

## EXECUTIVE BOARD

14<sup>TH</sup> DECEMBER 2005

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

Councillor Blake – Non-voting advisory member

### 145 Exclusion of the Public

**RESOLVED** – That the public be excluded from the meeting during consideration of the second report referred to in minute 174, Appendix A to the report referred to in minute 177 and the report referred to in minute 178 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 Information Procedure Rules as indicated in the minute.

### 146 Late Items

It was reported that the Chair had admitted the following late items to the agenda for the reasons stated:

- (a) Provisional Local Government Finance Settlement 2006/07 (minute 165) in order that the Board be apprised of the details of the announcement at the earliest opportunity.
- (b) Access to Information – Appeals (minute 166) in order that a current appeal be dealt with at the earliest opportunity.
- (c) Headingley Cricket Ground (minute 177) because of the time constraints in relation to the agreement on the future ownership of the ground.
- (d) Comprehensive Performance Assessment (minute 178) in order that the Board be informed of the result at the earliest opportunity.

### 147 Declarations of Interest

Councillor A Carter declared a personal and prejudicial interest in the item relating to Headingley Cricket Ground (minute 177) as a former member of Yorkshire County Cricket Club.

Councillor Harris declared a personal interest in the item relating to the Route 4 Showcase Bus Project (minute 168) having had previous business dealings with Arriva and First Bus.

Councillor Blackburn declared a personal interest in the item relating to Leeds Grand Theatre (minute 154) as a member of the Theatre Board and Councillor Blake a personal interest as a Director of Opera North.

Councillor Wakefield declared a personal interest in the items relating to the Commissioning Strategy for Day Services (minute 161), the Tobacco Control Strategy (minute 162), Achieving a Smoke Free Leeds City Council (minute 163) and the Local Area Agreement (minute 160) as a non-executive member of the East Leeds PCT and Councillor Smith a personal interest in the same items as a non-executive member of South Leeds PCT.

Councillors Wakefield, Harris, Harker, Smith and Jennings declared personal interests in the item relating to Headingley Cricket Ground (item 177) in the same terms as recorded in the finally agreed minutes of the meeting held on 16<sup>th</sup> November 2005.

Further declarations of interest made during the meeting are referred to in minute 160 (Councillor Wakefield) and minute 172 (Councillor Harker)

#### **148 Minutes**

**RESOLVED-** That the minutes of the meeting held on 16<sup>th</sup> November 2005 be approved subject to a correction to minute 112 to show that the personal interest declared by Councillor Harker related to attendance at rugby union and not rugby league matches.

#### **LEARNING**

#### **149 Primary Review – Far Headingley**

Further to minute 118 of the meeting held on 16<sup>th</sup> November 2005 the Chief Executive of Education Leeds submitted a report on the outcome of public consultation on the proposal to close Beckett Park Primary School in September 2006

**RESOLVED-** That a statutory notice be published to close Beckett Park Primary School on 31<sup>st</sup> August 2006

(Under the provisions of Council Procedure Rule 16.5 Councillor Wakefield required it to be recorded that he voted against this decision)

#### **150 Procurement of a Strategic Partner –ICT for Education in Leeds**

The Chief Executive of Education Leeds submitted a report on the adopted delivery model for ICT through the Buildings Schools for the Future programme, providing an overview of the relationship between the various partners and seeking agreement to undertake the procurement of a strategic partner.

**RESOLVED** – That the approach taken by Leeds City Council and Education Leeds be noted and that approval be given to the procurement of a strategic partner for ICT services.

#### **151 Department for Education and Skills White Paper – ‘Higher Standards, Better Schools for All’**

The Chief Executive of Education Leeds submitted a report on government proposals for the development of the education system in England and Wales as set out in the above White Paper.

**RESOLVED** – That the report be noted.

**152 Adult Learning Inspection – Adult and Community Learning**

The Director of Learning and Leisure submitted a report on the main findings and implications of the Adult Learning Inspectorate inspection of Adult and Community Learning provision within the Jobs and Skills service.

**RESOLVED** –

- (a) That the findings of the Adult Learning Inspectorate's inspection of Leeds' Adult and Community Learning provision be noted.
- (b) That the Scrutiny Board (Thriving Communities) be requested to monitor the implementation of the action plan resulting from the inspection.

**LEISURE**

**153 The Mansion House, Roundhay Park**

The Director of Learning and Leisure submitted a report on the application for change to the approved scheme submitted to the Heritage Lottery Fund, on the outcome of public consultation and seeking authority for an injection into the existing capital scheme.

**RESOLVED** – That, subject to the Heritage Lottery Fund approving the City Council's application to change the approved scheme for the development of The Mansion, approval be given to the project brief, scheme design and to the funding plan as presented, that the injection of £1,356,500 into existing capital scheme no 12462 be authorised and that expenditure in the same amount be approved.

**154 Leeds Grand Theatre Proposed Additional Mechanical and Electrical Works**

The Director of Learning and Leisure submitted a report on proposed additional works required to be undertaken at the Leeds Grand Theatre to reduce foreseeable health and safety risks and having the potential to impact on the recommissioning of the theatre following completion of the phase 1 works, but which were outside both the budget and current phase 1 scope of works and the phase 2 works.

**RESOLVED** –

- (a) That authority be given for an injection of £672,000 into existing capital scheme no 03611/PH1, the incurring of expenditure on additional mechanical and electrical works required in the theatre and, for expenditure by the Leeds Grand Theatre and Opera House Ltd on client direct works associated with the selective refurbishment of the Grand Theatre.
- (b) That authority be given to bring forward and incur expenditure of £81,000 from existing capital scheme no 03611/PH2 on fees and survey costs associated with the additional mechanical and electrical works required in the Grand Theatre.
- (c) That the proposed expenditure of £417,000 from the City Council's Priority Major Maintenance Budget on the additional health and safety mechanical and electrical works required in the Grand Theatre be noted.

(This decision was exempt from Call In to avoid delay on the construction programme for the Phase 1 works, with consequential cost and operational implications)

**155 New Bye-Laws for Pleasure Grounds, Public Walks and Open Space**

The Director of Learning and Leisure submitted a report on the new draft byelaws covering pleasure grounds, public walks and open spaces proposed to be recommended to Council to be sealed and placed on deposit for public consultation.

**RESOLVED** – That Council be recommended to authorise that the draft byelaws be sealed and placed on deposit and that the Director of Learning and Leisure be authorised to advertise the intention to apply for confirmation of the byelaws and then to apply to the Secretary of State for their confirmation.

(This being a decision reserved to Council it was not eligible for Call In)

**156 Farnley Hall**

The Director of Learning and Leisure submitted a report on a proposal to utilise Farnley Hall as office accommodation for Parks and Countryside staff.

**RESOLVED** –

- (a) That approval be given to the project brief, scheme design and funding plan as presented.
- (b) That the injection of £297,000 into the 2005/06 Capital Programme be approved and that total scheme expenditure in the same amount be authorised.

**157 Living Landmarks Submission – Art Gallery**

The Director of Learning and Leisure submitted a report on a proposal to submit a bid for a Living Landmarks grant to build a contemporary art gallery and public space on Victoria Gardens,

**RESOLVED** –

- (a) That a bid be made for Living Landmarks grant to build a contemporary art gallery and to rationalise public space on Victoria Gardens.
- (b) That, in the event that the bid is successful at stage one, a further report be brought to this Board to determine whether to proceed to further stages in light of the capital investment that may be required from the Council.

**158 West Leeds Country Park and Green Gateways**

The Director of Learning and Leisure submitted a report on the aims, objectives and scope of the West Leeds Country Park and Green Gateways initiative.

**RESOLVED** –

- (a) That the various voluntary groups already acting as environmental stewards in the West Leeds Country Park and Green Gateways area be supported.

- (b) That the arrangement of green linkages throughout the area be progressed.
- (c) That all relevant departments of the Council be instructed to ensure that members are informed of developments or issues which impact on the designated area.
- (d) That works be undertaken to improve and maintain all the areas of greenspace within the designated area
- (e) That the resource implications detailed in the report be noted.

### **CHILDREN'S SERVICES**

#### **159 Implementing the Children Act 2004 in Leeds – Update**

The Director of Learning and Leisure, Director of Social Services and Chief Executive of Education Leeds submitted a joint report on developments nationally and locally on the Children Act 2004 since the last report to the Board on 21<sup>st</sup> September 2005.

In introducing the item the Chair and members of the Board congratulated Rosemary Archer on her appointment as Director of Children's Services which would take effect on 1<sup>st</sup> March 2006.

**RESOLVED** - That the report be noted

(During discussion of this item Councillor Wakefield declared a personal interest as a governor at Brigshaw School)

### **CORPORATE SERVICES**

#### **160 Local Area Agreement**

The Chief Officer (Executive Support) submitted a report on the background to Local Area Agreements, the selection of Leeds in the second round of local authorities to complete an agreement with Government by March 2006 and on current proposals for the agreement.

Isabelle Mills of Government Office for Yorkshire and the Humber attended the meeting, commented on the content of the Agreement to date and on matters to be progressed prior to completion

**RESOLVED** – That the current focus and direction of the Leeds Local Area Agreement be endorsed.

### **SOCIAL CARE AND HEALTH**

#### **161 Commissioning Strategy for Day Services**

The Director of Social Services submitted a report on a proposed set of principles to guide the development of a commissioning strategy for day services for adults and older people.

**RESOLVED** –

- (a) That the principles that underpin the department's commissioning policy on day services be approved.

- (b) That consultation takes place on these principles and the more detailed service model for each of the service user groups.
- (c) That a commissioning plan for day services for each of the service user groups be prepared for approval by this Board.

**162 Tobacco Control Strategy**

The Directors of Social Services and Neighbourhoods and Housing submitted a joint report presenting a new Tobacco Control Strategy for Leeds prepared by a multi-sectoral team led by the Leeds Primary Care Trusts and working under the umbrella of the Leeds Initiative Healthy Leeds Partnership Group

**RESOLVED** – That the objectives of the Tobacco Control Strategy as listed in paragraph 2.6 of the report be approved and that the implications of the Strategy for the City Council be noted.

**CENTRAL AND CORPORATE**

**163 Achieving a Smoke Free Leeds City Council**

The Director of Corporate Services submitted a report setting out a framework for implementing fully the existing smoking at work policy, whilst recognising the importance of effective consultation to identify solutions to areas of particular challenge such as hospitality services and residential/domiciliary care.

**RESOLVED** – That the plan to implement the Council's policy on smoking at work, as set out in the report, be approved.

**164 Sixth Implementing Electronic Government Statement by Leeds City Council**

The Chief Customer Services Officer submitted a report on the sixth IEG statement to demonstrate progress towards the target of 100% electronic service delivery capability by 31<sup>st</sup> December 2005.

**RESOLVED** – That the contents of the Statement be noted and approved.

**165 Provisional Local Government Finance Settlement 2006/07**

The Director of Corporate Services submitted a report on the provisional Local Authority Revenue Finance Settlement for 2006/07 and 2007/08 which was announced on 5<sup>th</sup> December 2005.

**RESOLVED** – That the report be noted and that a further report be brought to the Board after the announcement of the final settlement, expected at the end of January 2006.

**166 Access to Information – Appeals**

The Director of Legal and Democratic Services submitted a report on the administrative arrangements for dealing with appeals by members against a refusal to be given access to documentation in accordance with their statutory and non statutory rights.

**RESOLVED –**

- (a) That a Committee of the Board be established to consider an appeal currently submitted.
- (b) That the Director of Legal and Democratic Services be requested to review the provisions of the Constitution in relation to access to information.

**DEVELOPMENT**

**167 Strategic Contractor Partnership for Leeds City Council**

The Director of Development submitted a report on the proposed establishment of a Strategic Contractor Partnering Framework for the delivery of the Council's traditional building contracts. The report presented the options of continuing with current arrangements, project partnering on an individual scheme basis or strategic partnering on a long term basis

**RESOLVED –** That approval be given to the procurement of a Strategic Contractor Partnering Framework for the delivery of Leeds City Council's traditional building contracts to preferred bidder stage and that a further report be brought back to this Board seeking approval to appoint.

**168 Route 4 Showcase Bus Project**

The Director of Development submitted a report on proposed bus stop improvements along the service number 4 bus route between Pudsey and Whinmoor as part of the 'Yorkshire Bus Initiative'.

**RESOLVED –** That the proposals be approved in principle, that issues in relation to buses accessing certain points on the route be addressed and that a further report be brought to this Board with regard to the proposals of the bus operator for the route prior to final approval of the proposal.

**169 Leeds Local Development Framework Annual Monitoring Report**

The Director of Development submitted a report monitoring the performance of specific planning policy areas and on progress against the City Council's previously submitted Local Development Scheme.

**RESOLVED –** That the Local Development Framework Annual Monitoring Report be approved for submission to the Secretary of State pursuant to Regulation 48 of the Town and Country Planning (Local Development) (England) Regulations 2004.

**170 Evening Economy Action Plan Update**

The Directors of Development and Neighbourhoods and Housing submitted a joint report on progress on implementation of the Leeds Evening Economy and Night Time Study Action Plan.

**RESOLVED –** That the report be noted and that a further progress report be brought to the Board in six months time.

**171 Sharp Lane / Sharp House Road, Middleton Junction Improvements**

The Director of Development submitted a report on the proposed design and implementation of an access junction, off Sharp Lane, to a proposed major housing development in Middleton.

**RESOLVED –**

- (a) That approval be given to the injection of £475,000 into the Development Department's capital programme, funded £50,000 from a Section 106 agreement and the balance of £425,000 from Leeds General Resources.
- (b) That authority be given to incur expenditure of £260,000 works, £155,000 statutory undertakers costs and £60,000 fees.

**CITY SERVICES**

**172 Integrated Waste Management Strategy**

The Director of City Services submitted a report outlining the draft Integrated Waste Management Strategy for Leeds and on proposals for public consultation on the strategy.

**RESOLVED –**

- (a) That approval be given to the content of the draft Integrated Waste Management Strategy and the proposal to undertake public consultation from January to May 2006, with a view to a further report being brought to this Board on the outcomes of the consultation on service improvements and collection arrangements in July 2006.
- (b) That the proposed development of a Sustainable Energy Park for the City (including a Materials Recycling Facility and Energy from Waste Plan), be approved and that the submission of an Expression of Interest to DEFRA for PFI credits be supported.

**173 Proposals to Deal with Abandoned Shopping Trolleys – Adoption of Section 99 and Schedule 4 of the Environmental Protection Act 1990**

The Director of City Services submitted a report proposing that the Council formally adopt Schedule 4 of the Environmental Protection Act, as amended by the Clean Neighbourhoods and Environment Act 2005.

**RESOLVED –**That the report be noted and that Council be recommended to adopt the provisions of Schedule 4 of the Environmental Protection Act 1990, as described by Section 99 of that Act, in order to deal with abandoned shopping trolleys.

(This being a decision reserved to Council it was not eligible for Call In)

**NEIGHBOURHOODS AND HOUSING**

**174 EASEL – Outcome of the Exclusive Clarification Period with Bellway**

The Director of Neighbourhoods and Housing submitted a report on the result of the exclusive clarification period with Bellway plc and on proposed next steps in the EASEL procurement process.

Following consideration of a second report designated as exempt under Access to Information Procedure Rule 10.4(8) and (9) it was:



**RESOLVED –**

- (a) That Bellway plc be selected as Preferred Bidder and that officers be authorised to issue a Preferred Bidder letter on the basis of the position set out in detail in appendix 3 of the exempt report.
- (b) That reports be brought back to this Board on the matters identified in paragraph 6.3 of the exempt report.
- (c) That the Deputy Chief Executive and Directors of Neighbourhoods and Housing and Development be authorised to issue a reserve bidder letter to Land Lease Europe, to negotiate on the further matters detailed in section 6 of the exempt report and to conclude The Strategic Development Agreement (Phase 1) and the Joint Venture Agreement (Phase 2).

(During discussion of this item Councillor Harker declared a personal interest as a trustee of the Thackray Museum)

**175 East and South East Regeneration Area Land Assembly Issues  
Associated with Phase 1 Development Sites**

The Director of Neighbourhoods and Housing submitted a report on progress relating to the eight Phase 1 development opportunities identified as part of the East and South East Leeds Regeneration Initiative.

**RESOLVED –**

- (a) That the minor changes to the boundaries of the Phase 1 sites as identified in Appendix 3 of the submitted report be noted.
- (b) That progress on the acquisition of remaining properties and land and the relocation of tenants within the EASEL Phase 1 sites be noted.
- (c) That a Compulsory Purchase Order, or Orders, be made under the provisions of Section 226(1)(a) of the Town and Country Planning Act 1990, as amended by Section 99 of the Planning and Compulsory Purchase Act 2004 for the acquisition of land and properties shaded within the sites identified on Plans 3 (Amberton Terrace), 6 (Oak Trees) and 7 (Parkway Vale) in Appendix 4 of the report and indicated on the schedule in Appendix 2 of the report.
- (d) That officers be authorised to take all necessary steps to secure the making, confirmation and implementation of any Compulsory Purchase Order including:
  - (i) the publication and service of all notices and the representations of the Council and its partners at any Public Inquiry
  - (ii) approving the acquisition of interests in land and premises within the three sites either by agreement or the use of compulsory powers
  - (iii) approving agreements with land owners setting out terms for the withdrawal of objections to the Order(s), including where appropriate, making arrangements for the satisfactory rehousing of all persons displaced by the Council and ALMO proposals.
- (e) That officers be authorised to enter into negotiations with and provisionally agree terms to facilitate the development of the EASEL Phase 1 sites and that final terms for the disposal of the sites be reported to this Board for approval.

**176 Vacation of Chair**

Councillor A Carter having declared a personal and prejudicial interest in the item relating to Headingley Cricket Ground vacated the Chair in favour of Councillor Harris and left the room for the remainder of the meeting.

**177 Headingley Cricket Ground**

Further to minute 127 of the meeting held on 16<sup>th</sup> November 2005 the Director of Corporate Services submitted a report on progress of discussions in relation to a request from the Yorkshire County Cricket Club Ltd for the Council to provide assistance to enable them to purchase the Headingley cricket ground in order to secure test matches at the ground.

A copy of a proposed agreement between Yorkshire County Cricket Club and the Leeds Cricket Football and Athletics Co Ltd in relation to transfers of property was appended to the report, was designated as exempt under Access to Procedure Rule 10.4(7) and (9) and was considered in private at the conclusion of the meeting following which it was:

**RESOLVED –**

- (a) That relevant parties be informed that the agreement as presented to this meeting would not satisfy the requirements of the Council to a sufficient degree to offer assistance.
- (b) That officers be authorised to continue discussions in relation to the points of issue as now identified.
- (c) That a further meeting of the Board be held prior to 30<sup>th</sup> December 2005 to determine this matter.

(This decision was exempt from Call In because of the deadline to conclude this matter by the end of December 2005)

**178 Comprehensive Performance Assessment**

The Chief Executive submitted a report on the result of the Council's CPA for 2005. The report was designated as confidential under Access to Information Procedure Rule 10.1 as it contained information given in terms which forbade its disclosure and was considered in private at the conclusion of the meeting.

**RESOLVED –**

- (a) That the Council's categorisation as a four star CPA authority which is 'improving well' be noted.
- (b) That an additional day of leave be awarded to all staff in 2006/07.
- (c) That a further report on the CPA 2005 be brought to the January meeting of this Board.

(This decision was exempt from Call In in order to link the achievement of four stars with the agreement to award an additional day of annual leave, further communications being scheduled for 15<sup>th</sup> December 2005)

DATE OF PUBLICATION: 16<sup>TH</sup> DECEMBER 2005  
LAST DATE FOR CALL IN: 23<sup>RD</sup> DECEMBER 2005 (5.00 PM)

(Scrutiny Support will notify relevant Directors of any items Called In by 12.00 noon on 28<sup>th</sup> December 2005)