in the room during consideration of the matter it would now be appropriate that the matter be reconsidered at this meeting (minute 248)

RESOLVED - That the minutes of the meeting of the Board held on 17th February 2006 be approved subject to a correction in part (d) of minute 217 to replace the word 'Council' with the word 'Church' and to reconsideration of the decision referred to in minute 209 by this meeting of the Board.

LEARNING

227 Review of Home to School Transport Policy

The Chief Executive of Education Leeds submitted a report on proposed amendments to the scope and terms of the Home to School Transport Policy.

RESOLVED – That the revised policy be approved for implementation on 1st January 2007 which will allow time for publication in the 2007-2008 Starting School in Leeds Booklets.

228 Recent OFSTED Inspections

The Chief Executive of Education Leeds submitted a report on the outcomes of recent OFSTED Inspections during the autumn term 2005.

RESOLVED – That the report and the impact of the change in the inspection framework be noted.

229 Report on Schools Causing Concern

The Chief Executive of Education Leeds submitted a report on actions being followed to ensure that the schools causing the most serious concerns are being monitored, supported and challenged through planned interventions.

Following consideration of appendix 1 to the report designated as exempt under Access to Information Procedure Rule 10.4(2) which was considered in private at the conclusion of the meeting it was

RESOLVED –

(a) That the report, the actions taken in schools causing concern and the impact of the change in the inspection framework be noted.

- (b) That this Board notes with appreciation and commendation the improvement and progress in school provision in the city made by Education Leeds

230 (a) Annual Achievement in Leeds Primary Schools 2004/05

The Chief Executive of Education Leeds submitted a report on the performance of primary schools during 2004-05 and the action taken by Education Leeds to fulfil its responsibilities.

RESOLVED – That the report be noted and the actions taken by Education Leeds to fulfil its responsibilities be approved.

(b) Annual Achievement in Secondary Schools 2004/05

The Chief Executive of Education Leeds submitted a report on the performance of secondary schools during 2004/05 and the actions taken by Education Leeds to fulfil its responsibilities

RESOLVED – That the report be noted and the actions taken by Education Leeds to fulfil its responsibilities be approved.

231 Primary Review: Outcome of Statutory Notices for the Reorganisation Proposal in Far Headingley

Further to minute 149 of the meeting held on 14th December 2005 the Chief Executive of Education Leeds submitted a report on the outcome of the statutory representation period for the proposed closure of Beckett Park Primary School in Far Headingley.

RESOLVED –

- (a) That, having considered the representations received, the proposal to close Beckett Park Primary School on 31st August 2006 be proceeded with.
- (b) That this Board notes that as a result of the representations the determination of the notice falls to the School Organisation Committee.
- (c) That the comments prepared by Education Leeds and contained in the submitted report serve as the LEA's response to the representations for consideration by the School Organisation Committee, subject to clarification of paragraph 3.4 of the report with regard to the position of Beecroft Primary School.

CHILDREN'S SERVICES

232 Children and Young People's Plan

The Director of Children's Services submitted a report outlining the key issues within the first Children and Young People's Plan as presented by the report.

RESOLVED –

- (a) That the Children and Young People's Plan be recommended to Council for approval on 5th April 2006 to allow publication by 26th May 2006.
- (b) That Council be recommended to authorise the Chief Executive to update and complete the Plan with any outstanding information prior to its formal publication on 26th May 2006.
- (c) That Council be recommended to authorise the Executive Board to make any necessary in year amendments to the Plan subject to the amendments being reported to the next available Council meeting.

SOCIAL CARE AND HEALTH

233 Ensuring a Patient-Led NHS

The Chief Executive submitted a report on the consultation on proposed new strategic health authority arrangements in Yorkshire and the Humber and new primary care trust arrangements in West Yorkshire. The proposals entailed the merger of all Yorkshire and Humberside Strategic Health Authorities into one and the merger of PCTs to be co-terminus with local government boundaries, thus creating a single PCT for Leeds. The response to the consultation from the Scrutiny Board (Health and Wellbeing) was circulated at the meeting.

RESOLVED – That the proposals for a single PCT for Leeds and a single Strategic Health Authority for Yorkshire and the Humber be supported and that the draft response to the West Yorkshire Strategic Health Authority appended to the report be approved.

(Having declared personal and prejudicial interests Councillors Smith and Wakefield left the meeting during consideration of this item)

- 234 Our Health, Our Care, Our Say: A New Direction for Community Services**
The Director of Adult Services submitted a report on the content of the White Paper 'Our Health, Our Care, Our Say' published by the Department of Health in January 2006.

RESOLVED – That the content of the White Paper be noted and that a further report be brought to the Board on proposals to implement the requirements in Leeds.

CENTRAL AND CORPORATE

- 235 Your City – Your Future, the Leeds Business Case**
The Chief Executive submitted a report on the proposed business case for submission to the Minister of Communities and Local Government under the Your Cities, Your Future initiative.

RESOLVED – That the content of the Leeds Business Case be endorsed.

DEVELOPMENT

- 236 West Yorkshire Casualty Reduction Partnership**
The Director of Development submitted a report on the proposed continuing participation of the Council in the West Yorkshire Casualty Reduction Partnership.

RESOLVED –

- (a) That the City Council's continued membership of the West Yorkshire Casualty Reduction Partnership be endorsed.
- (b) That, subject to approval of the Operation Case for 2006-07 by the Department of Transport and subsequent consultation with Ward Members, authority be given to proceed with the implementation of the proposals and the signing of the Partnership's Memorandum of Understanding.

237 Local Development Framework – Revised Local Development Scheme

The Director of Development submitted a report on the proposed revised Leeds Local Development Framework – Local Development Scheme for submission to the Secretary of State.

RESOLVED –

- (a) That the updated and revised Local Development Scheme as attached at Appendix 1 to the report be approved for submission to the Secretary of State pursuant to Section 15 of the Planning and Compulsory Purchase Act 2004.
- (b) That the revised Local Development Scheme be brought into effect as from 1 May 2006, subject to one of the requirements set out below having been met. Namely that either:
- during a period of 4 weeks starting on the day the Council submits the scheme to the Secretary of State the Council receives from the Secretary of State notice that he does not intend to give a direction to amend the scheme, or
 - the Council has received such a direction and has either complied with it or received notice that it has been withdrawn, or
 - the Council has received notice that the Secretary of State requires more time to consider the scheme and either has subsequently received notice that the Secretary of State does not intend to give a direction or a direction has been complied with or withdrawn, or
 - the 4 week period has ended and the Council has not received either:
 - (i) a notice that the Secretary of State does not intend to give a direction
 - (ii) a direction
 - (iii) notice that the Secretary of State requires more time to consider the scheme.
- (c) That the Director of Development be authorised to make any necessary changes to the revised Local Development Scheme prior to it coming into effect in order to comply with a direction from the Secretary of State pursuant to Section 15(4) should one be received.

238 Local Development Framework – Statement of Community Involvement

The Director of Development submitted a report on the proposed revised Statement of Community Involvement for submission to the Secretary of State.

RESOLVED –

- (a) That the outcome of formal consultation already undertaken be noted.
- (b) That the Council be recommended to approve the draft Statement of Community Involvement for submission to the Secretary of State for independent examination, pursuant to section 20 of the Planning and Compulsory Purchase Act 2004.

239 Regional Spatial Strategy – Draft Yorkshire and Humber Plan

The Director of Development submitted a report on the City Council's formal consultation response to the document intended to form the basis of the Council's objections at the Examination in Public.

RESOLVED –

- (a) That the report be noted.
- (b) That the schedule at appendix 1 to the report be approved as the Council's formal response to this pre-submission consultation stage in the preparation of the Yorkshire and Humber (Regional Spatial Strategy).

240 Former Littlemoor School, Rawdon

The Director of Development submitted a report on discussions held between the Council and the two parties shortlisted in respect of the redevelopment of the site.

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

RESOLVED – That this Board considers that the merits of retaining the school building represent sufficient social and environmental benefits to justify a less than best consideration disposal of this property and therefore instructs the Director of Development to dispose of the property to Avenir Properties Ltd. accordingly

241 The Gambling Act 2005 – Casino Development

The Director of Development submitted a report on the provisions of the Gambling Act 2005, on the government's determination as to casino provision in the region and on the proposed submissions to the Casino Advisory Panel in relation to Leeds.

RESOLVED – That the Council is strongly in favour of having both a Regional and a Large casino within the district of Leeds and that the Director of Development submit formal proposals to the Casino Advisory Panel setting out the reasons why Leeds is the most appropriate location.

NEIGHBOURHOODS AND HOUSING

242 Community Centres

The Directors of Neighbourhoods and Housing, Learning and Leisure, Development and City Services submitted a joint report on proposed future arrangements for the Council's community centres and Area Committee responsibilities for them.

RESOLVED –

- (a) That the proposals outlined in the report be approved, subject to account being taken, in the implementation of arrangements for the lease of centres to community organisations, of the ability of such organisations to commit to full repairing leases.
- (b) That an initial Area Function Schedule for the centres currently vested with the Neighbourhoods and Housing Department be brought to the next meeting of this Board.
- (c) That an amended Area Function Schedule covering all centres to come under the control of the Area Committees be brought to this Board in six months time.

243 Discretionary Licensing of the Private Rented Sector within Leeds

The Director of Neighbourhoods and Housing submitted a report on the proposed development and implementation of a strategy for the discretionary licensing provisions contained within the Housing Act 2004 which enable local authorities to licence certain private sector rental properties, in order to better manage the sector through licence conditions and address issues of low demand and anti social behaviour.

RESOLVED –

- (a) That approval be given to the proposals to seek consent to adopt the powers under Part 3 of the Housing Act 2004 for Selective Licensing of the Private Rented Sector.
- (b) That officers submit business cases to the Secretary of State for consideration in relation to Beeston Hill/Holbeck and Cross Green/East End Park.
- (c) That the Board notes the powers available under Part 2 of the Housing Act 2004 to allow licensing of low-risk HMOs, and approves the proposal that a decision on implementation be deferred for 12 months, following the introduction of mandatory HMO licensing in April 2006.

(Having declared a personal and prejudicial interest Councillor Harris left the room during consideration of this item)

244 Food Safety Service

The Director of Neighbourhoods and Housing submitted a report on a proposed Food Safety Strategy Update 2005/2008 to be recommended to full Council and on the development of the wider Food Strategy for Leeds 'Leeds Food Matters'.

RESOLVED – That the Food Safety Service Strategy Update 2005/2008 be approved for submission to full Council as part of the budget and policy framework and that the 'Leeds Food Matters' document be endorsed as a food strategy for Leeds.

245 Deputation to Council – Chapeltown Community Centre Action Group Regarding the Closure, Demolition and Lack of Replacement for the Centre

The Director of Neighbourhoods and Housing submitted a report in relation to the Deputation to Council on 28th February 2006 by the Chapeltown Community Centre Action Group. All members of the Board had been in receipt of a letter from the Action Group prior to the meeting.

RESOLVED – That it be noted that the North East (Inner) Area Committee will oversee a review of the current community provision in the Chapeltown area following the principles and policy of the Community Centres Review approved by this Board.

LEISURE

246 Appraisal of Trust Options for Sports Services

The Director of Learning and Leisure submitted a report on the proposed development of a Not for Profit Sports Trust to manage the Sport and Active Recreation Service.

RESOLVED –

- (a) That approval be given in principle to the development of a Non Profit Distributing Organisation for the Sport and Active Recreation Service.
- (b) That all savings accruing from the establishment of the Trust be reinvested back into the Trust and the city's Sports Centres to help maintain and improve service delivery.
- (c) That a project management board be established to oversee the inception of the project and the subsequent project development requirements
- (d) That reports be brought back to this Board indicating progress and seeking necessary approvals.

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

247 Review of the Cemeteries and Crematoria 50 Year Strategy: Cemetery Provision for North East Leeds

Further to minute 23 of the meeting of the Board held on 21st July 2004 the Director of Learning and Leisure and the Director of Development submitted a joint report reviewing the Cemeteries and Crematoria 50 Year Strategy.

Members considered the strategy for future cemetery provision in the City and, in respect of East/North East Leeds considered the following options: provision of a large cemetery (46 acre cemetery at Whinmoor), provision of a medium size cemetery by proceeding with phases 1 to 3 of the Whinmoor proposal or provision of small cemeteries.

RESOLVED – That in pursuit of the option for small cemetery provision the following be agreed:

- (a) That negotiations take place with Leeds Federated Homes on the acquisition of the Brander Mount site adjacent to Harehills Cemetery and that a feasibility study be undertaken on its development as a Muslim burial site.
- (b) That the feasibility of the Whinmoor Grange site as a small cemetery be examined taking account of the possible need to co-locate such a facility with replacement Red Hall facilities (the Nursery, East Leeds Depot and sports pitches).
- (c) That the S299 agreement with the Killingbeck developer and the Secretary of State for Health be renegotiated with a view to developing a 5 acre cemetery within the allocated greenspace provision for the site.
- (d) That a further report be brought to the Board on this matter by September 2006.

(Having declared a personal and prejudicial interest Councillor Harris left the meeting during consideration of this item)

248 Leeds City Council's Shareholding in Leeds/Bradford International Airport

Councillors A Carter, Harris and J Procter declared personal and prejudicial interests in this matter as members or alternate members of the Airport Board and left the meeting.

Councillor D Blackburn was voted to, and took the Chair.

The Board reconsidered the facts as previously presented and

RESOLVED – That the decision of the meeting held on 17th February as contained in minute 209 of that meeting be ratified

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

DATE OF PUBLICATION: 24TH MARCH 2006
LAST DATE FOR CALL IN : 31ST MARCH 2006 (5.00 PM)

(Scrutiny Support will notify relevant Directors of any items called in by 12.00 noon on 3rd April 2006)