



The Annual Meeting of the Council will be held in the Civic Hall, Leeds on Monday, 22nd May, 2006 at 6.00 pm

Members of the Council are invited to attend and transact the following business:

1. To Elect a Lord Mayor for the City of Leeds to hold office until the date of the Annual Meeting in 2007
2. To pass a vote of thanks to the retiring Lord Mayor
3. To appoint a Deputy Lord Mayor of the City of Leeds to hold office until the date of the Annual Meeting in 2007
4. To receive any announcements from the Lord Mayor / or the Chief Executive
5. To approve as a correct record the proceedings of the Council meeting held on 5th April 2006
6. To elect as leader Councillor Harris for the period 23rd May 2006 to 30th November 2006 and Councillor A Carter for the period commencing 1st December 2006 to 21st May 2007
7. To consider recommendations of the Corporate Governance and Audit Committee and agree amendments to the Constitution as contained in the report of the Chief Democratic Services Officer
8. To: (a) establish Committees having Terms of Reference as detailed in Schedule 8(a); (b) make appointments to the above Committees as detailed in Schedule 8 (b); (c) to appoint to outside organisations as detailed in Schedule 8(c)
9. To: (a) receive the list presented by the leader setting out the arrangements for the discharge of executive functions detailed in Schedule 9(a); (b) authorise Group Leaders to appoint Lead Members to support members of the Executive in the discharge of their responsibilities as detailed in Schedule 9(b)
10. To approve the dates of the meetings of the Council for the Municipal Year 2006/07 detailed in Schedule 10

Chief Executive

Civic Hall
Leeds
LS1 1UR

This page is intentionally left blank



Proceedings of the Meeting of the Leeds City Council held
at the Civic Hall, Leeds on Wednesday 5th April 2006

PRESENT: The Lord Mayor Councillor William Schofield Hyde in the Chair

WARD

ADEL & WHARFEDALE

Barry John Anderson
John Leslie Carter
Clive Fox

ALWOODLEY

Ronald David Feldman
Ruth Feldman
Peter Mervyn Harrand

ARDSLEY & ROBIN HOOD

Karen Renshaw
Jack Dunn

ARMLEY

Alison Natalie Kay Lowe
James McKenna
Janet Harper

BEESTON & HOLBECK

Angela Gabriel
Adam Ogilvie
David Congreve

BRAMLEY & STANNINGLEY

Angela Denise Atkinson
Ted Hanley
Neil Taggart

BURMANTOFTS & RICHMOND HILL

Ralph Pryke
Richard Brett
David Hollingsworth

WARD

CALVERLEY & FARSLEY

Andrew Carter
Amanda Lesley Carter
Frank Robinson

CHAPEL ALLERTON

Sharon Hamilton
Mohammed Rafique
Jane Dowson

CITY & HUNSLET

Elizabeth Nash
Patrick Davey
Mohammed Iqbal

CROSSGATES & WHINMOOR

Suzi Armitage
Pauleen Grahame
Peter John Gruen

FARNLEY & WORTLEY

David Blackburn
Ann Blackburn
Claire Nash

GARFORTH & SWILLINGTON

Andrea Harrison
Mark Russell Phillips
Thomas Murray

GIPTON & HAREHILLS

Alan Leonard Taylor
Javaid Akhtar
Roger Harington

GUISELEY & RAWDON

Graham Latty
Stuart Andrew
John Bale

HAREWOOD

Ann Castle
Rachael Procter
Alec Shelbrooke

HEADINGLEY

David Morton
James John Monaghan
Martin Hamilton

HORSFORTH

Christopher Townsley
Brian Cleasby
Andrew Barker

HYDE PARK & WOODHOUSE

Penny Ewens
Kabeer Hussain
Linda Valerie Rhodes-Clayton

KILLINGBECK & SEACROFT

Brian Michael Selby

KIPPAX & METHLEY

John Keith Parker
James Lewis
Keith Ivor Wakefield

KIRKSTALL

Elizabeth M Minkin
John Anthony Illingworth
Bernard Peter Atha

MIDDLETON PARK

Geoffrey Driver
Judith Blake
Stuart Bruce

MOORTOWN

Mark Daniel Harris
Brenda Lancaster
Richard Harker

MORLEY NORTH

Robert Finnigan
Stewart McArdle
Thomas Leadley

MORLEY SOUTH

Judith Elliott
Terrence Grayshon
Gareth Edward Beevers

OTLEY & YEADON

Graham Peter Kirkland
Colin Campbell
Richard Downes

PUDSEY

Josephine Patricia Jarosz
Richard Alwyn Lewis
Mick Coulson

ROTHWELL

Donald Michael Wilson

Mitchell Galdas

ROUNDHAY

Matthew Lobley
Valerie Kendall
Paul Wadsworth

TEMPLE NEWSAM

David Schofield
Michael Lyons

WEETWOOD

Brian David Timothy Jennings
Susan Bentley
Barry Stewart Golton

WETHERBY

Gerald Wilkinson
Andrew Millard
John Michael Procter

104 Mrs D Budding

The Lord Mayor announced that Diane Budding, the shorthand writer to meetings of the Council would be retiring after this meeting having provided more than forty years of service in that role. The Lord Mayor made a presentation and Council offered its appreciation for her services.

105 Announcements

- (a) The Lord Mayor announced that Councillors Bruce, M Davey, Galdas, C Nash and Beevers would not be seeking re-election in May and Council offered its appreciation for their services.
- (b) The Lord Mayor announced that an Extraordinary meeting of Council would be held on 12th May 2006 for the purpose of admitting Alan Bennett to be an Honorary Freeman of the City.

106 Minutes

It was moved by Councillor M Hamilton seconded by Councillor Gruen and

RESOLVED – That the minutes of the meeting held on 28th February 2006 be approved subject to the addition of the following declarations of personal interests to minute 94(a):

Shelbrooke – Governor, East Garforth Primary School

Schofield – Governor, Whitkirk Primary School

Wilkinson – Member of Wetherby Town Council, Director of Leeds North East Homes, Governor of Lady Elizabeth Hastings Primary School, Collingham

A Carter – Governor, Springbank and Westroyd Schools, Farsley and Director of Leeds Bradford International Airport

Millard – Governor of St Mary's Primary School, Boston Spa

and to the deletion of the personal interest attributed to Councillor Mrs A Carter.

107 Declarations of Interest

The Lord Mayor announced that a list of written declarations submitted by members was on display in the ante-room, on deposit in the public galleries and had been circulated to each member's place in the Chamber.

Following an invitation to declare further individual interests, declarations in accordance with the Council's Code of Conduct were made as follows:

- (a) Councillors McArdle and Bentley declared personal interests in minute 112 of this meeting as members of the Leeds City Credit Union.

- (b) Councillors Gruen, Driver, Fox and Downes as members of the School Organisation Committee indicated their intention to leave the meeting during discussion of the amendment relating to the Primary Review in the Far Headingley area (minute 112) to avoid any perception of predetermination when the proposals in relation to the area are referred to that Committee for determination.
- (c) Councillor Kendall declared a personal interest in relation to minute 112 as a governor of Roundhay School and a member of the management committee for Roundhay Elderly.
- (d) Councillors J L Carter and R Lewis declared personal interests in minute 115 of this meeting as members of the West Yorkshire Police Authority.
- (e) Councillor R Lewis declared a personal interest in minute 116 of this meeting as a member of the West Yorkshire Police Authority
- (f) The following Councillors declared personal and prejudicial interests in minute 120 of this meeting as members of the West Yorkshire Pension Scheme:

Anderson*, Atha, Armitage, Atkinson, Blake, Bruce, Congreve (and as a relative of a member), Davey, Dowson, Driver, Dunn, Gabriel, Grahame, Gruen, S Hamilton, Hanley, Harrington, Harper, Harrison, Iqbal, Jarosz, J Lewis, R Lewis, Lowe, McKenna, Minkin, Murray, E Nash, Ogilvie, Parker, Rafique, Renshaw, Selby, Taggart, Wakefield, Fox, Shelbrooke*, Mrs A Carter*, A Carter*, C Nash*, Millard*, Downes* and Grayshon* (and a personal interest as a member of the GMB).

*Following advice from the Chief Legal Officer as referred to in minute 114, these members declared personal interests only in minute 120.

The following Councillors declared personal interests in minute 120 as members of the West Yorkshire Pension Scheme:

Harrand, Phillips, Lancaster, Brett, Wilson, Bentley, Harris, Golton, Campbell, Cleasby, Harker and Pryke.

- (g) The following Councillors declared interests in minute 121 of this meeting for the reasons indicated:

S Hamilton - Personal and prejudicial as an employee of the NHS

Harrington - Personal as acting chair of the East Leeds PCT

Harper - Personal as a member of the West Leeds PCT

Lowe - Personal as an employee of Touchstone which receives funding from the NHS

- McKenna - Personal as a member of West Leeds PCT
- Ogilvie - Personal as a member of South Leeds PCT
- Wakefield - Personal as a member of East Leeds PCT
- Gabriel - Personal and prejudicial as an employee of the NHS

108 Deputations

Two deputations were admitted to the meeting and addressed Council as follows:

- 1 Leeds Road Residents Action Group regarding road safety issues on the A639 and A642 roads.
- 2 The Friends of Woodhouse Moor regarding the proposed reconstruction of a car park on Woodhouse Moor.

RESOLVED – That the subject matter of each of the deputations be referred to the Executive Board for consideration.

109 Reports

Reports admitted to the agenda in accordance with Council Procedure Rule 2.2(f) were considered as follows:

(a) Members Allowances

It was moved by Councillor M Hamilton seconded by Councillor Gruen and

RESOLVED – That the recommendations as contained in the report of the Independent Remuneration Panel be approved and that the Director of Legal and Democratic Services be authorised to make consequential changes to the Members' Allowances Scheme.

(b) Amendments to the Constitution

It was moved by Councillor M Hamilton seconded by Councillor J Procter and

RESOLVED – That the amendments to the Constitution as set out in the report of the Director of Legal and Democratic Services be noted.

110 Questions

- 1 Councillor Wakefield to the Executive Member (City Services)

Will the Executive Board Member for City Services please tell me what income the council expects to receive from car parking income this financial year?

In the absence of the Executive Member (City Services) Councillor Harris replied.

- 2 Councillor Golton to the Executive Member (Central and Corporate)

Does the Executive Member for Corporate Services agree that the officers of Leeds City Council are competent and trustworthy enough to carry out their day to day duties without unnecessary interference by elected members?

The Executive Member (Central and Corporate) replied

- 3 Councillor Castle to the Leader of Council

Would the Leader of the Council comment on the restoration of education powers to Leeds City Council.

The Leader of Council replied

- 4 Councillor Atha to the Executive Member (Leisure)

Will the Executive Board Member for leisure services please tell me what his Administration is doing to increase participation in sporting activities across the city?

The Executive Member (Leisure) replied

- 5 Councillor Hollingsworth to the Executive Member (Social Care and Health)

Will the Executive Board Member for Social Care and Health outline the steps being taken to prevent information about older people supplied to elected members in confidence being published in the Yorkshire Evening Post?.

The Executive Member (Social Care and Health) replied

- 6 Councillor Bale, with the authority of Councillor Phillips in accordance with Council Procedure Rule 11.1(c), to the Leader of Council

Will the Leader of the Council please explain his views on engaging young people in democracy

The Leader of Council replied

- 7 Councillor Lowe to the Executive Member (City Services)

Will the Executive Board Member for City Services please confirm the dates the grass cutting was originally due to take place across the city this year?

In the absence of the Executive Member (City Services) Councillor Harris replied.

8 Councillor M Hamilton to the Executive Member (Leisure)

Would the Executive Member for Leisure please inform me how the use of Millennium Square has improved under this administration

The Executive Member (Leisure) replied

9 Councillor Shelbrooke to the Executive Member (City Services)

Could the Executive Member for City Services explain what is being done to improve the condition of highways in Leeds and how this compares with previous years?

In the absence of the Executive Member (City Services) Councillor Lobley replied.

10 Councillor R Lewis to the Executive Member (Neighbourhoods and Housing)

Will the Executive Board Member for neighbourhoods and housing please update me on the current position in relation to the proposals for a 'wet hostel' in Leeds?

The Executive Member (Neighbourhoods and Housing) replied

At the conclusion of Question Time the following questions remained unanswered and it was noted that under the provisions of Council Procedure Rule 11.6 written responses would be sent to each member of Council.

- 11 Councillor Cleasby to the Leader of Council
- 12 Councillor Robinson to the Executive Member (Development)
- 13 Councillor Gruen to the Executive Member (Social Care and Health)
- 14 Councillor Schofield to the Executive Member (Leisure)
- 15 & 16 Councillor Illingworth to the Executive Member (Development)

111 Recommendations of the Executive Board

It was moved by Councillor A Carter seconded by Councillor Harris and

RESOLVED – That the recommendations of the Executive Board with regard to

- (a) The Children and Young People's Plan (minute 232)
- (b) The Local Development Framework – Statement of Community Involvement (minute 238)
- (c) The Food Safety Service Strategy Update 2005/2008 (minute 244)

as detailed in the report of the Director of Legal and Democratic Services be approved.

112 Minutes

It was moved by Councillor A Carter seconded by Councillor M Hamilton

That the minutes submitted to Council in accordance with Council Procedure Rule 2.2(l) be received and that the corrected page 72 of the Council agenda as appended to the Order Paper be noted.

An amendment (reference back) was moved by Councillor Atha seconded by Councillor Minkin

To add the following words at the end of item 8:

"but to ask the Executive Board to reconsider the decision in relation to the Primary Review, Outcome of Statutory Notices for the Re-organisation Proposals in Far Headingley as contained in minute 231 on page 72"

The amendment was lost and upon the motion being put to the vote it was

RESOLVED – That the minutes submitted to Council in accordance with Council Procedure Rule 2.2(l) be received and that the corrected page 72 of the Council agenda as appended to the Order Paper be noted.

Council Procedure Rule 4 providing for the winding up of business was applied prior to all notified comments on the minutes having been debated subsequent to the suspension referred to in minute 113 below.

On the requisition of Councillors Hanley and Illingworth the voting on the amendment was recorded as follows:

YES

Armitage, Atha, Atkinson, Blake, Bruce, Congreve, Coulson, Davey, Dowson, Dunn, Gabriel, Grahame, S Hamilton, Hanley, Harington, Harper, Harrison, Illingworth, Jarosz, J Lewis, R Lewis, Lowe, Lyons, McKenna, Minkin, Murray, E Nash, Ogilvie, Parker, Rafique, Renshaw, Selby, Taggart, Wakefield

34

NO

Anderson, Andrew, Bale, Barker, Beevers, Bentley, A Blackburn, D Blackburn, Brett, Campbell, A Carter, J L Carter, Mrs A Carter, Castle, Cleasby, Elliott, Ewens, R D Feldman, Mrs R Feldman, Finnigan, Galdas, Golton, Grayson, M Hamilton, Harker, Harrand, Harris, Hollingsworth, Jennings, Kendall, Kirkland, Lancaster, Latty, Leadley, Lobley, McArdle, Millard, Monaghan, Morton, C Nash, J Procter, R Procter, Pryke, Rhodes-Clayton, Robinson, Schofield, Shelbrooke, Taylor, Townsley, Wadsworth, Wilkinson, Wilson

52

(During discussion and voting on the amendment the Councillors referred to in minute 107(b) left the meeting)

113 Suspension of Council Procedure

During the debate under minute 112 above it was moved by Councillor Gruen seconded by Councillor Atha and

RESOLVED – That under the provisions of Council Procedure Rule 22.1 Procedure Rule 3.1 be suspended to allow Councillor Lyons to make a comment.

(The meeting was suspended at 5.40 pm and resumed at 6.15 pm)

114 Advice of the Chief Legal Services Officer

With reference to the motion relating to the Local Government Pension Scheme (minute 120 below) the Chief Legal Services Officer advised Council that, in relation to the proposal to seek leave of Council to amend the motion, Councillors who were members of the West Yorkshire Pension Scheme would not, in his view, have a personal and prejudicial interest in relation to that vote. In the event of leave being given, the motion as amended would give rise to a personal interest for such members, but not a personal and prejudicial interest.

115 White Paper Motion – Proposed Merger of Police Services to Provide a Regional Service

It was moved by Councillor J L Carter seconded by Councillor Brett and

RESOLVED UNANIMOUSLY – That this Council deplores the Home Secretary's proposals to merge Humberside, North Yorkshire, South Yorkshire and West Yorkshire Police services in order to create a giant regional Police service. We believe this ill thought out and hasty plan will have potentially devastating effects on the quality of ordinary people's lives. We remain concerned about poor accountability, vague governance structures and completely unacceptable financial arrangements which are likely to lead to a 20% increase in the Police precept for at best a stand still service. We therefore instruct the Chief Executive to write to the Home Secretary expressing our concerns and to write to all Leeds MP's urging them to vigorously oppose these misguided plans.

116 White Paper Motion – Anti-Social Behaviour

With the consent of the seconder and of Council, Councillor A Carter altered his motion to add a new paragraph commencing 'This Council' and to then incorporate the main paragraph of the amendment in the name of Councillor J L Carter.

It was seconded by Councillor Anderson and

RESOLVED – That this Council deplores the misleading and inaccurate statements made by Labour MP Hazel Blears to the press about the councils efforts to combat Anti Social Behaviour. This Council believes that such statements were a misguided attempt by Ms Blears to damage the reputation of Leeds City Council, when under this administration it has been deemed by the Home Office as a leading example on tackling anti social behaviour.

This Council recognises that the introduction of a minimum of three PCSO's for each of the 33 Wards in the City, by the current administration, is a major way of reducing both anti social behaviour and crime across the whole of the City.

On the requisition of Councillors A Carter and J Procter the voting on the motion was recorded as follows:

YES

Akhtar, Anderson, Andrew, Bale, Barker, Bentley, A Blackburn, D Blackburn, Brett, Campbell, A Carter, J L Carter, Mrs A Carter, Castle, Cleasby, Downes, Elliott, Ewens, Mrs R Feldman, R D Feldman, Finnigan, Fox, Galdas, Golton, Grayshon, M Hamilton, Harrand, Harris, Hollingsworth, Hussain, Jennings, Kendall, Kirkland, Lancaster, Latty, Lobley, McArdle, Millard, Monaghan, C Nash, Phillips, J Procter, Pryke, Rhodes-Clayton, Robinson, Schofield, Shelbrooke, Taylor, Townsley, Wadsworth, Wilkinson, Wilson

52

NO

Armitage, Atha, Blake, Bruce, Congreve, Coulson, Dowson, Driver, Dunn, Grahame, Gruen, S Hamilton, Hanley, Harington, Harrison, Illingworth, Iqbal, Jarosz, J Lewis, R Lewis, Lowe, McKenna, Minkin, Ogilvie, Parker, Rafique, Renshaw, Selby, Taggart, Wakefield

30

117 Withdrawal of Motion

Under the provisions of Council Procedure Rule 14.10, with the consent of the seconder and of Council, Councillor Atha withdrew the motion in his name relating to Beckett Park Primary School.

118 White Paper Motion – Refuse Collection

It was moved by Councillor Lowe seconded by Councillor Dowson

That in the interest of well-being, closing the gap and public health this Council opposes the introduction of a fortnightly collection of black bins in the city.

In the absence of Councillor Smith in whose name the amendment stood and with his written permission, it was moved by Councillor Golton seconded by Councillor J Procter

Delete all after 'This' and replace with

“Council notes that alternative weekly refuse collections is one of a number of options in the city-wide waste solution that is currently subject to an on-going public consultation and that no decision has been taken on this issue. Council believes that to make any decision on any aspect of the waste solution before the consultation period has ended would be premature, undemocratic and against the interests of Leeds residents.”

The amendment was carried and upon being put as the substantive motion it was

RESOLVED – That this Council notes that alternative weekly refuse collections is one of a number of options in the city-wide waste solution that is currently subject to an on-going public consultation and that no decision has been taken on this issue. Council believes that to make any decision on any aspect of the waste solution before the consultation period has ended would be premature, undemocratic and against the interests of Leeds residents.

(Councillor Illingworth declared a personal interest in this item as a director of a community composting scheme)

119 Suspension of Council Procedure Rules

During the debate under minute 118 above it was moved by Councillor M Hamilton seconded by Councillor J Procter and

RESOLVED – That under the provisions of Council Procedure Rule 22.1 Procedure Rule 3.2 be suspended to allow the debate on all of the White Paper Motions to be concluded.

120 White Paper Motion – Local Government Pension Scheme

Those members identified in minute 107(f) who declared personal and prejudicial interests, and who did not amend the declaration following the advice of the Chief Legal Services Officer under minute 114, left the Chamber during consideration and voting on this item.

Under the provisions of Council Procedure Rule 14.9(a), with the consent of the seconder and of Council, Councillor Harris altered the motion in his name by the deletion of the second paragraph.

It was seconded by Councillor A Carter and

RESOLVED – That this council notes the action being taken by our employees in respect of their pension rights, but considers that their argument is with central government and not with this authority. Council regrets that local government employees are being treated differently from central government civil servants, particularly at a time when MPs have further improved their own pension arrangements

On the requisition of Councillors Lyons and Illingworth the votes on the leave to amend were recorded as follows:

YES

Akhtar, Anderson, Andrew, Bale, Barker, Bentley, D Blackburn, Brett, Campbell, A Carter, J L Carter, Mrs A Carter, Castle, Elliott, Ewens, Mrs R Feldman, R D Feldman, Finnigan, Galdas, Golton, Grayshon, M Hamilton, Harrand, Harris, Hollingsworth, Hussain, Jennings, Kendall, Kirkland, Lancaster, Latty, Lobley, McArdle, Millard, Monaghan, Phillips, J Procter, Rhodes-Clayton, Robinson, Schofield, Shelbrooke, Taylor, Townsley, Wadsworth, Wilkinson, Wilson

46

NO

Illingworth, Lyons

2

On the requisition of Councillors Lyons and Illingworth the votes on the motion were recorded as follows:

YES

Akhtar, Anderson, Andrew, Bale, Barker, Bentley, A Blackburn, D Blackburn, Brett, Campbell, A Carter, J L Carter, Mrs A Carter, Castle, Ewens, Mrs R Feldman, R D Feldman, Finnigan, Galdas, Golton, Grayshon, M Hamilton, Harrand, Harris, Hussain, Jennings, Kendall, Kirkland, Lancaster, Latty, Lobley, McArdle, Millard, Monaghan, Phillips, J Procter, Pryke, Rhodes-Clayton, Robinson, Schofield, Shelbrooke, Taylor, Townsley, Wadsworth, Wilkinson, Wilson

46

NO

Illingworth, Lyons

2

121 White Paper Motion – NHS Funding

It was moved by Councillor Harrand seconded by Councillor Kirkland

That this Council deplores consistent government underfunding of the NHS in Yorkshire over the years and its impact on staff, patients and relatives. The Council specifically hopes that this underfunding will not prejudice the Leeds Teaching Hospitals' bid to secure investment as one of the major centres of clinical research in the country.

An amendment was moved by Councillor Harington seconded by Councillor Blake

Delete all after 'That this Council' and replace with:

“applauds the Labour Government’s record investment in the NHS in Leeds since 1997, that have brought about an increase of nearly 2000 more nurses and over 1000 extra doctors in the West Yorkshire Strategic Health Authority. Council welcomes the work done to effectively eradicate waiting lists over six months and the massive investment in the city that will give Leeds a new £220m oncology wing, a new vascular surgery ward, new urology centre and modernised breast screening facilities.”

The amendment was lost and upon motion being put to the vote it was

RESOLVED - That this Council deplores consistent government underfunding of the NHS in Yorkshire over the years and its impact on staff, patients and relatives. The Council specifically hopes that this underfunding will not prejudice the Leeds Teaching Hospitals’ bid to secure investment as one of the major centres of clinical research in the country.

(Councillors Gabriel and S Hamilton having declared personal and prejudicial interests at minute 107(g) left the meeting during the debate and voting on this item)

On the requisition of Councillors Gruen and Taggart the voting on the amendment was recorded as follows:

YES

Armitage, Atha, Blake, Bruce, Congreve, Davey, Dowson, Driver, Dunn, Grahame, Gruen, Harington, Harrison, Illingworth, Iqbal, Jarosz, J Lewis, R Lewis, Lowe, Lyons, McKenna, Minkin, E Nash, Ogilvie, Rafique, Renshaw, Selby, Taggart, Wakefield

29

NO

Akhtar, Anderson, Andrew, Bale, Barker, Bentley, A Blackburn, D Blackburn, Brett, Campbell, A Carter, J L Carter, Mrs A Carter, Castle, Cleasby, Downes, Ewens, Mrs R Feldman, R D Feldman, Fox, Galdas, Golton, M Hamilton, Harrand, Harris, Hussain, Jennings, Kendall, Kirkland, Lancaster, Latty, Lobley, McArdle, Millard, Monaghan, C Nash, Phillips, J Procter, Pryke, Rhodes-Clayton, Robinson, Schofield, Shelbrooke, Taylor, Townsley, Wadsworth, Wilkinson, Wilson

48

ABSTAIN

Finnigan, Grayshon

2

On the requisition of Councillors J Procter and A Carter the voting on the motion was recorded as follows:

YES

Akhtar, Anderson, Andrew, Bale, Barker, Bentley, A Blackburn, D Blackburn, Brett, Campbell, A Carter, J L Carter, Mrs A Carter, Castle, Cleasby, Downes, Ewens, Mrs R Feldman, R D Feldman, Fox, Galdas, Golton, Grayshon, M Hamilton, Harrand, Harris, Hussain, Jennings, Kendall, Kirkland, Lancaster, Latty, Lobley, McArdle, Millard, Monaghan, C Nash, Phillips, J Procter, Pryke, Rhodes-Clayton, Robinson, Schofield, Shelbrooke, Taylor, Townsley, Wadsworth, Wilkinson, Wilson

49

NO

Armitage, Atha, Blake, Bruce, Congreve, Davey, Dowson, Driver, Dunn, Grahame, Gruen, Harington, Harrison, Illingworth, Iqbal, Jarosz, J Lewis, R Lewis, Lowe, Lyons, McKenna, Minkin, E Nash, Ogilvie, Rafique, Renshaw, Selby, Taggart, Wakefield

29

ABSTAIN

Finnigan

1

(Council rose at 10.30 pm)

SECTION 2B

COUNCIL COMMITTEES' TERMS OF REFERENCE

SECTION 2B: COUNCIL COMMITTEES' TERMS OF REFERENCE

<u>Name of Committee</u>	<u>Membership</u>
Overview and Scrutiny Committee	8 Members of the authority ¹
Scrutiny Board – Children’s Services	10 Members of the authority
Scrutiny Board – Health and Adult Social Care	11 Members of the authority
Scrutiny Board – Leisure	11 Members of the authority
Scrutiny Board – City Services	11 Members of the authority
Scrutiny Board – Development	11 Members of the authority
Scrutiny Board – Neighbourhoods and Housing	11 Members of the authority
The Standards Committee	See Article 9
Parish and Town Council Hearings Sub-Committee	4 Members, 2 Independent Members, 1 City Councillor and 1 Parish Councillor
Area Committees	Membership as outlined at Article 10
Employment Committee	Minimum of 3 Members of the authority comprising at least 1 Member of the Executive
Corporate Governance and Audit Committee	6 Members, comprising the Leaders of each political group and a Labour Party nominee
Member Management Committee	8 Members, comprising Leader nominations from each party group
Licensing Committee	15 Members of the authority
Licensing Sub-Committee (x5)	3 Members of the authority ²
Regulatory Panels	
Licensing and Regulatory Panel	9 Members of the authority
Plan Panels:	
(a) Plans Panel (East)	12 Members of the authority
(b) Plans Panel (West)	14 Members of the authority
(c) Plans Panel (City Centre)	7 Members of the authority
Personnel Panel	3 Members of the authority ³
Advisory Committee	
Development Plan Panel	(9 Members of the authority)

¹ Each Chair of a Scrutiny Board shall be a member of the Overview and Scrutiny Committee

² The main Licensing Committee will appoint 3 Members to each sub-committee

³ Hearings will not be commenced by this panel after 31st August 2005 when alternative arrangements for appeals will be introduced, as agreed by the Council on 23rd May 2005.

The Overview and Scrutiny Committee

The Overview and Scrutiny Committee is authorised to carry out the following:

Advisory functions

1. To receive and consider reports on:
 - the authority's strategic outcomes for the coming year;
 - the authority's performance in relation to the strategic outcomes;
 - details of the Executive's Forward Plan.
2. To identify areas for Scrutiny Inquiry which appear to the Committee to be necessary to be undertaken and to recommend such Inquiries to the relevant Scrutiny Board.
3. To develop common practice in relation to the discharge of overview and scrutiny functions.
4. To produce an annual report for Council.

Scrutiny functions

1. In relation to matters concerning **Central and Corporate Functions**¹, to exercise the functions of a Scrutiny Board including the following:
 - (a) to review or scrutinise the exercise of any Council or Executive function or any other related matter²;
 - (b) to make reports or recommendations to Council or the executive in connection with the exercise of any functions of the Council or the executive, including proposals for changes to policies and practices;
 - (c) to receive and review external audit and inspection reports;
 - (d) to act as the appropriate Scrutiny Board³ in relation to the executive's initial proposals for a plan or strategy within the Budget and Policy Framework⁴;
 - (e) to consider any notice or departmental response reported in accordance with Financial Procedure Rules or Contract Procedure Rules; and

¹ within the Executive Member portfolio for Central and Corporate Functions and relevant (Council Functions) delegated to officers

²including matters pertaining to outside bodies to which appointments have been made by the Council

³ under the Budget and Policy Framework Procedure Rules

⁴Including in relation to the Budget

Council Committee's Terms of Reference

(f) to review corporate performance indicators and to make such reports and recommendations as it considers appropriate.

2. To receive and monitor formal responses to any reports or recommendations made by the Committee.

Overview and Scrutiny Function

1. to appoint an ad hoc Scrutiny Commission⁵ to undertake an Inquiry where the subject of an Inquiry falls within the terms of reference of more than one Scrutiny Board;
2. to contribute to the corporate assessment of departmental performance;
3. to exercise the functions of a Scrutiny Board where a matter falls within the terms of reference of more than one Scrutiny Board;
4. to exercise the functions of a Scrutiny Board in respect of any matter not included within the terms of reference of any other Scrutiny Board;
5. to exercise call-in powers in relation to executive decisions made but not implemented;⁶ and
6. to receive and monitor formal responses to any reports or recommendations made by Scrutiny Commissions.

⁵ A Scrutiny Commission will be a sub-committee of the Committee

⁶ As set out in section 21(3) of the Local Government Act 2000 and in accordance with the Scrutiny Board Procedure Rules

Scrutiny Board (Children's Services)

1. In relation to **Children's Services**¹, to exercise the functions of a Scrutiny Board including the following:
 - (a) to review or scrutinise the exercise of any Council or Executive function, or any other related matter²;
 - (b) to make reports or recommendations to Council or the Executive in connection with the exercise of any functions of the Council or the executive including proposals for changes to policies and practices;
 - (c) to receive and review external audit and inspection reports;
 - (d) to act as the appropriate Scrutiny Board³ in relation to the Executive's initial proposals for a plan or strategy within the Budget and Policy Framework; and
 - (e) to review corporate performance indicators and to make such reports and recommendations as it considers appropriate.

2. To receive and monitor formal responses to any reports or recommendations made by the Board.

¹ within the Lead and Support Executive Member portfolios for Children's Services and relevant (Council Function) delegations to officers but excluding those matters assigned to the Scrutiny Board (Health and Adult Services) under the Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) 2002 as amended.

²including matters pertaining to outside bodies to which appointments have been made by the Council,

³ under the Budget and Policy Framework Procedure Rules

This page is intentionally left blank

Scrutiny Board (Health and Adult Social Care)

Health Service Scrutiny¹

1. To review any matter relating to the planning, provision and operation of health services within the framework set out below:
 - arrangements made by local NHS bodies² and the Council to secure hospital and community health and health related services to the inhabitants of the authority's area;
 - the provision of such services to those inhabitants;
 - the provision of family health services (Primary Care Trusts), personal medical services personal dental services, pharmacy and NHS ophthalmic services;
 - the public health arrangements in the area; e. g. arrangements by local NHS bodies for the surveillance of, and response to, outbreaks of communicable disease or the provision of specialist health promotion services;
 - the planning of health and health related services by local NHS bodies and the Council, including plans made in co-operation with partners for setting out a strategy for improving both the health of the local population and the provision of health care to that population;
 - the arrangements made by local NHS bodies and the Council for consulting and involving patients and the public under the duty placed on them by Section 11 of the Health and Social Care Act 2001;
 - any proposals for a substantial development or variation of health services within the authority's area.
2. To consider such proposals as are referred to it by local NHS bodies and the Council and to report back the result of its considerations to the referring body and others as appropriate.
3. To review how and to what effect health policy is being implemented, and health improvement achieved, by the Council and local NHS bodies and to make reports and recommendations as appropriate.
4. To receive representations from Area Committees or relevant groups of interest and to report to the Council and local NHS Bodies as appropriate.
5. In relation to matters in respect of which a local NHS body consults more than

¹ Under the Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) 2002 as amended.

² in Leeds this means the 5 Primary Care Trusts, the Leeds Teaching Hospitals NHS Trust, the Leeds Mental Health Teaching NHS Trust and West Yorkshire Strategic Health Authority

one scrutiny committee within its area, or in relation to matters which a number of West Yorkshire Metropolitan Councils elect to jointly scrutinise a function or service provided by the NHS body to;

- (i) nominate Members to a joint committee, such nominations to reflect the political balance of the Board;
- (ii) delegate its scrutiny functions to another local authority.

Other Scrutiny Functions:

- 6. In relation to any matter which does not fall within paragraphs 1-5 above, to exercise the functions of a Scrutiny Board in relation to **Adult Services**³ including the following:
 - (a) to review or scrutinise the exercise of any Council or executive function, or any other related matter⁴;
 - (b) to make reports or recommendations to Council or the Executive in connection with the exercise of any functions of the Council or the Executive;
 - (c) to receive and review external audit and inspection reports;
 - (d) to act as the appropriate Scrutiny Board⁴ in relation to the executive's initial proposals for a plan or strategy within the Budget and Policy Framework; and
 - (e) to review corporate performance indicators and to make such reports and recommendations as it considers appropriate.
- 7. To receive and monitor formal responses to any reports or recommendations made by the Board.

³ within the Executive Member portfolio for Adult Health and Social Care and relevant (Council Function) delegations to officers

⁴ Including matters pertaining to outside bodies to which appointments have been made by the Council

⁴ under the Budget and Policy Framework Procedure Rules

Scrutiny Board (Leisure)

1. In relation to **Leisure**¹, to exercise the functions of a Scrutiny Board including the following:
 - (a) to review or scrutinise the exercise of any Council or Executive function, or any other related matter²;
 - (b) to make reports or recommendations to Council or the Executive in connection with the exercise of any functions of the Council or the executive including proposals for changes to policies and practices;
 - (c) to receive and review external audit and inspection reports;
 - (d) to act as the appropriate Scrutiny Board³ in relation to the Executive's initial proposals for a plan or strategy within the Budget and Policy Framework; and
 - (e) to review corporate performance indicators and to make such reports and recommendations as it considers appropriate.

2. To receive and monitor formal responses to any reports or recommendations made by the Board.

¹ within the Executive Member portfolio for Leisure and relevant (Council Function) delegations to officers

²including matters pertaining to outside bodies to which appointments have been made by the Council,

³ under the Budget and Policy Framework Procedure Rules

This page is intentionally left blank

Scrutiny Board (City Services)

1. In relation to matters concerning **City Services**¹, to exercise the functions of a Scrutiny Board including the following:
 - (a) to review or scrutinise the exercise of any Council or Executive function or any other related matter²;
 - (b) to make reports or recommendations to Council or the Executive in connection with the exercise of any functions of the Council or the executive including proposals for changes to policies and practices;
 - (c) to receive and review external audit and inspection reports;
 - (d) to act as the appropriate Scrutiny Board³ in relation to the Executive's initial proposals for a plan or strategy within the Budget and Policy Framework; and
 - (e) to review corporate performance indicators and to make such reports and recommendations as it considers appropriate.

2. To receive and monitor formal responses to any reports or recommendations made by the Board.

¹ within the Executive Member portfolio for City Services and relevant (Council Function) delegations to officers

² including matters pertaining to outside bodies to which appointments have been made by the Council

³ under the Budget and Policy Framework Procedure Rules

Scrutiny Board (Development)

1. In relation to **Development**,¹ to exercise the functions of a Scrutiny Board including the following:
 - (a) to review or scrutinise the exercise of any Council or executive function, or any other related matter²;
 - (b) to make reports or recommendations to Council or the Executive in connection with the exercise of any functions of the Council or the Executive including proposals for changes to policies and practices;
 - (c) to receive and review external audit and inspection reports;
 - (d) to act as the appropriate Scrutiny Board³ in relation to the executive's initial proposals for a plan or strategy within the Budget and Policy Framework; and
 - (e) to review corporate performance indicators and to make such reports and recommendations as it considers appropriate.

2. To receive and monitor formal responses to any reports or recommendations made by the Board.

¹ within the Executive Member portfolio for Development and relevant (Council Function) delegations to officers

² including matters pertaining to outside bodies to which appointments have been made by the Council

³ under the Budget and Policy Framework Procedure Rules.

This page is intentionally left blank

Scrutiny Board (Neighbourhoods and Housing)

1. In relation to **Neighbourhoods and Housing**¹, to exercise the functions of a Scrutiny Board including the following:
 - (a) to review or scrutinise the exercise of any Council or Executive function, or any other related matter²;
 - (b) to make reports or recommendations to Council or the Executive in connection with the exercise of any functions of the Council or the executive including proposals for changes to policies and practices;
 - (c) to receive and review external audit and inspection reports;
 - (d) to act as the appropriate Scrutiny Board³ in relation to the Executive's initial proposals for a plan or strategy within the Budget and Policy Framework; and
 - (e) to review corporate performance indicators and to make such reports and recommendations as it considers appropriate.

2. To receive and monitor formal responses to any reports or recommendations made by the Board.

¹as within the Executive Member portfolio for Neighbourhoods and Housing and such other relevant (Council Function) delegations to officers

²including matters pertaining to outside bodies to which appointments have been made by the Council,

³ under the Budget and Policy Framework Procedure Rules

This page is intentionally left blank

The Standards Committee

The Standards Committee is authorised to discharge the following functions¹:

1. to consider and determine one or more codes of conduct for Members or protocols for Member/officer relations and to promote, monitor, review and amend such codes of conduct or protocols;
2. to consider and determine any allegations² of misconduct³ made against Members and to determine any sanction to be imposed on a finding of misconduct;
3. to consider and determine applications for dispensations⁴;
4. to make representations to and to liaise with external agencies⁵ about any matter relating to general principles of conduct, model codes of conduct and the codes of conduct or protocols approved from time to time by or on behalf of the Council;
5. to provide advice and guidance to Members and officers and to make arrangements for training in matters relating to codes of conduct and protocols.
6. to consider and advise the Council with respect to the adoption or amendment of a Code of Conduct for Officers and to promote, monitor and review the Code of Conduct.⁶

¹ 'Functions' for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The functions derive from Part 3 of the Local Government Act 2000 and are discharged both in relation to Leeds City Council and its Members, and parish councils wholly or mainly in its area and the Members of those parish councils.

² Such allegations shall include complaints referred to the committee by Ethical Standards Officers under section 60(2) and (4) or Section 64(2) of the Local Government Act 2000 and may include other allegations considered in reports submitted to the Council or the Standards Committee by external agencies.

³ "misconduct" for these purposes means a breach of

- the Code of Conduct adopted where an allegation has been referred under Section 60(2) or (4) or Section 64(2) of the Local Government Act by an Ethical Standards Officer; or
- the National Code of Local Government Conduct where the alleged breach is committed before 5 April 2002; or
- any of the Authority's Protocols/Codes which refer to the conduct of Members, other than the Code of Conduct
- a breach of the Members' Allowances Scheme in relation to the requirement to submit six monthly reports, or a gross neglect of duties highlighted by such a report.

⁴ In accordance with the Relevant Authorities (Standards Committees) (Dispensations) Regulations 2002

⁵ Such external agencies may include, but are not restricted to, the District or Approved Auditor, the Commission for Local Government, the Standards Board for England, an Ethical Standards Officer, the Adjudication Panel for England or an adjudication case panel

⁶ It is not the function of the Committee to determine or become involved in individual officer conduct or disciplinary cases but rather to provide an overview of the application of the provisions of the Code across the Council.

This page is intentionally left blank

Area Committees

Within each Committee's area:

(Council functions)

1. to make Elected Member appointments¹ to Outside Bodies as determined by the Member Management Committee;
2. to advise or make representations to the Council, the Executive Board, Scrutiny Boards or Regulatory Panels on all matters affecting community interests;²
3. to consider and respond to consultations on planning briefs and frameworks and on major development proposals affecting the Committee's area;³
4. to consider proposals referred to the Committee by the Council, Executive Board, Scrutiny Boards or Regulatory Panels and to report back the Committee's views to the referring body;⁴
5. to receive and hear deputations;
6. to consider the performance, targeting, frequency and co-ordination of services and make recommendations to the Executive Board as appropriate;⁵

(Executive functions)⁶

7. *to promote and improve the economic, social and environmental well-being of the Committee's area*⁷;
8. *to exercise Area Functions*,⁸

¹ In accordance with the Appointments to Outside Bodies Procedure Rules at Section 4 of the Constitution.

² This is an advisory function under Section 102(4) Local Government Act 1972.

³ This is an advisory function under Section 102(4) Local Government Act 1972.

⁴ This is an advisory function under Section 102(4) Local Government Act 1972.

⁵ This is an advisory function under Section 102(4) Local Government Act 1972

⁶ All executive functions will be exercisable concurrently with the Executive Board.

⁷ In accordance with Section 2 of the Local Government Act 2000, and in furtherance of, and subject to the limitations set out in the Well-being Schedule detailed in Part 3 Section 3D of the Constitution approved by the Leader and submitted to Council on 28 June.

⁸ As determined from time to time by the Executive Board and in furtherance of, and subject to the limitations set out in the Area Function Schedule(s) detailed in Part 3 Section 3D of the Constitution and the Area Committee Procedure Rules in Part 4 of the Constitution.

This page is intentionally left blank

Employment Committee

The Employment Committee is authorised to discharge the following Council (non-executive)¹ functions².

1. to make recommendations to Council to appoint or dismiss the Chief Executive.
2. to appoint or dismiss or take disciplinary action against the Deputy Chief Executive and Directors³.
3. to deal with appeals relating to grading, grievance and discipline in respect of the Chief Executive, Deputy Chief Executive and Directors.

¹ Para 37 of Section I of the Functions Regulations

² "Functions" for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions

³ "directors" in this context is to be construed as any officer referred to in sub-paragraph (b), (c), or (d) of paragraph 3 of the Local Authorities (Standing Orders)(England) Regulations 2001

This page is intentionally left blank

Corporate Governance and Audit Committee

The Corporate Governance and Audit Committee is authorised to discharge the following functions¹:

1. to consider and determine Council (non-executive) functions² delegated to a Director³ where the Director has decided not to exercise the delegated authority and has referred the matter to the Committee.
2. to consider the Council's arrangements relating to accounts including:
 - (a) the approval of the statement of accounts and any material amendment of the accounts recommended by the auditors;
 - (b) the approval of the Statement on Internal Control; and
 - (c) with the exception of any matter, which may result in the accounts being qualified, responding to the Council's auditors in respect of any matter where it is not considered appropriate to make the amendments recommended by the auditors.
3. to consider the Council's arrangements relating to external audit requirements including:
 - (a) agreement and review of the nature and scope of the annual audit plan,
 - (b) the receipt of external audit reports so as to:
 - (i) inform the operation of Council's current or future audit arrangements; and
 - (ii) provide a basis for gaining the necessary assurance regarding governance prior to the approval of the Council's accounts.
4. to review the adequacy of policies and practices to ensure compliance with statutory and other guidance
5. to review the adequacy of the Council's Corporate Governance arrangements (including matters such as internal control and risk management)
6. to consider the Council's arrangements relating to internal audit requirements including:
 - (a) considering the Annual Internal Audit Report
 - (b) monitoring the performance of internal audit
7. to consider proposals to amend the Constitution and make recommendations to full Council⁴

¹ Functions" for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions.

² These functions, which include those local choice functions, which have been determined as non executive functions, are detailed in Sections 1 and 2 of Part 3 of the Constitution.

³ Director" includes those Officers specified in Sections 1 and 2 of Part 3 of the Constitution.

⁴ As outlined in Article 15 of the Constitution

This page is intentionally left blank

Member Management Committee

The Member Management Committee is authorised to discharge the following functions¹:

1. to determine which outside bodies² should have Member representation and to act as Appointing Body for the purposes of making appointments to outside bodies categorised as Strategic and Key Partnership Outside Bodies³;
2. to consider requests to establish informal Working Groups of Members⁴;
3. to act as an Advisory Body for the purposes of implementing practices and procedures affecting Elected Members⁵;
4. to consider matters in relation to the Training and Development of Elected Members; and
5. to consider matters in relation to the provision of information, communication and associated technologies in support of Elected Members.

¹ "Functions" for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions.

² Excluding those appointments to joint committees which are reserved to full Council

³ Within the Protocol for making Local Authority Appointments to Outside Bodies, such bodies are categorised as either Strategic and Key Partnership bodies (for which this Committee is the Appointing Body) or Community and Local Engagement bodies (for which the relevant Area Committee is the Appointing Body).

⁴ This Committee will not be the sole body for appointing Working Groups and, specifically, those Working Groups referred to in the Scrutiny Board Procedure rules are excluded. However, the Committee may be asked to consider cases where it is necessary to set up an ad hoc Working Group to reflect a wide range of Member views and there are no clear criteria for determining membership.

⁵ This Committee may not vary the requirements of the Constitution but there may be cases where alternative arrangements may have general implications for Members and it is appropriate to seek a view which reflects a broad view of Members before determining how a particular matter should be progressed

This page is intentionally left blank

The Licensing Committee

With the exception¹ of

- any licensing function² reserved to full Council;³ or
- any licensing function where full Council has referred a matter to another committee,⁴

the Licensing Committee is authorised to discharge⁵ the following functions⁶:

1. to discharge the licensing functions of the licensing authority;
2. to discharge any other function of the authority referred to it by full Council;⁷
3. to make recommendations to full Council in connection with the discharge of its functions as licensing authority;⁸
4. To receive reports from, and to make recommendations and representations to other committees or bodies as appropriate.⁹

¹ In accordance with Section 7(2) of the Licensing Act 2003 (the 2003 Act).

² "Licensing functions" mean functions under the Licensing Act 2003 (the 2003 Act).

³ Part 3, Section 2A of the Constitution sets out licensing functions reserved to full Council, as licensing authority under the 2003 Act.

⁴ Under the provisions of Section 7(5)(a) of the 2003 Act.

⁵ The Committee may arrange for any of its functions to be discharged by one or more sub-committees, or by an officer, subject to the exceptions set out in Section 10(4) of the 2003 Act.

⁶ "Functions" for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions.

⁷ Full Council may arrange for the Licensing Committee to discharge any function of the authority which relates to a matter referred to the Committee but is not a licensing function (Section 7(3)). It may also refer a matter to the Committee where a matter relates to a licensing function and to a function of the authority which is not a licensing function, and arrange for the Committee to discharge the other function (Section 7(5)(b)). Before exercising this power, the Council must consult with the Committee.

Pursuant to this provision on 12 January 2006 Council delegated to the Licensing Committee the power to make a designated public places order in respect of alcohol consumption under the Criminal Justice and Police Act 2001

⁸ Including recommendations arising from the monitoring of the operation and impact of the licensing policy by the Licensing Committee.

⁹ Where the licensing authority exercises its power under Section 7(5)(a) of the 2003 Act the other Committee must consider a report of the Licensing Committee. Where the Council does not make arrangements under Section 7(3), it must (unless the matter is urgent) consider a report of the Licensing Committee with respect to the matter before discharging the function (Section 7(4)).

This page is intentionally left blank

Licensing Sub-Committees

The Licensing Sub-Committees are authorised to discharge¹ the following functions² concurrently³:

1. functions⁴ under:
 - (a) section 18(3) (determination of application for premises licences where representations have been made);
 - (b) section 31(3) (determination of application for provisional statements where representations have been made);
 - (c) section 35(3)(determination of application for variation of premises licence where representations have been made);
 - (d) section 39(3)(determination of application to vary designated premises supervisors following police objection);
 - (e) section 44(5)(determination of application for transfer of premises licences following police objection);
 - (f) section 48(3)(consideration of police objection made to an interim authority notice);
 - (g) section 72(3)(determination of application for club premises certificates where relevant representations have been made);
 - (h) section 85(3) (determination of application to vary club premises certificates where representations have been made);
 - (i) section 105(2)(decision to give counter notice following police objection to a temporary event notice);
 - (j) section 120(7)(determination of application for grant of personal licence following police objection);
 - (k) section 121(6)(determination of application for renewal of personal licences following police objection);
 - (l) section 124(4)(revocation of licence where convictions come to light after grant or renewal of personal licences);
 - (m) section 20(3)(making recommendations for restricting the admission of children to the exhibition of any film)

2. To discharge any other function referred by the Licensing Committee, including making representations to the Licensing Committee in connection with the discharge of its functions.

¹ With the exception of those functions set out in paragraphs 1 and 2 above, and subject to any direction given by the Licensing Committee, the Licensing Sub-Committees may arrange for any of these functions to be discharged by an officer (Section 10(2) and (5) of the Licensing Act 2003 (the 2003 Act)).

² "Functions" for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions.

³ Section 10(3) of the Act.

⁴ Including agreeing whether a hearing is necessary.

Exceptions

A Sub Committee is not authorised to discharge functions under paragraph 1 (a) to (e) above where the application relates to an event in the open air, in a temporary structure or where the proposed capacity of the event exceeds 30,000 people.

REGULATORY PANELS

Licensing and Regulatory Panel

The Licensing and Regulatory Panel is authorised to discharge¹ the following functions:²

1. To discharge all Council (non-executive)³ functions relating to:

(a) licensing and registration functions⁴ in respect of:

- (i) caravan sites⁵
- (ii) hackney carriages and private hire vehicles⁶
- (iii) pool promoters⁷
- (iv) track betting licences⁸
- (v) amusement machines⁹
- (vi) lotteries¹⁰
- (vii) amusements with prizes¹¹
- (viii) sex shops and sex cinemas¹²
- (ix) performances of hypnotism¹³
- (x) acupuncture, ear-piercing and electrolysis¹⁴
- (xi) pleasure boats and vessels¹⁵
- (xii) market and street trading¹⁶
- (xiii) game¹⁷
- (xiv) premises for the preparation of food¹⁸
- (xv) scrap yards¹⁹
- (xvi) dog breeding, pet shops, animal breeding, animal trainers and exhibitors, zoos, wild animals²⁰

¹ With the exception of any licensing function under the Licensing Act 2003, the Panel and the Council may arrange for any of these functions to be discharged by an officer – the functions for the time being so delegated are detailed in Section 2 of Part 3 of this Constitution

² "Functions" for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions.

³ Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended (the 2000 Regulations).

⁴ Para. B of Schedule 1 to the 2000 Regulations

⁵ Items 1 and 2 of Para. B of Schedule 1 to the 2000 Regulations

⁶ Item 3 – 5 of Para. B of Schedule 1 to the 2000 Regulations

⁷ Item 6 of Para. B of Schedule 1 to the 2000 Regulations

⁸ Items 7 and 8 of Para. B of Schedule 1 to the 2000 Regulations

⁹ Item 9 of Para. B of Schedule 1 to the 2000 Regulations

¹⁰ Item 10 of Para. B of Schedule 1 to the 2000 Regulations

¹¹ Item 11 of Para. B of Schedule 1 to the 2000 Regulations

¹² Item 15 of Para. B of Schedule 1 to the 2000 Regulations

¹³ Item 16 of Para. B of Schedule 1 to the 2000 Regulations

¹⁴ Item 17 of Para. B of Schedule 1 to the 2000 Regulations

¹⁵ Item 18 of Para. B of Schedule 1 to the 2000 Regulations

¹⁶ Item 20 of Para. B of Schedule 1 to the 2000 Regulations

¹⁷ Item 23 of Para. B of Schedule 1 to the 2000 Regulations

¹⁸ Item 24 of Para. B of Schedule 1 to the 2000 Regulations

¹⁹ Item 25 of Para. B of Schedule 1 to the 2000 Regulations

²⁰ Items 29 - 33 of Para. B of Schedule 1 to the 2000 Regulations

- (xvii) knackers' yards²¹
- (xviii) the employment of children²²
- (xix) premises for the solemnisation of marriage²³
- (xx) charitable collections²⁴
- (xxi) operation of loudspeakers²⁵
- (xxii) movement and sale of pigs and cattle²⁶
- (xxiii) storage of celluloid²⁷
- (xxiv) meat product premises and dairy establishments²⁸
- (xxv) egg products, butchers and fish products²⁹
- (xxvi) auction and wholesale markets³⁰
- (xxvii) food business premises³¹
- (xxviii) motor salvage operators³²

(b) health and safety at work³³ to the extent that those functions are discharged otherwise than in the authority's capacity as an employer.

2. In respect of any approval, consent, licence, permission, or registration which they may grant,

- (a) To impose conditions limitations or restrictions;
- (b) To determine any terms;
- (c) To determine whether and how to enforce any failure to comply;
- (d) To amend, modify, vary or revoke;
- (e) To determine whether a charge should be made or the amount of such a charge.

²¹ Item 34 of Para. B of Schedule 1 to the 2000 Regulations

²² Item 35 of Para. B of Schedule 1 to the 2000 Regulations

²³ Item 36 of Para. B of Schedule 1 to the 2000 Regulations

²⁴ Item 39 of Para. B of Schedule 1 to the 2000 Regulations

²⁵ Item 40 of Para. B of Schedule 1 to the 2000 Regulations

²⁶ Items 43 – 46 of Para. B of Schedule 1 to the 2000 Regulations

²⁷ Item 56 of Para. B of Schedule 1 to the 2000 Regulations

²⁸ Items 57 – 59 of Para. B of Schedule 1 to the 2000 Regulations

²⁹ Items 60 - 63 of Para. B of Schedule 1 to the 2000 Regulations

³⁰ Item 66 of Para. B of Schedule 1 to the 2000 Regulations

³¹ Items 67-68 of Para. B of Schedule 1 to the 2000 Regulations

³² Item 71 of Para. B of Schedule 1 to the 2000 Regulations

³³ Para. C of Schedule 1 to the 2000 Regulations

Council Committees' Terms of Reference

3. To discharge any licensing function³⁴, where full Council has referred a matter to the Panel.³⁵

³⁴ Under the Licensing Act 2003

³⁵ (Section 7(5)(a) of the Licensing Act 2003). The matter must relate to

- a licensing function of the licensing authority and
- a function which is not a licensing function.

Unless the matter is urgent, the Panel must consider a report of the Licensing Committee in respect of the matter before discharging the function concerned (Section 7(6)).

This page is intentionally left blank

Plans Panels

The Plans Panels are authorised¹ to discharge² the following functions³

1. all Council (non-executive)⁴ functions relating to:
 - (a) town and country planning and development control⁵;
 - (b) safety certificates for sports grounds and fire certificates⁶;
 - (c) common land or town and village greens⁷;
 - (d) street works and highways⁸;
 - (e) public rights of way⁹;
 - (f) the protection of hedgerows and the preservation of trees¹⁰; and
 - (g) high hedges¹¹

2. in respect of any approval, consent, licence, permission, or registration which they may grant:
 - (a) to impose conditions limitations or restrictions;
 - (b) to determine any terms;
 - (c) to determine whether and how to enforce any failure to comply;
 - (d) to amend, modify, vary or revoke; and/or
 - (e) to determine whether a charge should be made or the amount of such charge.

3. to discharge any licensing function¹², where full Council has referred a matter to the panel.

¹ Each Plans Panel is authorised to discharge functions in respect of its own geographical area as indicated on the plan attached (A larger scale more detailed copy of the plan is maintained by the Chief Planning and Development Services Officer)

² With the exception of any licensing function under the Licensing Act 2003, the Panels and the Council may arrange for any of these functions to be discharged by an officer – the functions for the time being so delegated are detailed in Section 2 of Part 3 of this Constitution.

³ "Functions" for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions

⁴ Local Authorities (Functions and Responsibilities)(England)Regulations 2000

⁵ Items 5-31, Para. A of Schedule 1 of the 2000 Regulations

⁶ Items 26, 27 and 28 of Para B of Schedule 1 of the 2000 Regulations

⁷ Items 37 and 38 of Para B of Schedule 1 of the 2000 Regulations

⁸ Items 41,46A to 55 of Para B of Schedule 1 of the 2000 Regulations

⁹ Part I of Para I of Schedule 1 of the 2000 Regulations

¹⁰ Items 46 and 47 of Para I of Schedule 1 of the 2000 Regulations

¹¹ Item 47A of Para. I of Schedule 1 of the 2000 Regulations

¹² (section 7 (5) (a) of the Licensing Act 2003) The matter must relate to:

- a licensing function of the licensing authority and
- a function which is not a licensing function

Unless the matter is urgent, the Panel must consider a report of the Licensing Committee in respect of the matter before discharging the function concerned (Section 7 (6))

This page is intentionally left blank

Personnel Panel¹

The Personnel Panel is authorised to discharge² the following function³ :

1. to consider and determine employee and related appeals including those in respect of grading, grievance and discipline.

¹ Hearings will not be commenced by this panel after 31st August 2005 when alternative arrangements for appeals will be introduced, as agreed by Council on 23rd May 2005

² The Panel may arrange for any of the above functions to be discharged by an officer and the delegation arrangements in force in relation to such functions at the end of the Council year 1998/99 shall continue to operate pending any review

³ Functions" for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions

This page is intentionally left blank

ADVISORY COMMITTEE

Development Plan Panel

An advisory Committee¹ authorised to make recommendations regarding:

1. the Authority's Unitary Development Plan; and
2. the Local Development Framework.

In particular

To advise the Council in relation to functions which are²

- specified as being non executive functions or
- being local choice functions, are reserved to the Council; and

To advise the Executive in relation to functions which are²

- *specified as being executive functions, or*
- *being local choice functions, are not reserved to the Council, or*
- *are functions which are not specified as being either non executive functions or local choice functions and by default are executive functions*

¹ Appointed by the Council in accordance with Section 102(4) of the Local Government Act 1972.

² In accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as from time to time amended.

This page is intentionally left blank

LEEDS CITY COUNCIL

ANNUAL MEETING

22ND MAY 2006

MEMBERSHIP OF COMMITTEES/BOARDS/PANELS

Party Whips are authorised to allocate seats in accordance with the proportions set out on this schedule and such appointments will subsequently be reported to Council.

	LABOUR	LIB DEM	CONS	MBI	GREEN	IND	BNP
1	<u>SCRUTINY BOARDS</u>						
	(a) <u>Overview</u>						
	G Driver (Chair) P Grahame	B Cleasby B Lancaster R Pryke	B Anderson J Bale	T Leadley			
	(b) <u>Scrutiny Board (Children's services)</u>						
	A Harrison L Mulherin T Murray K Renshaw B Selby	B Cleasby J Chapman	J Bale (Chair) R D Feldman V Kendall				
	(c) <u>Scrutiny Board (Health and Adult Services)</u>						
	D Coupar S Hamilton J Illingworth J Jarosz J Lewis	B Lancaster (Chair) S Bentley G Kirkland	Mrs R Feldman A Shelbrooke		L Russell		
	(d) <u>Scrutiny Board (Leisure)</u>						
	P Grahame (Chair) B Atha J Dowson M Lyons	A Barker K Hussain J Monaghan	W Hyde (2 Whips Nominees)	J Elliott			

LABOUR LIB DEM CONS MBI GREEN IND BNP

(e) Scrutiny Board (Development)

P Davey B Cleasby (3 Whips
R Lewis (Chair) Nominees)
A Lowe D Hollingsworth
A Ogilvie (1 Whip's
N Taggart Nominee)

(f) Scrutiny Board (Neighbourhoods and Housing)

A D Atkinson R Pryke (Chair) D Schofield R Finnigan
A Gabriel J Akhtar (1 Whips
G Hyde P Ewens Nominee)
M Rafique
S Armitage

(g) Scrutiny Board (City Services)

M Coulson L Rhodes – B Anderson A Blackburn C Beverley
P Gruen Clayton (Chair)
R Harington S Golton F Robinson
J McKenna P Wadsorth

2 STANDARDS COMMITTEE

E Nash G Kirkland J L Carter

3 EMPLOYMENT COMMITTEE

Minimum of 3 Members comprising at least one member of the Executive.

4 LICENSING COMMITTEE

S Armitage D Wilson (Chair) RDFeldman T Grayshon
J Dowson C Townsley (3 Whips
J Dunn D Hollingsworth Nominees)
G Hyde R Downes
V Morgan
B Selby

5 REGULATORY PANELS

The Regulatory Panel

For the purposes of Council Procedure Rule 26.1 (Appointment of Substitute Members) the members of the Regulatory Panels shall form a single Regulatory Panel (The Regulatory Panel) comprising all of the members appointed to any of the Regulatory Panels subject to the proposed substitute members having received appropriate training for the relevant Panel prior to their acting as a substitute.

(a) Plans Panel (East)

D Congreve D Wilson C Fox McArdle
P Gruen A Taylor (Chair)
M Lyons (1 Whips Mrs R
K Parker Nominee) Feldman
B Selby J Procter

LABOUR	LIB DEM	CONS	MBI	GREEN	IND	BNP
<u>(b) Plans Panel (West)</u>						
M Coulson	C Campbell	S Andrew	T Leadley	A Blackburn	B Jennings	
T Hanley	(Chair)	(2 Whips				
J Harper	R Downes	Nominees)				
E Minkin	(1 Whips					
N Taggart	Nominee)					
<u>(c) Plans Panel (City Centre)</u>						
J McKenna	M Hamilton	Mrs A Carter		D Blackburn		
E Minkin		(Chair)				
E Nash		A Shelbrooke				
<u>(d) Licensing and Regulatory</u>						
S Armitage	D Wilson	R D Feldman				
J Dunn	D Hollingsworth	(Chair)				
J Dowson	R Downes	(1 Whips				
G Hyde		Nominee)				

This page is intentionally left blank

LEEDS CITY COUNCIL

ANNUAL MEETING

22nd MAY 2006

**MEMBERSHIP OF CORPORATE GOVERNANCE AND AUDIT COMMITTEE, MEMBER
MANAGEMENT COMMITTEE AND DEVELOPMENT PLAN PANEL**

APPOINTMENTS IN ACCORDANCE WITH SECTION 17 OF THE LOCAL GOVERNMENT
AND HOUSING ACT 1989

Party Whips are authorised to allocate seats in accordance with the principles set out on this
schedule and such appointments will subsequently be reported to the Council

LABOUR LIB DEM CONS MBI GREEN IND BNP

Corporate Governance and Audit Committee

K Wakefield M Harris* A Carter** R Finnigan D Blackburn
E Minkin

Member Management Committee

T Hanley MHamilton** J Procter* T Leadley A Blackburn
B Selby S Bentley G Latty

*Chair for the period 23rd May 2006 to 30th November 2006

**Chair for the period 1st December 2006 to the date of
the Annual Meeting of Council 2007

This page is intentionally left blank

LEEDS CITY COUNCIL

ANNUAL MEETING

22nd MAY 2006

**MEMBERSHIP OF ADVISORY COMMITTEE TO THE EXECUTIVE
(DEVELOPMENT PLAN PANEL)**

LABOUR LIB DEM CONS MBI GREEN IND BNP

Development Plan Panel

J Blake	R Harker	ACarter(Chair)	T Leadley	D
D Congreve	B Cleasby	J Procter		Blackburn
N Taggart				

This page is intentionally left blank

LEEDS CITY COUNCIL

ANNUAL MEETING

22nd MAY 2006

APPOINTMENTS TO OUTSIDE ORGANISATIONS

Party Whips are authorised to allocate seats in accordance with the allocations set out on this schedule and such appointments will subsequently be reported to Council.

LABOUR	LIBERAL DEMOCRAT	CONSERVATIVE	MORLEY BOROUGH IND	GREEN IND	BNP
---------------	-----------------------------	---------------------	-----------------------------------	------------------	------------

WEST YORKSHIRE FIRE AND RESCUE AUTHORITY

Councillors

S Armitage	D Hollingsworth	P Harrand	R Finnigan
M Coulson	G Kirkland	1 Whip Nominee	
A Harrison			

WEST YORKSHIRE PASSENGER TRANSPORT AUTHORITY

Councillors

D Congreve	C Townsley	W Hyde	D Blackburn
J Jarosz	R Downes	D Schofield	
M Lyons			

NOMINATIONS TO SERVE ON THE WEST YORKSHIRE POLICE AUTHORITY

Councillors

R Lewis	J Akhtar	JL Carter
---------	----------	-----------

WEST YORKSHIRE PENSION FUND JOINT ADVISORY GROUP

Councillors

D Congreve	R Harker	1 Whips Nominee
------------	----------	--------------------

WEST YORKSHIRE PENSION FUND INVESTMENT PANEL

Councillors

D Congreve	1 Whips Nominee
------------	--------------------

WEST YORKSHIRE JOINT SERVICES COMMITTEE

Councillors

K Wakefield A Ogilvie	M Harris	1 Whips Nominee
--------------------------	----------	--------------------

Appointments to this Committee consist of the Leader plus three members. A Panel of three named substitutes is also appointed and a ratio of 1:1:1 is suggested.

Substitutes

J Lewis	M Hamilton	1 Whips Nominee
---------	------------	--------------------

LEEDS BRADFORD AIRPORT

Councillors

A D Atkinson	A Barker C Campbell S Golton	2 Whips Nominees
--------------	------------------------------------	---------------------

Each Board Member has the right to appoint 1 alternate member

SECTION THREE

EXECUTIVE FUNCTIONS

SECTION 3A: RESPONSIBILITY FOR EXECUTIVE FUNCTIONS

3.1 Executive functions include those local choice functions identified in Section 1 as the responsibility of the Executive, and all other functions of the Authority not specified in Section 2.

However, in accordance with the Functions Regulations, the following are NOT functions of the Executive:

- imposing conditions, limitations or restrictions on approvals, licences, permissions or registrations on a non-executive function;
- determining any terms to which any such approval etc. is subject¹;
- determining whether and how to enforce any failure to comply with such approvals or any of the attached conditions etc.²;
- amending, modifying, varying or revoking any such approval³;
- determining whether a charge should be made for such approvals or the amount of such charge⁴;
- making, amending, revoking or replacing the Members Allowance Scheme or determining any amounts or rates in the scheme⁵;
- subject to any Regulations under S20 of the Local Government Act 2000, making arrangements for the joint exercise of functions under S101(5) of the Local Government Act 1972 and making appointments to committees/joint committees under S.102 of the 1972 Act⁶;
- any functions reserved to full Council under legislation which pre-dates the Regulations⁷;
- amending, modifying, varying or revoking any plan or strategy unless it is required to give effect to the requirements of the Secretary of State or Minister submitted for approval or where full Council when approving the plan/strategy authorised the Executive to do so⁸;
- the adoption/approval of a plan/strategy which is not in the policy framework, if full Council has determined that full Council should take the decision⁹; and

¹ Reg. 2(2)

² Reg. 2(3)

³ Reg. 2(4)

⁴ Reg. 2(6)

⁵ Reg. 2(5) and 2 (6)

⁶ Reg. 2(8)

⁷ Reg. 2(11)

⁸ Reg. 4

⁹ Reg. 5(1)

- where the decision is contrary to or not wholly in accordance with the Budget and Policy Framework¹⁰.

3.2 All executive functions will be discharged by the Executive as a whole, save to the extent that such functions are delegated to Joint Committees (see Joint Arrangements) to Area Committees under Part 3D of the Constitution, or Officers (see Officer Delegation Scheme executive functions).

3.3 The names, addresses and wards of the Leader and the Members of the Authority appointed by the Leader to the Executive as follows:

Name	Address	Ward
*Leader¹¹ Mark Harris Liberal Democrat Group	25 Gledhow Wood Avenue Leeds LS8 1NY	Moortown
*Leader¹¹ Andrew Carter Conservative Group	15 Clarke Street Calverley Leeds LS28 5NH	Calverley and Farsley
Steve Smith Liberal Democrat Group	129 Holmsley Lane Woodlesford Leeds LS26 8SB	Rothwell
John Leslie Carter Conservative Group	25 Oaklands Avenue Leeds LS16 8NR	Adel and Wharfedale
Richard Brett Liberal Democrat Group	991 Scott Hall Road Leeds LS17 6HJ	Burmantofts and Richmond Hill
John Procter Conservative Group	Tithe House Tithe Barn Lane Bardsley Leeds LS17 9DX	Wetherby
Richard Harker Liberal Democrat Group	3 The Cross Leeds LS16 9AX	Moortown
Peter Harrand Conservative Group	8 Overdale Avenue Leeds LS17 8TE	Alwoodley
David Blackburn Green Group	9 Cobden Grove Leeds LS12 5PA	Farnley and Wortley
Keith Wakefield Labour Group	35 Beech Grove Avenue Garforth Leeds LS25 1EF	Kippax and Methley

¹⁰ Reg. 5(1)

¹¹

Councillor Mark Harris

Leader of Council

23rd May 2006 to 30th November 2006.

Deputy Leader

Commencing 1st December 2006 until 21st May 2007

Councillor Andrew Carter

Deputy Leader

23rd May 2006 until 30th November 2006.

Leader of Council

Commencing 1st December 2006 until 21st May 2007

- 3.4 The Leader has identified the following advisory member who will be able to attend and speak at meetings of the Executive Board to assist the Labour nominated Executive Member. However the adviser will not be able to vote and will not be a co-optee.

Name	Address	Ward
Cllr Judith Blake	Woodview Billams Hill Otley LS21 2DZ	Middleton Park

SECTION THREE

EXECUTIVE FUNCTIONS

SECTION 3A: RESPONSIBILITY FOR EXECUTIVE FUNCTIONS

3.1 Executive functions include those local choice functions identified in Section 1 as the responsibility of the Executive, and all other functions of the Authority not specified in Section 2.

However, in accordance with the Functions Regulations, the following are NOT functions of the Executive:

- imposing conditions, limitations or restrictions on approvals, licences, permissions or registrations on a non-executive function;
- determining any terms to which any such approval etc. is subject¹;
- determining whether and how to enforce any failure to comply with such approvals or any of the attached conditions etc.²;
- amending, modifying, varying or revoking any such approval³;
- determining whether a charge should be made for such approvals or the amount of such charge⁴;
- making, amending, revoking or replacing the Members Allowance Scheme or determining any amounts or rates in the scheme⁵;
- subject to any Regulations under S20 of the Local Government Act 2000, making arrangements for the joint exercise of functions under S101(5) of the Local Government Act 1972 and making appointments to committees/joint committees under S.102 of the 1972 Act⁶;
- any functions reserved to full Council under legislation which pre-dates the Regulations⁷;
- amending, modifying, varying or revoking any plan or strategy unless it is required to give effect to the requirements of the Secretary of State or Minister submitted for approval or where full Council when approving the plan/strategy authorised the Executive to do so⁸;
- the adoption/approval of a plan/strategy which is not in the policy framework, if full Council has determined that full Council should take the decision⁹; and

¹ Reg. 2(2)

² Reg. 2(3)

³ Reg. 2(4)

⁴ Reg. 2(6)

⁵ Reg. 2(5) and 2 (6)

⁶ Reg. 2(8)

⁷ Reg. 2(11)

⁸ Reg. 4

⁹ Reg. 5(1)

- where the decision is contrary to or not wholly in accordance with the Budget and Policy Framework¹⁰.

3.2 All executive functions will be discharged by the Executive as a whole, save to the extent that such functions are delegated to Joint Committees (see Joint Arrangements) to Area Committees under Part 3D of the Constitution, or Officers (see Officer Delegation Scheme executive functions).

3.3 The names, addresses and wards of the Leader and the Members of the Authority appointed by the Leader to the Executive as follows:

Name	Address	Ward
*Leader¹¹ Mark Harris Liberal Democrat Group	25 Gledhow Wood Avenue Leeds LS8 1NY	Moortown
*Leader¹¹ Andrew Carter Conservative Group	15 Clarke Street Calverley Leeds LS28 5NH	Calverley and Farsley
Steve Smith Liberal Democrat Group	129 Holmsley Lane Woodlesford Leeds LS26 8SB	Rothwell
John Leslie Carter Conservative Group	25 Oaklands Avenue Leeds LS16 8NR	Adel and Wharfedale
Richard Brett Liberal Democrat Group	991 Scott Hall Road Leeds LS17 6HJ	Burmantofts and Richmond Hill
John Procter Conservative Group	Tithe House Tithe Barn Lane Bardsley Leeds LS17 9DX	Wetherby
Richard Harker Liberal Democrat Group	3 The Cross Leeds LS16 9AX	Moortown
Peter Harrand Conservative Group	8 Overdale Avenue Leeds LS17 8TE	Alwoodley
David Blackburn Green Group	9 Cobden Grove Leeds LS12 5PA	Farnley and Wortley
Keith Wakefield Labour Group	35 Beech Grove Avenue Garforth Leeds LS25 1EF	Kippax and Methley

¹⁰ Reg. 5(1)

¹¹

Councillor Mark Harris

Leader of Council

23rd May 2006 to 30th November 2006.

Deputy Leader

Commencing 1st December 2006 until 21st May 2007

Councillor Andrew Carter

Deputy Leader

23rd May 2006 until 30th November 2006.

Leader of Council

Commencing 1st December 2006 until 21st May 2007

- 3.4 The Leader has identified the following advisory member who will be able to attend and speak at meetings of the Executive Board to assist the Labour nominated Executive Member. However the adviser will not be able to vote and will not be a co-optee.

Name	Address	Ward
Cllr Judith Blake	Woodview Billams Hill Otley LS21 2DZ	Middleton Park

**SECTION 3B (b): EXECUTIVE MEMBERS
OVERVIEW OF ROLES AND RESPONSIBILITIES**

POST	AREA OF RESPONSIBILITY
Executive Member for Central and Corporate	<p>To have political oversight for the following principal areas of Council activity:</p> <ul style="list-style-type: none"> • Equality and diversity, communications, performance, customer services, procurement, risk management and international relations activities; • HQ support services including ICT, Human Resources, legal and financial services; • Democratic services including member support, committee/scrutiny support, corporate governance and the Lord Mayor’s office; • Corporate support for Public Private Partnership ventures. • Jobs and skills <p>To provide a corporate overview of, and promote cross-sector support for, the ‘Narrowing the Gap’ aim of the Vision for Leeds.</p> <p>To chair the Leeds Initiative Board and represent the Council on key inter-sector and inter-authority partnerships.</p>
Executive Member for Development	<p>To have political oversight for the following principal areas of Council activity:</p> <ul style="list-style-type: none"> • The provision of strategic property and asset management services; • Economic, transport and planning policy development; • Planning and building control services; • Land drainage activities; • The provision of architectural and highways design related services; • Regeneration <p>To represent the Council on key inter-sector and inter-authority partnerships.</p> <p>To provide a corporate overview of, and promote cross-sector support for,</p> <ol style="list-style-type: none"> i) the ‘Going up a League’ and the ‘Regional Capital’ aims of the Vision for Leeds, and ii) Leeds Renaissance programmes

POST	AREA OF RESPONSIBILITY
Executive Member for City Services	<p>To have political oversight for the following principal areas of Council activity:</p> <ul style="list-style-type: none"> • Highway Maintenance • Parking enforcement • Catering • Building maintenance and cleaning • Corporate fleet management • Client transport services • Street cleaning • Refuse collection and waste management <p>To represent the Council on key inter-sector and inter-authority partnerships.</p>
Executive Member for Neighbourhoods and Housing	<p>To have political oversight for the following principal areas of Council activity:</p> <ul style="list-style-type: none"> • Housing (condition and occupation) • The reduction of crime, disorder and anti-social behaviour • Environment and consumer protection • Neighbourhood renewal and area-based working arrangements <p>To represent the Council on key inter-sector and inter-authority partnerships.</p>
Lead Executive Member for Children's Services	<p>To have overall political oversight for the following principal areas of Council activity:</p> <ul style="list-style-type: none"> • functions of the authority in its role as children's services authority (including arrangements to promote co-operation to improve the well-being of children); • social services functions so far as they relate to children (and young people leaving care); • health services – functions exercisable on behalf of an NHS body so far as they relate to children; • functions of the authority as LEA <p>To represent the Council on key inter-sector and inter-authority partnerships.</p>

POST	AREA OF RESPONSIBILITY
Support Executive Member for Children's Services	<p>To have political oversight for the following principal areas of Council activity on behalf of the Children's Services Lead Executive Member:</p> <ul style="list-style-type: none"> • School-based learning • Early years development and child care planning • Youth services <p>To represent the Children's Services Lead Executive Member on appropriate inter-sector and inter-authority partnerships.</p>
Executive Member Leisure	<p>To have political oversight for the following principal areas of Council activity:</p> <ul style="list-style-type: none"> • Libraries, record repositories, museums and art galleries, public entertainments, halls and venues and the arts; • Parks • Sports facilities • Countryside management • cemeteries, crematoria, burial grounds and mortuaries; <p>To represent the Council on key inter-sector and inter-authority partnerships.</p>
Executive Member Adult Health and Social Care	<p>To have political oversight for the following principal areas of Council activity:</p> <ul style="list-style-type: none"> • The provision of adult health and social care services <p>To represent the Council on key inter-sector and inter-authority partnerships.</p>
Executive Member for Customer Services	<p>To have political oversight for the following principal areas of Council activity:</p> <ul style="list-style-type: none"> • The delivery of the Council's 'Customer Strategy'; • The provision and further development of the Council's Contact Centre, One Stop Shops and Welfare Rights services. <p>To represent the Council on key inter-sector and inter-authority partnerships.</p>

This page is intentionally left blank

SECTION 3B (c): EXECUTIVE MEMBER AND LEAD MEMBER SUPPORT

EXECUTIVE MEMBER	APPOINTED LEAD MEMBER SUPPORT
Central and Corporate Cllr Mark Harris Liberal Democrat Group	Councillor Ryk Downes <i>Conservative Group nominee to follow</i>
Development Cllr Andrew Carter Conservative Group	<i>Liberal Democrat Group nominee to follow</i> Councillor Stuart Andrew
City Services Cllr Steve Smith Liberal Democrat Group	Councillor James Monaghan <i>Conservative Group nominee to follow</i>
Neighbourhoods and Housing Cllr John Leslie Carter Conservative Group	Councillor Judith Chapman <i>Conservative Group nominee to follow</i>
Lead Executive Member for Children's Services Richard Brett Liberal Democrat Group	Councillor Penny Ewens Councillor Mrs R Feldman
Support Executive Member for Children's Services Cllr Richard Harker Liberal Democrat Group	Councillor Sue Bentley Councillor William Hyde
Leisure Cllr John Procter Conservative Group	Councillor Christopher Townsley Councillor Paul Wadsworth
Adult Health and Social Care Cllr Peter Harrand Conservative Group	Councillor Kabeer Hussain Councillor Valerie Kendall
Customer Services Cllr David Blackburn Green Group	A lead member will be nominated in each of the portfolios above to provide a link on activities in support of the Customer Services' agenda.
Leader of the Labour Group Cllr Keith Wakefield Labour Group	Councillor James Lewis Councillor Lisa Mulhern Councillor Peter Gruen

This page is intentionally left blank

SECTION 3C: EXECUTIVE COMMITTEE AND ADVISORY COMMITTEE TERMS OF REFERENCE
--

AREA COMMITTEES

Within each Committee's area:

(Council functions)

1. *to make Elected Member appointments¹ to Outside Bodies as determined by the Member Management Committee;*
2. *to advise or make representations to the Council, the Executive Board, Scrutiny Boards or Regulatory Panels on all matters affecting community interests;²*
3. *to consider and respond to consultations on planning briefs and frameworks and on major development proposals affecting the Committee's area;³*
4. *to consider proposals referred to the Committee by the Council, Executive Board, Scrutiny Boards or Regulatory Panels and to report back the Committee's views to the referring body;⁴*
5. *to receive and hear deputations; and*
6. *to consider the performance, targeting, frequency and co-ordination of services and make recommendations to the Executive Board as appropriate;*

(Executive functions)⁵

7. *to promote and improve the economic, social and environmental well-being of the Committee's area⁶; and*
8. *to exercise Area Functions;⁷*

¹ In accordance with the Appointments to Outside Bodies Procedure Rules at Section 4 of the Constitution.

² This is an advisory function under Section 102(4) Local Government Act 1972.

³ This is an advisory function under Section 102(4) Local Government Act 1972.

⁴ This is an advisory function under Section 102(4) Local Government Act 1972.

⁵ All executive functions will be exercisable concurrently with the Executive Board.

⁶ In accordance with Section 2 of the Local Government Act 2000, and in furtherance of, and subject to the limitations set out in the Well-being Schedule detailed in Part 3 Section 3D of the Constitution approved by the Leader and submitted to Council on 28 June.

⁷ As determined from time to time by the Executive Board and in furtherance of, and subject to the limitations set out in the Area Function Schedule(s) detailed in Part 3 Section 3D of the Constitution and the Area Committee Procedure Rules in Part 4 of the Constitution.

ADVISORY COMMITTEE TO THE EXECUTIVE

DEVELOPMENT PLAN PANEL

An advisory committee⁸ authorised to make recommendations regarding:

1. the Local Authority's Unitary Development Plan; and
2. the Local Development Framework

In particular

To advise the Council in relation to functions which are⁹

- *specified as being non executive functions or*
- *being local choice functions, are reserved to the Council; and*

To advise the Executive in relation to functions which are²²

- specified as being executive functions; or
- being local choice functions, are not reserved to the Council; or
- are functions which are not specified as being either non executive functions or local choice functions and by default are executive functions.

⁸ Appointed by the Council in accordance with Section 102 (4) of the Local Government Act 1972.

⁹ In accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as from time to time amended.

SECTION 3E: OFFICER DELEGATION SCHEME (EXECUTIVE FUNCTIONS)

FOREWORD

1. General roles and responsibilities of Members and Officers

- (a) Members set policy priorities and strategies to reflect local interests and needs and are also responsible for allocating funding between individual priority areas. Directors and their staff implement these strategies and policies by delivering services and major initiatives. It is officers therefore, who have responsibility for managing the Council's day to day operations, within a policy and budgetary framework laid down by Members.
- (b) Under the executive arrangements, both full Council and the Executive have specific functions and these can be delegated to committees or officers. Where Council or the Executive have established a committee to discharge their respective functions then subject to any limitations imposed by the Council/Executive respectively, that committee can also delegate its functions to an officer. The functions delegated to officers by the executive are set out in this Officer Delegation Scheme. The functions delegated to officers in relation to Council functions are set out in Section 2 of Part 3 of the Constitution.
- (c) The fact that a function stands delegated to an officer under these arrangements shall not preclude the Executive, from exercising the function directly.
- (d) A Director may consider that a delegated authority should not be exercised and that it should be referred to the Executive for determination.
- (e) An appropriate Executive Member may request that a Director refrains from exercising a delegated authority in respect of a particular matter and refer it instead to the Executive, for a decision.
- (f) The Executive may determine to reserve decisions about particular matters to itself.
- (g) In addition to the delegations set out in this scheme, the Executive can arrange for further delegations on specific matters.
- (h) Whilst the exercise of a function by an officer under these arrangements is not made subject to the satisfaction of any prior condition, an officer shall, when exercising a discretion remitted to him/her, be under a duty to satisfy himself/herself that the decision conforms to the Council's Budget and Policy Framework and other approved policies and that, in reaching the decision, he/she has observed approved practices and procedures, including those in relation to community consultation.

GENERAL DELEGATIONS TO OFFICERS

The Chief Executive, the Deputy Chief Executive, Directors¹ or other named officers are authorised to carry into effect without reference to the Executive Board or to any of its committees, matters of day to day management and administration and, in particular, the following functions:

FINANCIAL

1. Revenue Expenditure

- (a) Following approval of departmental revenue budgets, Directors have authority to incur expenditure within those estimates with the exception of items being subject to separate release in accordance with Appendix B to Financial Procedure Rules. Directors must consult with any Director who may be able to provide the works or service required or who may otherwise advise on or assist with this provision to ascertain whether that Director would wish to submit a tender or quotation or undertake the works/services competition free, in accordance with Contract Procedure Rules.
- (b) To incur expenditure within the Revenue Budget in accordance with the virement procedures and delegated limits set out in Financial Procedure Rules.
- (c) In an emergency to incur immediately necessary expenditure which shall be reported to the Director of Corporate Services at the first opportunity.

2. Capital Expenditure

- (a) To incur expenditure on capital schemes in accordance with the arrangements set out in Financial Procedure Rules.
- (b) To accept tenders for construction works within specific limits as set out in Financial Procedure Rules.

3. Debts

To write off debts (other than local taxation) in accordance with the procedures and maximum values set out in Financial Procedure Rules.

4. Disposal of Property

To dispose of property (including obsolete vehicles and plant, stores, old materials and scrap), other than property for resale, in accordance with the requirements of Financial Procedure Rules and Contracts Procedure Rules.

¹ And the Chief Social Services Officer

5. Payments

To approve payments to suppliers prior to the receipt of goods in accordance with the limits set out in Financial Procedure Rules.

6. Cash Imprests and Disbursements

- (a) To authorise individual establishment cash imprests in accordance with the limits set out in Financial Procedure Rules.
- (b) To approve individual payments from cash imprests in excess of the limit set out in Financial Procedure Rules.

7. Stores Deficiencies and Surpluses

To authorise the making good or otherwise of stores deficiencies up to the limit specified in Financial Procedure Rules.

GENERAL

8. Lost Property

To take responsibility, as identified in the Financial Procedure Rules for lost property found on Council premises, including the registration of found items and the designation of a responsible officer to follow the found property procedures.

9. Data Protection, Human Rights, Surveillance Activities, Freedom of Information

- (a) To implement and ensure compliance with:
 - the rules on data protection, human rights, surveillance activities, and freedom of information²;
 - the Council's policies on these matters; and
 - guidance and advice from the Director of Legal and Democratic Services on these matters.
- (b) To designate officers with specific responsibilities for these matters.
- (c) To advise the Director of Legal and Democratic Services of any new types of data processed, of new ways of processing personal data and of any new persons or organisations to whom data is given.

² Contained within the following: Data Protection Act 1998, Human Rights Act 1998, Freedom of Information Act 2000 and the Regulation of Investigatory Powers Act 2000 and subsidiary legislation

10. Media

To issue statements to the press and other news media about their delegated functions within the settled framework of Council policy.

11. Authorising Officers

To authorise officers possessing such qualifications as may be required by law or in accordance with the Council's policy, to take samples, carry out inspection, enter premises and generally perform the functions of a duly authorised officer of the Council (however described) and to issue any necessary certificates of authority.

12. Corporate Procedures

To take any action remitted to him/her under corporate procedures.³

13. Local Choice Functions (see Section 1, Part 3 of the Constitution)

(a) Functions under a local act, unless otherwise specified in Regulation 2 or Schedule 1 of the Local Authorities (Functions and Responsibilities) Regulations 2000.

(b) To obtain particulars of persons interested in land.

14. Signature of Contracts - Local Government (Contracts) Act 1997

(a) Subject to the approval of the Director of Legal and Democratic Services, to sign certificates for contracts which relate specifically to their delegated functions.

15. Budget and Policy Framework

The Chief Executive, the Deputy Chief Executive, a Director or other named officer shall have power to canvas the views of local stakeholders, formulate and publish initial proposals within the budget and policy framework.

PERSONNEL

16. Miscellaneous Employment Issues

To deal with employment issues in accordance with agreed procedures and the relevant national conditions of service as modified or extended by any local or national agreements.

³ Where, under approved procedures, a function stands remitted to a committee or sub-committee or officer post that has not been re-established, the Chief Executive shall be authorised to determine by whom that function shall be discharged pending the review of such procedures. Any function remitted to a Director shall be deemed to be remitted to the Chief Social Services Officer.

17. Changes to Staffing Structures

- (a) To agree changes to staffing structures except where the restructure:
 - (i) involves the loss of one or more posts not currently vacant
 - (ii) involves the regrading of posts or the grading of new posts
 - (iii) involves changes to existing National or Local Agreements and policies
 - (iv) cannot be achieved within the Director's delegated powers in respect of budgets
- (b) Decisions made by Directors are subject to the prior notification of the Director of Corporate Services and prior consultation with all appropriate parties affected by the decision, notably the Trade Unions.
- (c) Decisions in respect of restructures which involve regradings, loss of posts, changes to existing agreements or policies or have budgetary implications as set out above are delegated to the Director of Corporate Services and subject to consultation with the Director of Legal and Democratic Services and other appropriate parties.
- (d) Proposals which involve additional Council expenditure outside officer delegations or which involve issues outside existing Council policy will be referred to the Council or appropriate committee.

18. Trade Union Facilities Scheme - Time off for duties as an Elected National Union Officer

The Director of Corporate Services is authorised to deal with this as a corporate not a departmental issue.

This page is intentionally left blank

THE CHIEF EXECUTIVE

With the exception of those matters where an appropriate Executive Member¹ has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board, for consideration², the Chief Executive¹ is authorised to:

- (a) discharge any function of the executive in relation to:
 - (i) equality of opportunity in employment and service delivery;
 - (ii) performance management and service development;
 - (iii) policy development, external relations and communications; and
 - (iv) customer services and the promotion of welfare rights.
- (b) discharge any function² of the Executive not otherwise delegated to a Director,³ including civic and ceremonial functions of the Council;

¹ An “appropriate Executive Member“ is the Leader or the Portfolio-holding Member of the Executive Board

² The Chief Executive may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred for consideration by the Executive Board

¹ The fact that a function has been delegated to the Chief Executive does not require the Chief Executive to give the matter his/her personal attention and he/she may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However, the Chief Executive remains responsible for any decision taken pursuant to such arrangements.

² “Function” for these purposes is to be construed in a broad and inclusive fashion, and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions.

³ “Director” for these purposes includes the Deputy Chief Executive or any Director to whom functions have been delegated.

This page is intentionally left blank

THE DIRECTOR OF CORPORATE SERVICES

With the exception of those matters where an appropriate Executive Member¹ has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration, the Director of Corporate Services² is authorised to discharge any function³ of the Executive in relation to:

- (a) making arrangements for the proper administration of the authority's financial affairs⁴ including administration of benefits, student support, the collection of revenue, council tax and national non domestic rates, internal audit, creditor payments, pensions and the Council's insurance arrangements;
- (b) industrial relations and employment matters, including employee training and health and safety;
- (c) risk management;
- (d) civil defence and emergency peace time planning; and
- (e) the management of matters relating to the application of information, communication and associated technologies to support the discharge of any function⁴ of the Executive.

¹ An "appropriate Executive Member" is the Leader or other Portfolio-holding Member of the Executive Board

² The fact that a function has been delegated to the Director does not require the Director to give the matter his/her personal attention and the Director may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Director remains responsible for any decision taken pursuant to such arrangements.

³ "Function" for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Director as "proper officer" for the purpose of any function delegated to him/her under these arrangements.

⁴ The Director of Corporate Services has responsibility for these arrangements as Section 151 Officer.

This page is intentionally left blank

THE DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

With the exception of those matters where an appropriate Executive Member¹ has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration, the Director of Legal and Democratic Services² is authorised to:

- (a) act as Solicitor to the Council and to take any action intended to give effect to a decision of the Executive or an officer, including the commencement, defence, withdrawal or settlement of proceedings, and the authorisation of Council officers to conduct legal matters in court;
- (b) discharge any function³ of the Executive in relation to:
 - (i) procurement and purchasing;
 - (ii) land charges;
 - (iii) vehicle, public entertainment and related licensing and enforcement;
 - (iv) elections;
 - (v) data protection, human rights, freedom of information and the regulation of surveillance activities;
 - (vi) the registration of births, deaths, marriages and civil partnerships;
 - (vii) the management of matters relating to Members, the Lord Mayor, committees and scrutiny support; and
 - (viii) the management of corporate governance.

¹ An “appropriate Executive Member” is the Leader or other portfolio-holding Member of the Executive Board

² The fact that a function has been delegated to the Director does not require the Director to give the matter his/her personal attention and the Director may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Director remains responsible for any decision taken pursuant to such arrangements.

³ “Function” for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Director as “proper officer” for the purpose of any function delegated to him/her under these arrangements. Note, however, for purposes of data protection, human rights, freedom of information, and the regulation of surveillance activities “function” is limited to preparing policies and strategies for approval, guidance and advice, notification and dealings with the Information Commissioner generally, and monitoring compliance.

This page is intentionally left blank

THE DIRECTOR OF CHILDREN'S SERVICES¹

With the exception of those matters where the appropriate Executive Member² has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration³, the Director of Children's Services⁴ is authorised to discharge any function⁵ of the Executive in relation to:

- (a) the authority's role as children's services authority⁶;
- (b) social services, so far as those functions relate to
 - (i) children or
 - (ii) young people leaving care⁷;
- (c) functions exercisable on behalf of an NHS body⁸, so far as they relate to children;
- (d) the authority's role as local education authority excluding:
 - (i) vocational training and allied services; and

¹ Appointed under Section 18 Children Act 2004

² An "appropriate Executive Member" is the Leader or other Portfolio-holding Member of the Executive Board

³ The Director may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred for consideration to the Executive Board.

⁴ The fact that a function has been delegated to the Director does not require the Director to give the matter his/her personal attention and the Director may arrange for the delegated authority to be exercised by an officer of suitable experience and seniority. However the Director remains responsible for any decision taken pursuant to such arrangements.

⁵ "Function" for these purposes is to be construed in a broad and inclusive fashion and includes the doing to anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Director as "proper officer" for the purpose of any function delegated to him/her under these arrangements.

⁶ Including functions in relation to:

- arrangements to promote co-operation to improve well-being of children;
- arrangements to safeguard and promote welfare of children;
- information data-bases;
- the Local Safeguarding Children Board.

⁷ Under sections 23C and 24D of the Children Act 1989, so far as not falling within (i).

⁸ Under Section 31 of the Health Act 1999

This page is intentionally left blank

THE DIRECTOR OF LEARNING AND LEISURE

With the exception of those matters where

- (i) an appropriate Executive Member¹ or the Director of Children's Services² has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board, for consideration³; or
- (ii) the Director of Children's Services⁴ has directed that the matter be referred to him/her for consideration

the Director of Learning and Leisure⁵ is authorised⁶ to discharge any function⁷ of the Executive in relation to:

- (a) vocational training and allied services for persons over compulsory school age, and the promotion of arrangements to assist persons to obtain employment and employers to obtain employees;
- (b) early years development and child care planning;
- (c) cultural services (including the arts, libraries, record repositories, museums and art galleries, public entertainments, halls and venues);
- (d) recreation services (including parks, countryside and sports facilities);
- (e) cemeteries, crematoria, burial grounds and mortuaries;
- (f) countryside management (including all matters relating to the provision and maintenance of footpaths and bridleways), and the provision and maintenance of landscaping schemes; and
- (g) youth services.

¹ An "appropriate Executive Member" is the Leader or other Portfolio-holding Member of the Executive Board.

² In relation to any function the Director of Children's Services is authorised to discharge.

³ The Director may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred for consideration to the Executive Board.

⁴ In relation to any function the Director of Children's Services is authorised to discharge.

⁵ The fact that a function has been delegated to the Director does not require the Director to give the matter his/her personal attention and the Director may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Director remains responsible for any decision taken pursuant to such arrangements.

⁶ The Director of Learning and Leisure must consult the Director of Children's Services before taking any key or major decision which is concurrently within that Director's authority.

⁷ "Function" for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Director as "proper officer" for the purpose of any function delegated to him/her under these arrangements.

This page is intentionally left blank

THE CHIEF SOCIAL SERVICES OFFICER

With the exception of matters where

- (i) an appropriate Executive Member¹, the Director of Children's Services² or the Director of Adult Social Services³ has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration⁴; or
- (ii) the Director of Children's Services⁵ has directed that the matter be referred to him/her for consideration

the Chief Social Services Officer⁶ is authorised⁷ to discharge any function⁸ of the Executive in relation to:

- (a) the authority's role as children's services authority⁹;
- (b) social services;
- (c) functions exercisable on behalf of an NHS body¹⁰.

¹ An "appropriate Executive Member" is the Leader or other Portfolio-holding Member of the Executive Board

² In relation to any function the Director of Children's Services is authorised to discharge.

³ Where the Director of Adult Social Services considers such action is required to promote the provision of more effective and/or better integrated adult social services

⁴ The Chief Social Services Officer may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred for consideration to the Executive Board.

⁵ In relation to any function the Director of Children's Services is authorised to discharge.

⁶ The fact that a function has been delegated to the Chief Social Services Officer does not require the Chief Social Services Officer to give the matter his/her personal attention and the Chief Social Services Officer may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Chief Social Services Officer remains responsible for any decision taken pursuant to such arrangements.

⁷ The Chief Social Services Officer must consult the Director of Children's Services or the Director of Adult Social Services as appropriate before taking any key or major decisions.

⁸ "Function" for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Chief Social Services Officer as "proper officer" for the purpose of any function delegated to him/her under these arrangements.

⁹ These include functions in relation to:

- arrangements to promote co-operation to improve well-being of children;
- arrangements to safeguard and promote welfare of children;
- information data-bases;
- the Local Safeguarding Children Board.

¹⁰ Under Section 31 of the Health Act 1999

This page is intentionally left blank

THE DIRECTOR OF CITY SERVICES

With the exception of those matters where an appropriate Executive Member¹, has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board, for consideration², the Director of City Services³ is authorised to discharge any function⁴ of the Executive in relation to:

- (a) the provision of services relating to building maintenance, catering, cleaning, transport (including corporate fleet management and maintenance, and passenger transport) and school crossing patrols;
- (b) civic and community buildings, accommodation and facilities management;
- (c) the authority's roles as highway authority and road traffic authority (except as otherwise delegated to the Director of Development) including parking enforcement; and
- (d) streetscene management and related enforcement functions, including street and gully cleansing, refuse collection, waste management, public conveniences, graffiti removal, fly-tipping and dog warden services.

¹ An "appropriate Executive Member" is the Leader or other Portfolio-holding Member of the Executive Board

² The Director may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred for consideration to the Executive Board

³ The fact that a function has been delegated to the Director does not require the Director to give the matter his/her personal attention and the Director may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Director remains responsible for any decision taken pursuant to such arrangements.

⁴ "Function" for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Director as "proper officer" for the purpose of any function delegated to him/her under these arrangements.

This page is intentionally left blank

THE DIRECTOR OF DEVELOPMENT

With the exception of those matters where an appropriate Executive Member¹ has directed that the delegated authority should not be exercised and that the latter should be referred to the Executive Board for consideration² and with the exception of those matters reserved to the Executive Board³, the Director of Development⁴ is authorised to discharge the following functions⁵:

1. Local choice functions which have been assigned to the Executive (see Section 1 Part 3 of the Constitution):
 - (a) any function related to contaminated land;
 - (b) obtaining of information as to interests in land; and
 - (c) the making of arrangements for the execution of highways works under S278 Highways Act 1980.

2. Any function of the Executive⁶ in relation to:
 - (a) the management of land (including valuation, acquisition, appropriation, disposal and other dealings with land or any interest in land);
 - (b) the operation of retail and wholesale markets and car boot sales;
 - (c) the promotion of economic development;
 - (d) the management of the city centre (including the promotion of the city centre and management of public spaces);
 - (e) the authority's role as local planning authority⁷;
 - (f) building control (whether under the Building Act 1984 or otherwise);

¹ An "appropriate Executive Member" is the Leader or other portfolio-holding Member of the Executive Board.

² The Director may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred for consideration to the Executive Board.

³ Certain disposals of land are currently required to be referred to an appropriate committee for consideration.

⁴ The fact that a function has been delegated to the Director does not require the Director to give the matter his/her personal attention and the Director may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Director remains responsible for any decision taken pursuant to such arrangements.

⁵ "Function" for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Director as "proper officer" for the purpose of any function delegated to him/her under these arrangements.

⁶ The Director of Development will be mindful of the potential for conflicts of interest arising and will make appropriate arrangements in this respect.

⁷ Save where any such functions are exercisable by a Plans Panel, the discharge of all **Council functions** relating to town and country planning and development control has been delegated to the Chief Planning Services Officer. No such **Council functions** will be exercisable by the Director.

Officer Delegation Scheme (Executive Functions)

- (g) the authority's role as highways authority and road traffic authority relating to transportation and engineering services;
- (h) safety at sports grounds;
- (i) land drainage;
- (j) environmental management (including policy development on waste management) and the formulation and implementation of environmental improvement programmes;
- (k) design services;
- (l) asset management;
- (m) street naming and numbering; and
- (n) tourism and promotions.

THE DIRECTOR OF NEIGHBOURHOODS AND HOUSING

With the exception of those matters where an appropriate Executive Member¹, has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board, for consideration², the Director of Neighbourhoods and Housing³ is authorised to discharge the following functions:

1. Local choice functions which have been assigned to the Executive (see Section 1 Part 3 of the Constitution):
 - (a) the service of an abatement notice in respect of a statutory nuisance;
 - (b) the passing of a resolution that schedule 2 of the Noise and Statutory Nuisance Act 1993 should apply in the authority's area;
 - (c) the inspection of the authority's area to detect any statutory nuisance;
 - (d) the investigation of any complaint as to the existence of a statutory nuisance; and
 - (e) the control of pollution or management of air quality.
2. Any function⁴ of the Executive in relation to
 - (a) the authority's role as housing authority excluding those functions which the authority has agreed, with the approval of the Secretary of State, that another person should exercise as agent of the authority⁵;
 - (b) the condition and occupation of housing, caravan sites and land occupied by travelling people;
 - (c) environmental and consumer protection, health and safety other than in relation to Council employees, public health (including the investigation and control of notifiable diseases);
 - (d) regeneration;

¹ An "appropriate Executive Member" is the Leader or other Portfolio-holding Member of the Executive Board

² The Director may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred for consideration to the Executive Board

³ The fact that a function has been delegated to the Director does not require the Director to give the matter his/her personal attention and the Director may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Director remains responsible for any decision taken pursuant to such arrangements.

⁴ "Function" for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Director as "proper officer" for the purpose of any function delegated to him/her under these arrangements.

⁵ These agreements have been made in accordance with Section 27 Housing Act 1985 - see further addendum 1

Officer Delegation Scheme (Executive Functions)

- (e) community safety and the reduction of crime and disorder (including the management of closed circuit TV);
- (f) the management and oversight of area based working arrangements, community planning and community initiatives; and
- (g) animal welfare.

ADDENDUM 1

Estate Management Boards:

1. In accordance with the approval of the Secretary of State, the authority delegated management and maintenance functions to:

Halton Moor Estate Management Society Ltd¹

The following functions were delegated:²

- (a) the sanctioning of payments from budget heads for the Estate;
 - (b) the maintenance of a waiting list of potential tenants and the selection of tenants for properties;
 - (c) the collection of rent and the recovery of arrears;
 - (d) the establishment of tenancy conditions, the issuing of tenancy agreements and the enforcement of conditions;
 - (e) the day to day repair and maintenance of the properties, and the preparation of programmes for cyclical and planned maintenance;
 - (f) acting as the Council's agent and client for the carrying out of capital programmes and environmental improvements;
 - (g) the management of the Housing Management Office and the supervision of staff seconded to work for the Society;
 - (h) the carrying out of residents' consultation, and provision for regular information to residents; and
 - (i) the cleaning and maintenance of common areas of flats, grassed areas, and open spaces of the Estate where payment for the work is from the Council's Housing Revenue Account.
2. In accordance with Section 27 of the Housing Act 1985 (as amended) and the General Approval for Housing Management Agreements 1994, the authority delegated management and maintenance functions to:

Belle Isle Tenant Management Organisation

The following functions were delegated³:

¹ By agreement dated 28th October 1993

² In respect of properties identified in the above agreement

³ In respect of properties within the Leeds South Homes Limited in Belle Isle North and Belle Isle South

Officer Delegation Scheme (Executive Functions)

- the management and maintenance of Council housing, Council garages, land vested in Neighbourhoods and Housing and other assets as agreed with the Council to facilitate the day to day management of Council housing within the Tenant Management Organisation area. This excludes the management of estate shops;
- responsive repairs and maintenance of those assets delegated to the Tenant Management Organisation;
- the repair inspection process;
- the planned and cyclical maintenance of those assets delegated to the Tenant Management Organisation;
- the responsibility to consult with tenants on repairs and improvements to those assets delegated to the Tenant Management Organisation;
- the delivery of energy efficient responses to repairs and modernisation that contributes to the Council's Best Value performance responsibility;
- to contribute fully to the regeneration policies of the area within which the Tenant Management Organisation operates;
- management of leasehold self improvements;
- the management of Sheltered Housing schemes excluding the management of the wardens;
- the management of Supported Housing schemes including the staff;
- the responsibility to manage and maintain those premises used as housing offices;
- the management and maintenance and repair of tenant resource centres or meeting rooms within the Tenant Management Organisation area;
- to make best use of housing stock;
- the selection of tenants for vacant properties in accordance with the Council's lettings policy;
- the allocation of new tenancies in accordance with the Council's lettings policy;
- the notification to and signing up of new tenants in accordance with the Council's lettings policy;
- the transferring of tenants in accordance with the Council's lettings policy;
- the management of successions in accordance with the Council's lettings policy;
- the management of Mutual Exchanges in accordance with the Council's lettings policy;
- the collection of rent due and the recovery of current and former tenants arrears along with other charges falling due;
- the processing of the tenants insurance scheme;
- the management of the terms and conditions of tenancies and the enforcement of the same;
- the environmental management of housing estates;
- the processing of requests for action to tackle Anti Social Behaviour;
- the development of tenant involvement structures including tenant compacts;
- the provision of information about service delivery, changes to service delivery and performance of service delivery to tenants;
- the letting of contracts in relation to the delegated functions in accordance with the Procurement Protocol;
- the provision of financial management of the revenue budget. The provision of financial and statistical returns as and when directed or requested;
- the provision of reports to tenants about the Tenant Management Organisation;
- the management of employee relations;

Officer Delegation Scheme (Executive Functions)

- the responsibility to proactively work with the local Area Housing Partnership;
- the preparation of an annual Service Improvement Plan;
- the management of performance in line with the performance management framework; and
- the negotiation of Service Level Agreements in accordance with value for money principles.

Arms' Length Management Organisations

In accordance with the approval of the Secretary of State, the authority delegated⁴ housing management functions as follows to:

Leeds East Homes Ltd

Leeds North East Homes Ltd

Leeds North West Homes Ltd

Leeds South Homes Ltd

Leeds South East Homes Ltd

Leeds West Homes Ltd

- The management and maintenance of Council housing, council garages, land vested in Neighbourhoods & Housing Department, Estate shops, and other assets as agreed with the Council to facilitate the day to day management of Council housing within the ALMO area (in this Annex collectively called "Assets")
- The repair and maintenance, whether responsive or major, of such Assets
- The repair inspection process relating to such Assets
- The planned and cyclical maintenance of such Assets
- The modernisation and improvement of such Assets
- The maintenance of stock condition data on such Assets
- The responsibility to consult with tenants on repairs and improvements to such Assets
- Clearance of such Assets and the responsibility to decant tenants where appropriate
- The delivery of energy efficient responses to repairs and modernisation in relation to such Assets that contributes to the Council's Best Value performance responsibility
- To contribute fully to the regeneration policies of the area within which the ALMO operates
- Leasehold management within the ALMO area
- The management of Sheltered Housing schemes
- The management of Supported Housing schemes including the staff
- The responsibility to manage and maintain those premises used as housing offices as set out in Annex 9
- The management and maintenance and repair of tenant resource centres or meeting rooms within the ALMO area
- To make best use of housing stock
- The selection of tenants for vacant properties in accordance with the Council's lettings policy
- The granting of new tenancies in accordance with the Council's lettings policy

⁴ By agreement s in 05

Officer Delegation Scheme (Executive Functions)

- The notification to and signing up of new tenants in accordance with the Council's lettings policy
- Transferring tenants in accordance with the Council's lettings policy
- The management of successions in accordance with the Council's lettings policy
- The management of Mutual Exchanges in accordance with the Council's lettings policy
- The collection of rent due and the recovery of current and former tenants arrears along with other charges falling due
- The processing of the tenants insurance scheme
- The management of the terms and conditions of tenancies and the enforcement of the same
- The environmental management of housing estates
- The processing of requests for action to tackle Anti Social Behaviour
- The development of tenant involvement structures including tenant compacts
- The provision of information about service delivery, changes to service delivery and performance of service delivery to tenants
- The letting of contracts in accordance with the terms of this Agreement
- The provision of financial management, both revenue and capital, to the ALMO
- The provision of financial and statistical returns as and when directed or requested
- The provision of reports to tenants about the ALMO
- The management of employee relations
- The responsibility to proactively work with the local Area Housing Partnership
- The preparation of Business Plans
- The management of performance in line with the Performance Management Framework
- The negotiation of Service Contracts/Service Level Agreements in accordance with value for money principles.

ADDENDUM 2

Leeds City Council and Education Leeds have entered into an Agreement dated 5 April 2006 for Education Leeds to carry out certain education functions on the Council's behalf to enable educational standards in the Council's area to be continuously improved, to support the effectiveness and efficiency of schools and to ensure the maximum degree of economy, efficiency and effectiveness in the provision of education services.

The services are to be provided in accordance with the Council's responsibilities under the Children Act 2004, Education legislation and any other legislation affecting the Council's business.

Schedule 2 of the Agreement specifies those functions to be carried out by Education Leeds and those to remain the responsibility of the Council.

In relation to those functions noted in the Agreement to be the responsibility of Education Leeds the Council is not precluded from exercising any such functions itself from time to time where the Council in its sole discretion considers such exercise necessary.

This page is intentionally left blank

LEEDS CITY COUNCIL

ANNUAL MEETING

22nd MAY 2006

APPOINTMENT OF LEAD MEMBERS

To note that Lead Members to support members of the Executive in the discharge of their responsibilities have been assigned as follows:

<u>Labour</u>	<u>Liberal Democrat</u>	<u>Conservative</u>
J Lewis L Mulherin P Gruen*	R Downes J Monaghan J Chapman P Ewens S Bentley K Hussain C Townsley	S Andrew Mrs R Feldman W Hyde V Kendall P Wadsworth
	1 further Whip nominee to follow*	3 further Whip nominees to follow*

*The current Allowance Scheme identifies 16 Lead Member positions (currently allocated 7 Liberal Democrat, 7 Conservative and 2 Labour). A future Council meeting will be asked to consider an increase to 19 (allocated 8:8:3 respectively) having first sought recommendations from the Independent Remuneration Panel regarding the appropriate level of remuneration.

This page is intentionally left blank

LEEDS CITY COUNCIL

COUNCIL MEETING

22nd MAY 2006

Calendar of Council Meetings for the Municipal Year 2006/2007

The following is a proposed list of dates for Council meetings for the municipal year:

21st June 2006 at 2.00 pm
19th July 2006 at 2.00 pm
13th September 2006 at 2.00 pm
1st November 2006 at 2.00 pm
*December 2006
17th January 2007 at 2.00 pm
21st February 2007 at 2.00 pm
18th April 2007 at 2.00pm
21st May 2007 at 6.00 pm – Annual Meeting

Dates of individual panels and boards will be subject to confirmation following the appointment of Chairs

* A meeting will be arranged on a date yet to be finalised for the specific purpose of approving a Gambling Policy for Leeds under the Gambling Act 2005

This page is intentionally left blank