



SCRUTINY BOARD (CULTURE AND LEISURE)

Meeting to be held in on
Monday, 11th February, 2008 at 10.00 am

A pre-meeting will take place for ALL Members of the Board
in a Committee Room at 9.30 am

MEMBERSHIP

Councillors

B Atha	-	Kirkstall
A Barker	-	Horsforth
B Gettings	-	Morley North
T Hanley (Chair)	-	Bramley and Stanningley
A Hussain	-	Gipton and Harehills
B Jennings	-	Weetwood
G Kirkland	-	Otley and Yeadon
V Morgan	-	Killingbeck and Seacroft
L Mulherin	-	Ardsley and Robin Hood
L Rhodes-Clayton	-	Hyde Park and Woodhouse
G Wilkinson	-	Wetherby

Please note: Certain or all items on this agenda may be recorded on tape

Agenda compiled by:
Governance Services
Civic Hall
LEEDS LS1 1UR
Telephone No:

Andy Booth

247 4325

Principal Scrutiny Adviser:
Steven Courtney
Telephone No: 2474707

A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)</p>	
2			<p>EXCLUSION OF THE PUBLIC</p> <p>To identify items where resolutions may be moved to exclude the public</p>	
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration.</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATIONS OF INTEREST</p> <p>To declare any personal / prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct.</p>	
5			<p>APOLOGIES</p>	
6			<p>MINUTES</p> <p>To approve as a correct record the minutes of the meeting held on 14 January 2008.</p>	1 - 6
7			<p>QUARTER 3 PERFORMANCE REPORT 2007/08</p> <p>To receive and consider the attached report of the Head of Policy, Performance and Improvement.</p>	7 - 10

Item No	Ward/Equal Opportunities	Item Not Open		Page No
8			<p>OUTDOOR BOWLS PROVISION</p> <p>To receive and consider the attached report of the Head of Scrutiny and Member Development.</p>	11 - 16
9			<p>CURRENT GOVERNANCE ARRANGEMENTS FOR THE LEEDS GRAND THEATRE AND CITY VARIETIES</p> <p>To receive and consider the attached report of the Chief Libraries, Arts and Heritage Officer</p>	17 - 78
10			<p>MIDDLETON PARK EQUESTRIAN CENTRE - UPDATE</p> <p>To receive and consider the attached report of the Head of Scrutiny and Member Development.</p>	79 - 80
11			<p>WORK PROGRAMME</p> <p>To receive and consider the attached report of the Head of Scrutiny and Member Development.</p>	81 - 96
12			<p>DATE AND TIME OF NEXT MEETING</p> <p>Monday, 10 March 2008 at 10.00 a.m. (Pre-meeting for all Board Members at 09.30 a.m.).</p>	

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Agenda Item 6

SCRUTINY BOARD (CULTURE AND LEISURE)

MONDAY, 14TH JANUARY, 2008

PRESENT: Councillor T Hanley in the Chair

Councillors B Atha, A Barker, B Gettings,
A Hussain, B Jennings, G Kirkland,
V Morgan, L Mulherin, L Rhodes-Clayton
and G Wilkinson

65 Late Items

Although there were no late items as such, the Chair made reference to Officer advice that had been received from the Assistant Chief Executive (Corporate Governance) in relation to the Board's draft report on the Wharfemeadows Inquiry.

66 Declarations of interest

Councillor Kirkland declared a personal interest in Agenda Item, 8, Wharfemeadows Inquiry – Draft Report – due to his Membership of Otley Town Council. (Minute No. 70 refers).

A further interest was also declared during the meeting. (Minute No. 73 refers).

67 Minutes

RESOLVED – That the minutes of the meeting held on 17 December 2007, be confirmed as a correct record.

68 Executive Board Minutes

RESOLVED – That the minutes of the Executive Board held on 19 December be noted.

69 Overview and Scrutiny Minutes

In relation to Minute No.52, Executive Board, 17th October 2007, Members discussed issues surrounding Roundhay Mansion, Leeds Grand Theatre and the City Varieties Music Hall. The Overview and Scrutiny Committee had suggested that the Board may wish to investigate developments at Roundhay Mansion and the governance arrangements for the Leeds Grand Theatre and City Varieties.

Reference was made to the Board's recent site visit to Roundhay Mansion and the suggestion that separate management arrangements may be appropriate for Leeds Grand Theatre and the City Varieties.

Draft minutes to be approved at the meeting
to be held on Monday, 11th February, 2008

Attention was also brought to proposals to amend Call-In arrangements.

RESOLVED –

- (1) That the minutes of the Overview and Scrutiny Committee held on 6 November 2007 be noted.
- (2) That a briefing note on the current governance arrangements for the Leeds Grand Theatre and City Varieties be prepared and circulated to Members of the Board.

70 Wharfemeadows Inquiry - Draft Report

The Head of Scrutiny and Member Development submitted a draft final report following the Board's inquiry into the fencing arrangements made at Wharfemeadows Park, Otley. The Chair thanked Members for their input into the Inquiry and reference was made to the important contributions of the Wharfemeadows Action Group (WAG), Otley Town Council and the Royal Society for the Prevention of Accidents.

Members discussed the advice of the Assistant Chief Executive (Corporate Governance) in relation to Recommendation 2 of their report. Recommendation 2 stated:

'That all legal advice obtained by the Council is publicly available save in exceptional circumstances to be determined by the Council's Monitoring Officer. The reasons for any non disclosure should be made clear by the Monitoring Officer.'

A proposal was made that the report be amended to remove Recommendation 2 and Paragraph 62 and that a further report be brought to address issues raised in Recommendation 2. This proposal was seconded and was subsequently voted against.

Councillor Atha outlined an alternative draft report which he had prepared and had been distributed to Board Members.

A further proposal was made that Recommendation 2 be amended to read

'That all legal advice obtained by the Council is publicly available save in circumstances to be determined by the Council's Monitoring Officer. The reasons for any non disclosure should be made clear by the Monitoring Officer.'

This proposal was seconded and voted in favour of.

RESOLVED –

- (1) That the report be amended as agreed.
- (2) That the report be referred to the Executive for consideration at the earliest opportunity.
- (3) That the Board considers the response to its report and recommendations at an appropriate time.

NB Before conclusion of this item, Councillor Atha formally declared his intention to submit a minority report, which, upon receipt, would be appended to the Board's agreed report.

71 Major Projects Update

The Head of Scrutiny and Member Development submitted a report which outlined major projects currently undertaken within the Leisure portfolio. An appendix to the report gave an update on the following projects:

- Swimming and Diving Centre
- City Museum
- Discovery Centre
- Carriageworks
- Art Gallery Phase 1

It was reported that the Board would receive a separate future report on the Grand Theatre and City Varieties projects.

The Chair welcomed the following to the meeting:

- Councillor John Procter, Executive Member for Leisure
- Martin Farrington, Acting Chief Recreation Officer
- Catherine Blanshard, Chief Libraries, Arts and Heritage Officer

In response to Members' questions and comments, the following issues were discussed:

- It was reported that there had been problems with the floating floor at the new swimming pool. This was still awaiting specialist advice and repair from the contractor and had not prevented use of the pool.
- There had been a short period of closure following a leak from the diving pool for safety measures whilst electrical works had been rectified.
- The City Museum was due to open at the end of August 2008. There would not be a phased opening due to security issues and the movement of large displays and items.
- Further to the Board's previous concerns regarding damage caused by Skateboarders, Councillor Procter reported that he was awaiting a meeting with representatives of Civic Buildings and City Centre Management.
- Problems with the main doors at the Art Gallery had now been rectified.
- Members expressed concern regarding the delegated decision to cancel of the Leeds Half Marathon. Members suggested that the Board invite Councillor Procter to review this decision. It was reported that this decision was likely to be the subject of a 'call-in' and the Board was advised to await the outcome of any such meeting. Subsequently, the Board could request a specific report on which to consider this matter in more detail.

The Chair thanked those present for their attendance.

RESOLVED –

- (1) That the report be noted.
- (2) That the Board invite Councillor Procter, to review of the decision to cancel the Leeds Half Marathon.

72 Leeds Strategic Plan and Council Business Plan: Outcomes and Priorities

The Assistant Chief Executive (Planning, Policy and Improvement) submitted a report which updated the Board on the Leeds Strategic Plan and Council Business Plan: Outcomes and Priorities.

The Chair welcomed the following to the meeting:

- Paul Maney – Head of Performance Management, Development Department
- Dylan Griffiths – Project Manager (Policy), Chief Executive's Department

It was reported that the Executive Board had approved the revised Corporate Planning Framework and that the Leeds Strategic Plan and Council Business Plan set the strategic priorities and outcomes for this framework. Members were reminded of the consultation process for the Leeds Strategic Plan undertaken between September and November 2007 which had gathered comments from all Scrutiny Boards and Area Committees.

It was reported that 4 main areas had been identified during the consultation for the Leeds Strategic Plan:

- General support for the proposed outcomes and priorities.
- Concern that the priorities for Environment and Transport should be strengthened; a stronger emphasis on Older People, Children and Young People.
- Interdependency throughout the different themes.
- That whilst priorities had targeted the right areas there was still room for amendment.

The report detailed interconnectivity between the strategic themes and priorities, and Members attention was drawn to where Culture and Leisure issues fell within other outcomes and priorities. Examples of these included the following:

- Transport – Improving the quality, use and accessibility of public transport services in Leeds; improving road safety for all users, especially motor cyclists and pedal cyclists.
- Health and Wellbeing – Reduce rate of increase in obesity and raise physical activity for all.

It was reported that increasing participation was a major improvement priority for the strategic outcomes in Culture.

Reference was made to the requirements of the Local Area Agreement and the Board was also informed of the main business outcomes as outlined in the draft Business Plan along with the next steps and implications for Council Policy and Governance as detailed in the report. A proposed timetable of tasks was also detailed.

The Chair thanked Paul Maney and Dylan Griffiths for their attendance.

RESOLVED – That the report be noted.

73 Work Programme

The Head of Scrutiny and Member Development submitted a report which detailed the Board's current work programme. Also attached to the report was an extract from the Forward Plan of Key Decisions which highlighted decisions that fell within the Board's remit.

Issues discussed in relation the Board's future work programming included the Middleton Park Equestrian Centre and Outdoor Bowls Provision. It was reported that a meeting was due to be held between Council Officers and trustees of the Equestrian Centre.

RESOLVED – That the report be noted.

(During discussion of this item, Councillor Atha declared a personal interest due to his position as a trustee of the Middleton Park Equestrian Centre)

74 Date and Time of Next Meeting

Monday, 11 February 2007 at 10.00 a.m. Pre-meeting for all Board Members at 09.30 a.m.

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Originator:
Marilyn Summers
Tel: 395 0786

Report of the Head of Policy, Performance and Improvement

Meeting: Culture and Leisure Scrutiny Board

Date: 11 February 2008

Subject: Quarter 3 Performance Report 2007/08

Electoral Wards Affected:

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1 Executive Summary

1.1 This report discusses the key performance issues considered to be of corporate significance identified for Culture and Leisure services as at 31st December 2007.

2 Purpose of the Report

2.1 The purpose of this report is to present the key areas of under performance at the end of Quarter 3 (1st October to 31st December 2007).

3 Background Information

- 3.1 This 'highlight report' has been prepared in readiness for the Accountability process, which includes the CLT meeting on 29th January 2008, Leader Management Team on 31st January 2008, Overview and Scrutiny Committee on 5th February 2008 and each of the scrutiny boards for the February cycle of meetings.
- 3.2 The issues discussed in this report have been identified because performance in these areas impacts upon one or more of the following; the delivery of effective services, the delivery of our corporate priorities; our CPA score; or our ability to deliver efficiency savings. This report is supported by detailed PI information.
- 3.3 Any improvement in service assessment scores should potentially have a positive impact on the council's Direction of Travel assessment and overall CPA Star Rating.

4 Performance Issues

4.1 There are no areas highlighted for concern in Quarter 3. See comments on attached report for further detail.

5 Recommendation

5.1 That the Culture and Leisure Scrutiny Board note the Quarter 3 performance information and highlight any areas for further scrutiny.

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Culture and Leisure Quarter 3 Performance Report 2007/08

1	2	3	4	5	6	7	8	9	10	11	11a	12	13	14
Reference	Title	Service	Frequency & Measure	Good Performance	2006/07 Year End	2007/08 Target	Current Position as at 31st December 07	Predicted Full Year Result	Year on Year Improvement Trend	All England Top Quartile (Based on 2006/07 Year-End data)	All England Bottom Quartile (Based on 2006/07 Year-End data)	Core City Average (Based on 2006/07 Year-End data)	Core City position 1 = Top 8 = Bottom (Based on 2006/07 Year-End data)	Data Quality Issues
BV-170a	a. The number of visits/enquiries/website hits to museums per 1,000 population.	Museums and Galleries	Quarterly Numerical	Rise	942	935	844	1125	↑	1067	180	2218	7	No concerns
Comments	The target is envisaged to be exceeded for this PI. This higher than predicted performance is likely to be a result of the refurbished Art Gallery which is attracting a lot of visitors and the 'soft' opening of the Museum Discovery Centre.													
Comments	The service's website has yet to be launched. Once it has, it is predicted that visitor numbers will increase at many, if not all sites.													
Comments	The restructure of the Museums and Galleries Service is ongoing.													
BV-170b	The number of those visits that were in person per 1,000 population	Museums and Galleries	Quarterly Numerical	Rise	534	530	537	716	↑	620	104	1408	7	No concerns
Comments	The reopening of the Art Gallery and the huge increase in visitors numbers it has received coupled with the number of visitors at other sites being at or above predicted levels (with the exception of Thwaite Mills due to flooding earlier this year) mean the service is likely to exceed its annual target for this indicator.													
Comments	In relation to Quarter 3 specifically, better weather in the Autumn than Summer months is likely to account for the increase in visitor numbers at the estates plus there was a very popular Halloween programme provided at Temple Newsam and Abbey House.													
BV-170c	The number of pupils visiting museums and galleries in organised school groups	Museums and Galleries	Quarterly Numerical	Rise	26151	27900	16601	22135	↓	8866	831	33365	5	No concerns
Comments	The service has dedicated staff to facilitate school group visits. However, for the last two years there have only been 1.5 people in post to cover the nine sites due to the restructure of the service. The target for 07/08 was set assuming the restructure would have been completed by the beginning of 07/08 however as it has taken significantly longer than anticipated, the service has been unable to recruit any more educational staff and thus meet the target for this indicator.													
Comments	The restructure is in the process of being implemented and includes 10 posts for this area of work. Once the educational team is fully recruited, staff will be able to build on the service's relationship with schools, market the programmes available, develop new activities to broaden its appeal and generally build on its capacity to lead on activities with school children and young people.													
CP-CSP52b	Increase the take up of cultural and sporting opportunities amongst 5-19 year olds - S&AR	Sport	Quarterly Numerical	Rise	1031050	1000000	804775	1097685	↑	N.A.	N.A.	N.A.	N.A.	No concerns
Comments	The result for Q3 07/08 was 280,524 which is 5.89% higher than the same period last year. This increase can be attributed to John Smeaton Leisure Centre, South Leeds Sports Centre and the new Aquatics Centre being open this year. These centres contributed 13,618; 4,886; 557 visits respectively. This increase was achieved despite Leeds International Pool closing in Q3 which only had 363 visits instead of the usual 3,000 visits per quarter.													
CP-CU50b LKI-SP9c LAA-EDE23b	Visits to the City Council's cultural facilities - Sport & Active Recreation	Sport	Quarterly Numerical	Rise	4152075	4100000	3132659	4302818	↑	N.A.	N.A.	N.A.	N.A.	No concerns
Comments	Q3 07/08 had 1,108,135m visits which was 7.6% higher than same period last year. This increase can be attributed to John Smeaton Leisure Centre, South Leeds Sports Centre and the new Aquatics Centre being open this year. These centres contributed to 66,169; 19,426; and 13,155 visits respectively. This increase was achieved despite Leeds International Pool closing during Q3 and only obtaining 5,177 visits. The site regularly contributes over 30,000 visits per quarter.													
LKI-SP9a	The number of swims and other visits (to sport/leisure centres) per 1,000 population	Sport	Quarterly Numerical	Rise	5742	5670	4175	5950	↑	N.A.	N.A.	N.A.	N.A.	No concerns
Comments	This indicator is calculated using the 05 mid year population estimate.													
Comments	In Q3 there were 1,108,135m visits to sport/leisure centres this is 7.6% higher than the same period last year. This increase can be attributed to John Smeaton Leisure Centre, South Leeds Sports Centre and the new Aquatics Centre being open this year. These centres contributed to 66,169; 19,426; and 13,155 visits respectively. This increase was achieved despite Leeds International Pool closing during Q3 and only obtained 5,177 visits. The site regularly contributes over 30,000 visits per quarter.													

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Report of the Head of Scrutiny and Member Development

Scrutiny Board (Culture and Leisure)

Date: 11 February 2008

Subject: Outdoor Bowls Provision

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Introduction

- 1.1 At its meeting in December 2007, the Board adopted an amended work programme, which included a report on the Outdoor Bowls Provision across the City.
- 1.2 The attached report from the Acting Chief Recreation Officer (Appendix 1) is presented in this regard for the Board's consideration.

2.0 Report Issues

- 2.1 Officers of the Council will attend the meeting to discuss the attached report and address any queries/ questions raised by Members of the Board.

3.0 Recommendation

- 3.1 The Board is requested to consider the information provided, make comments and recommendations, as appropriate and/or identify any areas for further scrutiny.

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Originator: M. Kinnaird

Tel: 3957459

Report of the Acting Chief Recreation Officer

Scrutiny Board (Culture & Leisure)

Date: 11 February 2008

Subject: Outdoor Bowls Provision

Electoral wards affected:

All

Specific implications for:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. This briefing note provides an update on the provision of outdoor bowls in Leeds. This includes an outline of Council provided facilities and their maintenance, information on usage, and issues that arise.
2. Leeds City Council is the major provider of Crown Green Bowls facilities throughout Leeds. There are 53 sites containing 76 bowling greens, with a total of 62 pavilions and related facilities.
3. Issues have been identified with distribution and usage of facilities; access to bowling greens and facilities; quality of facilities; management arrangements and the level of subsidy.
4. A bowls strategy is proposed to address issues identified.

1.0 Purpose of this report

- 1.1 This briefing note provides an update on the provision of outdoor bowls in Leeds. It includes an outline of Council provided facilities and their maintenance, information on usage, issues that arise, and areas for further study to address these issues.

2.0 Background information

- 2.1 Leeds City Council is the major provider of Crown Green Bowls facilities throughout Leeds. The Fixed Asset return in March 2007 identified 53 sites containing 76 bowling greens. Information provided by the Property Services team in the former Learning and Leisure Department, reveals a total of 62 pavilions and, where applicable, storage facilities. There are also private outdoor bowls facilities in Leeds, however a full assessment of these has not been carried out.
- 2.2 Bowling greens require intense maintenance, including for example cutting the grass 3 times a week during the main bowls season, applying fertiliser, treatment against moss and disease, along with other tasks to maintain the green surface and surrounds. Parks and Countryside are responsible for maintenance and the overall standard of green maintenance is regarded as good, although a formal assessment has not been conducted. The cost of grounds maintenance for each green is estimated at £7,439, a total of £565,376 per annum.
- 2.3 A licence from 1st July 1985 to 30th June 1988 was drawn up on the 12th March 1987 with the then Leeds and District Bowling Association (now the Leeds Bowling Association). As part of the agreement a payment was required annually for the right to use the facilities. The licence has now expired and since then the Wharfedale Bowling Association has formed and also undertakes this role for specific sites not included within the Leeds Bowling Association. Garforth Bowls Association now also submit fees to the Council each year for sites in this area. Overall net income in 2007/08 is £8,606. This includes an allowance of £1,990 deducted for maintenance of pavilion interiors under the terms of the original licence.
- 2.4 Surveys were conducted in 2001 and again in 2003, in order to assess usage and views of Council facilities. The 2003 survey of all 54 bowling clubs, which had a response rate of 87%, revealed total membership estimated at 3,328, a reduction of 437 compared to the 2001 survey. Club membership also varies and in 2003, the survey revealed that club membership ranged from 26 to 120, with each club having on average 68 members.
- 2.5 It is also possible to gain an understanding of membership profile. From the 2003 survey, 99.9% of members were white, 76% were retired, and 66% were male. A typical member could therefore be described as a white, retired male. There is evidence however that there is wide participation by women.

3.0 Main issues

- 3.1 From the information above several issues arise which are developed and summarised in this section.
- 3.2 **Distribution and usage of facilities.** In general there is a view that more demand for facilities exists in the outer areas of the City, whereas the inner city area contains examples of where the number of greens is more than adequate to meet demand. There are examples where 1 green has to accommodate around 85 members, compared to 3 greens available for 26 members.
- 3.3 **Access to bowling greens and facilities.** Due to efforts to prevent vandalism, a number of bowling greens were fenced during the 1990s. Whilst this has been effective, it has also made it difficult to obtain open access at these sites. It should be noted that there is still pressure from bowling club members to fence bowling greens. The surveys conducted in 2001 and 2003 reveal that membership is declining, along with casual use. From the membership profile highlighted in 2.5, it is also clear that participation does not represent the diversity of the population in Leeds. What is not clear is whether there are any barriers to discourage participation from such as people from different ethnic backgrounds, disabled people or young people. Equally, marketing activity to promote greater access needs further assessment to determine how issues around declining membership and representation can be addressed.
- 3.4 **Quality of facilities.** Opinions from the survey state that 47% regard bowling greens as 'good'; however 13% state that they are 'poor'. There has not been however a formal assessment of green quality. Condition surveys on the pavilions have been conducted at 15 sites in 2003. From these surveys 7% were judged to be in a 'good' condition, 73% in a 'satisfactory' condition, 13% in a 'poor' condition and 7% in a 'bad' condition. Whilst the majority are satisfactory it is unclear whether this is a representative survey of the entire pavilion stock of 62 buildings.
- 3.5 **Management Arrangements.** The present licensing arrangement needs reviewing as it expired nearly 20 years ago and there are now 3 bowls associations who represent clubs and make payment to the Council. It is not clear whether these bowls associations represent all clubs who use Council facilities, and it is possible that some clubs who use Council facilities could be represented by associations outside Leeds. There are charging policies which are subject to an officer delegated decision, however implementation of this charging policy falls to the bowls associations. The allowance of £1,990 made for the Bowls Associations to maintain pavilion interiors is based on an historic arrangement.
- 3.6 **Level of subsidy.** From the information above the net subsidy provided by Leeds City Council to bowls is in the region of £556,770 per annum for the greens alone. This represents a subsidy per player of £167 per annum. This level of subsidy can vary from £858 per member to £88 per member. In addition, since the expiry of the licence, payment arrangements are unclear and clubs also have access to pavilions during winter and therefore can incur costs to the Council for heat and other utilities. Any ongoing structural maintenance of pavilions such as boilers, roofs and windows that require replacement/repairs are an additional cost to the Council.

4.0 Legal and resource implications

- 4.1 There is a need to review current licensing arrangements and address issues identified in determining that the Council is satisfied in providing the current level of subsidy.

5.0 Implications for council policy and governance

- 5.1 Given the issues identified, there is a need to develop a bowls strategy which should seek to address the following:

➤ Supply/Demand

- Consideration of the supply and demand for bowling greens, evaluation also to take into account the impact of wholly privately operated clubs and indoor bowling facilities.
- Proposals on the number and distribution of greens in relation to demand.

➤ Management

- Review of past and present licence arrangements with proposals regarding clauses for model licences.
- Review of the financial arrangements for charges to both clubs and individual players.
- Consideration of alternative maintenance methods and proposals to reduce the existing high maintenance costs for bowling greens and associated facilities.
- An assessment of the quality of bowling greens and facilities compared to the demand.
- A proposed method for improving access to bowling for non members.

➤ Declining Demand

- An appraisal of the Club membership in Leeds compared to national or regional trends in bowls.
- An appraisal of the number of casual users of bowling greens compared to national or regional trends.
- Proposals on how to promote wider participation.

➤ Equal Opportunities

- Consideration of issues regarding representation of BME groups in bowls and proposals to redress any imbalances.

6.0 Recommendation

- 6.1 That the contents of the above briefing note are noted.



Originator: C Blanshard

Tel: 24 78338

Report of the Chief Libraries, Arts and Heritage Officer

Scrutiny Board (Culture and Leisure)

Date: 11 February 2008

Subject: Current Governance Arrangements for the Leeds Grand Theatre and City Varieties

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity
Community Cohesion
Narrowing the Gap

1.0 Purpose

1.1 To share with Scrutiny Board (Culture and Leisure) the work commissioned by Executive Board on the governance of three venues The Grand Theatre, City Varieties and Hyde Park Picture House all of which are led and managed by Leeds Grand Theatre and Opera House Ltd.

2.0 Background

2.1 At its meeting in January 2008, when considering the Overview and Scrutiny Committee minutes (17 October 2007) and the specific suggestion that the Board may wish to investigate the governance arrangements for the Leeds Grand Theatre and City Varieties, the Board resolved:

'That a briefing note on the current governance arrangements for the Leeds Grand Theatre and City Varieties be prepared and circulated to Members of the Board.'

2.2 This report and appendices seeks to provide Members with a range of information and subsequently address the Scrutiny Board's request.

3.0 Report Issues

3.1 Executive Board commissioned an in-depth study of the governance arrangements of Leeds Grand Theatre and Opera House Ltd to ensure it would be fit for purpose following the major refurbishment and development works planned for two of its venues, The Grand Theatre and City Varieties. The study also responded to concerns raised by the Charities Commission to work close to its guidance, and raised the Arts Council a major funder.

- 3.2 A range of specialists across the Council were drawn together and external advice was also sought.
- 3.3 The attached report 'Future Governance of Leeds Grand Theatre and Opera House Ltd', presented to the Executive Board on 20 September 2006, details the investigation and study outcomes. It shows a wide range of options were investigated including the separate governance of each site.
- 3.4 At its meeting on 20 September 2006, Executive Board resolved:
- (a) That the establishment of a transitional Board of five City Councillors and four independent members all appointed using a skills matrix and nomination form be approved.*
 - (b) That approval be given to the proposals that:*
 - (i) The independent members will be attracted through external advertisement.*
 - (ii) Three senior Council officers representing legal, financial and cultural policy will advise the transitional board.*
 - (iii) The Chair to be an Executive Board member.*

4.0 Recommendation

- 4.1 That Scrutiny Board (Culture and Leisure) accept the Executive Board decision that, for a variety of reasons, the Grand Theatre and Opera House Board Ltd is the appropriate vehicle to lead and manage the three venues and that the Board is strengthened by Independent members to help it have more independence in decision making.
- 4.2 That the focus of the Grand Theatre and Opera House Board Ltd should not be diverted from the effective deliver of the major projects and the full recommendations of the Executive Board be followed.



Report of the Director of Learning and Leisure

Executive Board

Date: 20 September 2006

Subject: Future Governance of Leeds Grand Theatre and Opera House Ltd

Electoral Wards Affected:

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In
(Details contained in the report)

Executive Summary

Leeds Grand Theatre and Opera House Ltd is a company with responsibility for three of the city's important cultural institutions; Grand Theatre, City Varieties and The Hyde Park Picture House. The Council wishes to support the company to become fit for purpose so it can deliver a high quality product in today's competitive environment.

A fundamental review has taken place of the governance arrangements, as requested by Executive Board, exploring options for improvement.

The outcome of the review is to recommend that the Board moves to a more independent method of operation. There are a number of ways of doing this which are outlined, however most require detailed and time intensive discussions with various stakeholders including the Charity Commission.

This report therefore recommends a transitional Board which can be implemented immediately. This board would comprise individuals representing a defined skills mix with 5 Councillors and 4 independent members representing business and the community. This report also suggests the appointment of a vice chair from amongst the external board members to facilitate this more independent working .

This transitional Board would be tasked to oversee the development of Phase II of the building work and implement any further changes and developments to the board deemed necessary.

1.0 Purpose of This Report

This report assesses a wide range of options, identifying the key benefits and challenges of each, and recommending the immediate implementation of a transitional board. The roles, responsibilities, skills and processes of this Board are defined and proposed as the basis for both the transitional and any future Boards. These are presented for approval in the form of a Board Manual which will provide a framework of good governance.

2.0 Background Information

2.1. Executive Board Review Request

On the 17th May 2006 Executive Board requested “a fundamental review of the governance arrangements [of Leeds Grand Theatre and Opera House Ltd] which are in place at Leeds Grand Theatre and Opera House Ltd, to assess a range of options ... to ensure governance arrangements are fit for purpose”. The scope of the review was defined as;

- Options regarding the legal form for the company and any implications for cross funding between the companies (see 3 and appendix 1)
- Board membership and structures (see 3 and appendix 1)
- Roles, responsibilities and skills of board members (see 5 and Board manual)
- Office structures (roles and responsibilities) to support the Board (see 5)
- Accountability arrangements with the Council (see 5)
- Support requirements necessary for the Board (see Board manual)

2.2. Charitable Status

The Grand Theatre and Opera House Ltd as a wholly owned company of Leeds City Council, is a controlled company as defined in the 1989 Local Government Housing Act. The Grand Theatre is a registered charity covered by the rules and regulations of the Charity Commission. The Articles of Association of Leeds Grand Theatre allow for up to nine Boards members of whom a minimum must be five elected members. There is therefore provision within these articles to make modest changes. For more fundamental change approval would be required from The Charity Commission.

2.3. Relationship with Leeds City Council

The Council provides a number of significant services to the company usually free of charge. These include;

- Senior financial support
- Creditors and payroll services
- Advice on VAT, legal and property matters
- Secretarial services and committee rooms
- Advice from Arts and Events team
- Interest free cash flow
- Admission to the West Yorkshire Pension Fund and potential related liabilities

The company uses Council systems to pay its staff and suppliers with payments being made from the Council's bank account. The Company uses its own bank accounts to receive cash from its trading activities. All bank accounts are controlled by the Council. The company reimburses the Council on a monthly basis, giving the company an interest free loan of up to £400,000 in any month. The company receives bank interest on its cash balances. There is no charge by the Council for the use of its cash in this way. When the company went from deficit funding to grant funding in 1997 the beneficial cash flow advantage of this

mechanism was discussed by the Council and felt to be a gift in kind along with the grant. The grant is not paid to the company in strict cash terms. It is netted off against the reimbursements.

2.4. Finance

Currently the City Council provides a grant to the company of approximately £300,000 pa.

The table below shows the financial performance of the three venues. The Grand Theatre venue consistently generates trading surpluses and the City Varieties and Hyde Park Picture House are both trading with deficits.

Financial year ending 31 st March	Leeds Grand Theatre	City Varieties	Hyde Park Picture House	Company total	LCC Grant	Net trading position	Company reserves
	£	£	£	£	£	£	£
2001	73,647	(210,433)	(43,800)	(180,586)	297,000	116,414	836,827
2002	97,777	(188,154)	(36,742)	(127,119)	297,000	169,881	1,006,708
2003	98,128	(163,156)	(82,080)	(147,108)	324,420	177,312	1,184,020
2004	34,890	(221,100)	(79,747)	(265,957)	310,000	44,043	1,228,063
2005	(18,674)	(182,736)	(65,409)	(266,819)	304,425	37,606	1,265,669
2006	(876,703)	(188,136)	(12,229)	(1,077,068)	304,425	(772,643)	493,026

Key points:

- Grand Theatre has only required subsidy from combined resources of accumulated reserves and annual grant in the last two year financial years, which for 2005/06 coincides with the theatre closure.
- Annual revenue grant of circa £300,000 per annum over these six years is primarily to cover City Varieties and Hyde Park Picture House deficits.

2.5. Current Board process

The current Board is made up of Leeds City Councillors. There has been no audit of skills and it is very operationally focused. There is no delegation scheme to officers, resulting in Board meetings being required for insignificant and low level delivery decisions which should be the remit of the General Manager or Venues Managers. As a result decisions can often be very slow. Decisions need to be at a much more strategic level following principles of good governance outlined in the Board manual in appendix 3. There needs to be consistent And experienced Company Secretary support for example.

3.0 Options for future board arrangements

- 3.1 There are a range of possible options for the future governance of the company. Each option has been assessed on how well it;
- achieves the company's aims and objectives
 - delivers sound financial management and direction
 - ensures sustainable and well maintained buildings
 - enables dynamic and challenging programming
 - supports community engagement and a strong learning focus
 - delivers the funding agreement
 - delivers the charitable objectives
 - ensures clear parameters for decision making for the board and officers
 - maintains the service level agreement with Leeds City Council.
- 3.2 The benefits and challenges of each of the options considered are laid out in Appendix 1. In summary these options are;
- a) Status Quo
 - b) Implement in full current Articles of Association with 9 members, 5 of which are Councillors and 4 independent. All appointed to a skills matrix with new schemes of delegation and responsibilities. Vice Chair to be independent, 3 Council staff acting as advisors on finance, legal and culture matters.
 - c) Move to an independent trust where Councillors are in the minority. All appointed to a skills matrix with new schemes of delegation and responsibilities. Chair to be independent. No Council advisors.
 - d) Move to an independent trust for The Grand Theatre and another one for City Varieties and Picture House.
 - e) Move to an independent trust for The Grand Theatre, another one for City Varieties and find an alternative operator for Picture House.
 - f) Replace current charitable company with 3 charitable companies
 - g) Maintain a single Management Board as in a-c and have 3 separate venue sub Boards without elected member representation.
 - h) Find a commercial operator to run The Grand Theatre

4.0 Proposed Approach to create a Board 'fit for purpose'

4.1. Immediate Action

The appraisal of the options available has indicated that;

Option a is not viable for the short medium or long term success of the Leeds Grand Theatre it does not ensure the Board is more strategic or assist in the positioning of the Theatre within the business sector as there is no drivers on the Board to deliver this. The Charity Commission has already identified concerns about the extent of the Council 's involvement which it would be unlikely to ignore.

Option b requires no change to the Articles of Association, it delivers the requirements outlined in 3.1. providing the best means for progressing the challenges for the group of theatres and can be implemented immediately.

All other options require time intensive negotiations with the Charity Commission. A further fundamental consideration with **Options c - h** must be that The Grand Theatre and City Varieties are about to embark on extensive refurbishment works with Leeds City Council as major funder. Therefore moving the company to a fully independent status at this time would not be prudent.

Option d, e and f have the additional concern in relation to the extent of the current cross-funding. This would need to be addressed before these options become viable.

Immediate implementation of **Option b** is therefore recommended as the best way forward to ensure a more independent operation. This will create a Board with five places for City Councillors, four places for independent members and with the advisory support of officers from legal services, finance and cultural policy. Board members will be matched against a skills matrix, the chair will be an Executive Member of Leeds City Council and the Vice Chair will be an independent member. Some additional provisions are required to embed the various terms of appointments for Board Members and for the role/position of Vice Chair. The Board would also need to agree a scheme of delegation to venue managers and other designated officers. It is proposed that this Board is transitional and that it should assess over the next two years, whether the other forms of governance detailed in Appendix 1 were more appropriate to sustain the long term viability of the Grand Theatre. This would allow time for the required negotiations with the Charity Commission (approximately one year), preparation of the necessary processes to appoint the new board (approximately 6 months) and then the implementation of a shadow board to ensure a smooth handover which will particularly vital as the building works will be coming to a close.

5.0 A Framework for Good Corporate Governance

It is recommended that the new Board adopts good governance approaches. Using good practice guides from the Charity Commission, the Hub of Expertise on Governance and Leeds City Council a framework has been created around which all future planning and work of the Board should take place. This framework is encapsulated into a Board Manual Appendix 3. The key elements of good corporate governance are summarized below;

5.1 Clear Aims and Objectives

A board needs to really understand what the company is there to achieve. Currently the Board of Leeds Grand Theatre and Opera House Ltd has identified its aims and objectives as to:-

- Present an eclectic programme of attractions on stage to appeal to the broad spectrum of the region's population
- Feature the highest artistic standards and quality of entertainment from drama, ballet, dance and musical companies and concerts promoted by the commercial sector, or supported by the arts Council and the regional Arts Councils;

- Provide a production and administrative base for its resident company Opera North, to present its annual series of operatic performances;
- Provide a theatrical home for Northern Ballet Theatre;
- Support, provide and maintain first class rehearsal, administrative and technical facilities for both its resident and visiting artistic companies cater for and provide hospitality facilities for artists, staff, audiences and sponsors alike;
- Make accessible both artistic work and physical facilities by keeping under review and implementing new pricing, education and diversity and equal opportunities policies for all sectors of the community including the young, unemployed, elderly, black and Asian minority groups, disabled and disadvantaged
- Train and empower staff and provide effective customer care programmes; access awareness and diversity programmes;
- Maintain the highest standards of Health and Safety for the public and personnel required to use , enjoy and work within the venue;
- Promote and market the programme with confidence to the community and maintain good relations with the external funding bodies, the media and the general public at large;
- Balance its annual budget by prudent management, financial control and direction of all its affairs

5.2 Clear responsibilities and arrangements for accountability

The Board's basic responsibilities		
To focus on impact and outcomes	To be clear and confident about why The Grand Theatre exists and what it aims to achieve. What are its values and beliefs which guide its work? In partnership with staff it is the board's role to decide the theatre's purpose and how it will achieve it.	<ul style="list-style-type: none"> • Approve business and marketing plans
To ensure the Grand theatre is fit for purpose	The structure policies and procedures of an effective charity enable it to achieve its mission and aims and deliver its services efficiently	<ul style="list-style-type: none"> • Set goals for venues • Approve artistic policy and agree programming. Assess performance against programme
To ensure sound governance	Ensure the right balance of skills and experience to run the charity effectively	<ul style="list-style-type: none"> • Set boundaries between responsibilities of staff and board • Work to skills matrix
Maximises potential	To be responsible for establishing plans and policies that will provide long term stability. The Board is trusted with responsibility to provide continuity of management, to set parameters within which staff can make day to day decisions	<ul style="list-style-type: none"> • Appoint Manager • Set employment policies and code of conduct • Build relationship of mutual respect with staff • Strong financial strategy including fund raising • Review quarterly operational income/expenditure for current period and year to date against budget and forecast to year end

		<ul style="list-style-type: none"> • Review annual performance against budget • Analyze and approve future annual budget
Accountable and transparent	Accountable to the public and other stakeholders in a way that is transparent and understandable	<ul style="list-style-type: none"> • Comply with legal obligations • Clear about activities • Monitors performance
To establish and promote Leeds Grand Theatre's role in the community	Building and promoting the identity of The Grand Theatre is one of the board's most important tasks. Board members are expected to inform and enthuse friends, acquaintances and strangers about the work of the Theatre. It has the responsibility to encourage the greatest possible involvement of the local community and look for opportunities to increase income.	<ul style="list-style-type: none"> • Protect public interest • Review audience development, marketing and education strategies and targets

For detailed information on responsibilities see The Board Manual

5.3 Clarity about Senior Officer roles

Due to forthcoming changes in management of Leeds Grand Theatre the board should consider whether it wishes to replace the post as currently configured or whether the appointment of a Chief Executive may be more appropriate to take a significant leadership role across all three venues as well as a more particular focus on The Grand Theatre. This post would lead and provide a link between the Board, external stakeholders and the operational requirements of the company.

5.4 Ensure informed, transparent decision making and management of risk

The Board needs to work within agreed schemes of delegation which clearly define what decisions the board is expected to make and as a result allows venue managers to make day to day decisions. The need to be mindful of risks and take decisions having considered and assessed real and potential risk.

5.5 A Board whose members have aligned their skills to organisational need and who work within a code of conduct

A high performing Board is made of up of board members who have a clear understanding of their role. They need to be committed to the company's aims, objective, policies and programmes, aware of individuals strengths and skills. They need to be loyal to Board decisions, independent, service the company as a whole not an interest group within it. They should be able to lead an area of work as well as work as part of a team.

The Board needs to be representative of the diverse community of Leeds and have an interest in and broad expertise in the arts. To be fit for purpose The Board need to be skilled in education and learning, property management and development, finance and fundraising, legal issues, human resources, public relations, marketing and communication, business management and administration and cultural policy.

In addition Board members also need to be accountable, think strategically, monitor and evaluate performance, develop policy, make decisions, network, work as a team.

It is recommended that all Board Members be appointed against a skill matrix (Appendix 2). All Councillors would be elected for 1 year with a potential of 5 further re-elections so sitting for a maximum of 6 years.

It is recommended that an advertisement should be placed, following processes described in the Board Manual (Appendix 3) for a further four independent Board members. Again these posts must fill the gaps in the skills matrix. Independent members would normally be elected for 3 years, but to enable a rota to be established so not all Board and members leave at the same time it is proposed 2 are elected for 2 years and 2 for three years. This will enable in years to come 1/3 of Board being replaced or re-elected each year. An independent member will take the Vice Chair. The Senior Manager of the company will work with the chair to set agendas and prepare papers.

The transitional Board must be able to cover the priority skills of Learning, Property Management, Finance or Legal.

Three officers from the Council will also advise the Board covering legal, financial and cultural policy issues and to help it continue to review its working as a more independent company.

6.0 What needs to happen next

To bring about the changes suggested in this report the Leeds Grand Theatre Board will have to undertake the following actions as a priority with support and guidance from Council officers;

- Place advertisement for Independent members
- Start member selection process
- Set date for Current board to select independent members

The new Board will then have to ;

- Work to the new Board Manual
 - Review roles and responsibilities and aims and objectives
 - Establish scheme of delegation
- Seek replacement for current General manager considering value of a Chief Executive officer role
- Task the General Manager or replacement to represent board at Project Board for Phase 2 and report back
- Keep an active interest in Phase 2 including fundraising
- Consider the best option for the future governance of the company and initiate action to achieve it

7.0 Risk Analysis

There are a number of risks attached to introducing the proposed transitional Board which would make Leeds Grand Theatre and Opera House Board to a more accountable, independent organisation fit for purpose for the foreseeable future. The key risks in this process are:

- 7.1 Inadequate project management to enable the new board to function in a new way.** This will be mitigated by providing three senior level council officers who are experts in legal, financial and cultural policy issues. The Department of Learning and Leisure will run the initial advertisement and appointment process for the independent members and Council processes will be introduced with immediate effect to enable appropriate and rapid decision making. These can be extended, revised or adopted by the new board at a later date
- 7.2 The skills matrix is not used for all board members and the priorities are not met.** The skills approach to appointing board members is recommended as best practice by the Charity Commission. If Executive Board approve its introduction it will be used by Member Services for the appointment of Councillors to the Board and as part of the recruitment process for the independent members. The process recommended in the Board Manual follows an approach adopted by other leading companies
- 7.3 Size of board too small to represent adequately all the skills required for the complex mix of venues which make up the company.** The current Memo of Understanding allows for 9 members it is proposed to implement the new skills approach alongside the appointment of five Councillors and four Independent members. It will then be possible to see how well the skills required can be covered and the new board can consider increasing the size of the board to add more skills as part of its review of its future operation. In the first instance the skills identified have been prioritized in terms of need to ensure the Board can meet its basic requirements
- 7.4 Inability to recruit and retain independent members and lack of clarity of their role.** To mitigate this risk the roles and responsibilities of all members have been defined in the Board Manual. The Charity Commission also produce a number of very useful booklets and leaflets on their website. Prospective candidates for these posts will be sent either the leaflets or web addresses.
- 7.5 Delegated decision making arrangements not fully considered or implemented so board continue to take operational rather than strategic decisions.** The three council advisors will assist in the development and implementation of a scheme of delegation. Initial elements of this have already been introduced through a more rigorous decision making process. This process appears to be working well although some initial problems have been identified and resolved.

8.0 Recommendations

Executive Board is asked to approve;

- The establishment of a transitional Board of five City Councillors and four independent members all appointed using a skills matrix and nomination form. The independent members will be attracted through external advertisement. Three senior council officers representing Legal, Financial and cultural policy will advise the transitional board. The Chair to be an Executive Board member
- The adoption of the Board manual to guide future Board actions and maintain Good Governance principles

Leeds Grand Theatre: Potential Governance Options

Background & Introduction

Following a review of a number of documents relating to proposed governance arrangements for the Leeds Grand Theatre & Opera House Ltd and its relationship with the Council (LCC), it is clear that a number of options are viable. The table below outlines the 'pros' and 'cons' of each option and provides recommendations in both the short- and longer-terms. An identification of key risks has then been included on the basis of the recommendations made. As such, the Working Group should consider:

- (a) Whether the options and their 'pros' and 'cons' are complete, accurate and timely;
- (b) Whether additional risks should be added;
- (c) What level of detail the risk assessment should go into; and
- (d) How, by whom and by when the risk assessment will be completed and reported in its first and ongoing iterations.

Options

1. Do nothing
2. Change existing structure to have 5 elected members on Management Board with 4 independent members. Chair to be elected member and vice-chair to be independent.
3. Change existing structure to increase size of Board to 12-15 members.
4. Change to single Independent Trust.
5. Change to 2 Independent Trust: one for Grand Theatre, the other for City Varieties and Hyde Park Picture House
6. Change to 3 Independent Trusts, one for each venue.
7. Replace single charitable company with 3 charitable companies.
8. Maintain a single Management Board but have 3 separate Venue Sub-Boards without elected member representation on them and potentially 1 Executive Officer reporting on behalf of all venues to Mgt Board.
9. Contract a commercial operator to run Leeds Grand Theatre on LCC's behalf.
10. Carry out either option 2-9 above but find a partner for the Picture House (e.g. Leeds Metropolitan University) to maintain it
11. Carry out either option 2-10 above but introduce some LCC officers to the Board as well as elected members and independent members.
12. Carry out either option 1-12 above but remove LCC officers from acting as Advisors.
13. Carry out either option 1-13 above but appoint an independent Chair rather than an elected member.

High-Level Option Appraisal

No.	Option	Pros	Cons
1	Do nothing	<ul style="list-style-type: none"> No changes need to be made, therefore no delays in liaising with Charity Commission and at a time of significant capital works Retains LCC influence and LCC more likely to put cultural and reputational impact higher than commercial gains of LGT Continued opportunities for cross-subsidy/mutual support between venues Continuation of pooled resources and economies of scale in purchasing etc. LCC can closely monitor and controls costs Direct link to Council priorities 	<ul style="list-style-type: none"> LGT is not and is not perceived to be independent of LCC & political considerations may subsume appropriate management considerations Board may lack range of skills required to run such an organisation Board may lack contacts in the business world restricting its access to skills, experience and funding opportunities Potential for poor governance and management As a 'controlled company', LGT may continue in 'cautious' mould, bringing its own artistic and financial restrictions Operational issues dominate Management meetings LCC liable for unplanned deficits
2	Move to 5 elected members on Management Board with 4 independent members: NB - elected member as Chair & independent member as vice-chair with LCC officers acting as Advisors	<ul style="list-style-type: none"> If appropriately selected, Board members will have right range of skills and experience Some independence with 4 non-LCC members, favourable to Charity Commission Easy to implement as no major change so little liaison with Charity Commission required and little impact on capital works. This will allow time for longer-term arrangements to be put into place if required. Executive Board has already agreed in Jan 05 to reduce no. of elected members from 9 to 6 with 3 independent members Retains LCC influence and LCC more likely to put cultural and reputational impact higher than commercial gains of LGT Continued opportunities for cross-subsidy/mutual support between venues Continuation of pooled resources and economies of scale in purchasing etc. 	<ul style="list-style-type: none"> LGT is not and is not perceived to be fully independent of LCC as elected members in majority and hold the Chair & LCC officers act as advisors. i.e. conflicts of interest. Also, political considerations may subsume appropriate management considerations. Good practice documents recommend larger Board (see option 3 below) so 9 may be too small to accommodate breadth and depth of skills required Charity Commission's preference is 'not to confer a power on local authorities to nominate all or a majority of trustees' As a 'controlled company', LGT may continue in 'cautious' mould, bringing its own artistic and financial restrictions Operational issues dominate Management meetings LCC liable for unplanned deficits
3	Increase size of Board: 12 -15 members and restrict elected members to	<ul style="list-style-type: none"> If appropriately selected, Board members will have right range of skills and experience and by increasing size of Board, opportunity provided to inject substantial additional mix of skills and expertise. 	<ul style="list-style-type: none"> Financial implications as more members on Board If elected members in majority, see cons for option 2 above As a 'controlled company', LGT may continue in 'cautious' mould, bringing its own artistic and financial restrictions

No.	Option	Pros	Cons
	either majority or minority with or without LCC officers acting as Advisors (see option 13 below)	<ul style="list-style-type: none"> • If elected members in minority, significant independence achieved, favourable to Charity Commission • Liaison is required with Charity Commission so this will be a longer-term option. • Retains some LCC influence and LCC more likely to put cultural and reputational impact higher than commercial gains of LGT • Continued opportunities for cross-subsidy/mutual support between venues • Continuation of pooled resources and economies of scale in purchasing etc. 	<ul style="list-style-type: none"> • LCC liable for unplanned deficits
4	Move to single Independent Trust (IT) status with 12-15 members on Mgt Board (elected members in minority with 1 as vice-chair) and an independent chair either with or without LCC officers acting as Advisors (see option 13 below)	<ul style="list-style-type: none"> • Significant independence achieved, favourable to Charity Commission and more likely to attract inward investment, corporate sponsorship and support from Trusts & Foundations. • Freedom from administrative and financial restraints of LCC. • Well-established model used by many other regional repertory and presenting theatres & recommended by AEA report [with caveat that should be a gradual change] • 12-15 members on Board recommended • Continued opportunities for cross-subsidy/mutual support between venues • Continuation of pooled resources and economies of scale in purchasing etc. • LCC no longer viable for paying off deficits [although LCC subsidy may have to increase to cover any such deficits] 	<ul style="list-style-type: none"> • Winding-up of existing controlled company structure and transfer of assets to new company • Delays incurred by need to involve Charity Commission of up to 1 year • Increased financial exposure (through either nil/reduced annual funding or unfavourable allocation of reserves at outset or no safety net in years of deficit) • Loss of continuity in management, chair and governance structures
5	Move to 2 Independent Trusts, 1 for Grand Theatre, 1 for City Varieties & Hyde Park Picture House	<ul style="list-style-type: none"> • As for option 4 above • Allows dedicated Board to concentrate on Grand Theatre and another for other City Varieties & Hyde Park Picture House, benefits in profile and programming terms • Limited continued opportunities for cross- 	<ul style="list-style-type: none"> • Financial implications: increase in resource requirements and running costs due to loss of economies of scale, cross-subsidy, increased administrative functions and loss of purchasing strength • More trustees needed • More complex governance arrangements required

No.	Option	Pros	Cons
		subsidy/mutual support between venues <ul style="list-style-type: none"> • Limited continuation of pooled resources and economies of scale in purchasing etc. 	<ul style="list-style-type: none"> • Significant input required from Charity Commission leading to approve new structures and transfer assets as appropriate leading to delays of >1 year. • City Varieties and Hyde Park Picture House may struggle more on their own due to their historical deficits • Potential for direct competition between Grand Theatre and City Varieties • Transfer of assets required from existing to new structure plus between the 3 venues • Loss of continuity in management, chair and governance structures
6	Move to 3 Independent Trusts, one for each venue	<ul style="list-style-type: none"> • As for option 4 above • Allows dedicated Board to concentrate on each venue, benefits in profile and programming terms • Current financial administrative arrangements already mostly based on 'three venue' model 	<ul style="list-style-type: none"> • Financial implications: increase in resource requirements and running costs due to loss of economies of scale, cross-subsidy, increased administrative functions and loss of purchasing strength • More trustees needed • More complex governance arrangements required • Significant input required from Charity Commission leading to approve new structures and transfer assets as appropriate leading to delays of >1 year. • City Varieties and Hyde Park Picture House may struggle more on their own due to their historical deficits • Potential for direct competition between Grand Theatre and City Varieties • Transfer of assets required from existing to new structure plus between the 3 venues • Loss of continuity in management, chair and governance structures
7	Replace current charitable company with 3 charitable companies	<ul style="list-style-type: none"> • Allows dedicated Board to concentrate on each venue, benefits in profile and programming terms • Current financial administrative arrangements already mostly based on 'three venue' model 	<ul style="list-style-type: none"> • Financial implications: increase in resource requirements and running costs due to loss of economies of scale, cross-subsidy, increased administrative functions and loss of purchasing strength • More trustees needed & may not be able to find sufficient with appropriate skills and experience • More complex governance arrangements required • Significant input required from Charity Commission to approve

No.	Option	Pros	Cons
			<p>new structures and transfer assets as appropriate leading to delays of >1 year.</p> <ul style="list-style-type: none"> • City Varieties and Hyde Park Picture House may struggle more on their own due to their historical deficits • Potential for direct competition between Grand Theatre and City Varieties • If elected members continue to act as sole trustees - see cons for option 1 above. • Loss of continuity in management, chair and governance structures
8	<p>Maintain a single Management Board (size & no. of elected members to be determined) but have 3 separate Venue Sub-Boards without elected member representation on them and potentially 1 Executive Officer reporting on behalf of all venues to Mgt Board</p>	<ul style="list-style-type: none"> • Allows dedicated Sub-Board to concentrate on each venue, benefits in profile and programming terms • Current financial administrative arrangements already mostly based on 'three venue' model • This model tried and tested at Yorkshire Museums, Libraries & Archive Council • Retains benefits of cross-subsidy, purchasing power and pooled administration • Board meetings freed up to consider strategic and integration issues, not operational management considerations • Minimal resource input to implement and, if found to not be working, easy to remove this model • Opportunity to increase participation of non-Council representatives • Continuity for operational management even if Management Board changes (e.g. due to political change at LCC, unable to recruit appropriate independent members, sickness etc.) 	<ul style="list-style-type: none"> • Potential financial implications due to increase in staff resource requirements • Possible delays incurred by input from Charity Commission • Potential for competition between Grand Theatre and City Varieties • Venue managers would compete for same resources from Board • If elected members continue to act as sole trustees - see cons for option 1 above. However, if some independent members on Board, see pros for options 2 and 3 above. • If lottery funding dependent on venue-specific constitution, this model does not satisfy that condition
9	<p>Find a commercial operator to run Leeds Grand Theatre on LCC's behalf</p>	<ul style="list-style-type: none"> • This model already in place elsewhere - however, most commercial operators principally seek to run large-scale theatres • Commercial operator can achieve economies of scale and negotiate block bookings of shows • LCC protected against any deficits - losses met by operator 	<ul style="list-style-type: none"> • This could result in the ACE grant (13.5m) having to be repaid as well as prejudicing any further award for phase 2 • Most commercial operators principally seek to run large-scale theatres so unlikely to want to take on City Varieties & Hyde Park Picture House • Without adequate contract/SLA/documented KPIs, a commercial operator may not focus on best interests of Leeds,

No.	Option	Pros	Cons
			audience requirements etc. <ul style="list-style-type: none"> Limited number of commercial operators outside London's West End Costs to LCC could increase: e.g. payment of annual management fee plus fixed subsidy and loss of any profit (which would all go to operator) Opera North and Northern Ballet (NBT) may lose out as commercial operator may not wish to continue allocating set weeks of programming at Grand Theatre to them without significant financial incentive from LCC
10	Do either options 2-9 above but find a partner for the Picture House (e.g. Leeds Metropolitan University) to maintain it	<ul style="list-style-type: none"> Currently, greatest deficits and falling audience figures in Hyde Park Picture House: with a partner who could regenerate it and introduce additional uses of it (e.g. as film studies resource), it would be used more often and provide greater benefits to Leeds Partner could focus solely on needs of the Picture House without distraction by Grand Theatre's & City Varieties' considerations 	<ul style="list-style-type: none"> The transfer arrangements required by the Charity Commission may limit the potential for the partner to make it more viable. Partner inherits a financially unviable business
11	Do either options 2-10 above but don't have any elected members on the Board: Management Board could be LCC officers and/or independent members	<ul style="list-style-type: none"> Complete independence from LCC, potentially favourable to Charity Commission and other funding bodies Less political implications Potential for greater continuity as elected members subject to change in local elections and annual reelection to board Potential for greater skills mix 	<ul style="list-style-type: none"> Current Articles state there must be elected member involvement If no LCC involvement, Board may not focus on best interests of Leeds, audience requirements etc.; financial implications may subsume all other considerations. If no LCC involvement, potential for no or little link to LCC priorities and Vision for Leeds. LCC officers may not have the time to take on this dual role. If LCC officers on Board, may lead to conflict of interest.
12	Do either options 2-10 above but have some LCC officers on Board as well as elected members and independent members	<ul style="list-style-type: none"> As for all options above (with exception of Option 9) 	<ul style="list-style-type: none"> LCC officers may not have the time to take on this dual role. If same officers providing advice, significant conflicts of interest. [However, this could be negated if Option 13 below implemented]
13	Do either options 1-12 above but have no LCC officers acting as	<ul style="list-style-type: none"> Increased independence and no conflict of interest, favourable to Charity Commission Frees up LCC officers' time 	<ul style="list-style-type: none"> Venues would have to seek this experience (e.g. financial & legal) externally leading to increased costs and possible increase in grant/subsidy from LCC to cover this

No.	Option	Pros	Cons
	Advisors	<ul style="list-style-type: none"> • Potential to source external advisors with more specific expertise in theatres 	
14	Do either options 1-13 above but with an independent Chair rather than an elected member	<ul style="list-style-type: none"> • As for all options above bar 5, 6, 7 and 11. • Independence from political considerations easier to prove • Free from possible disruption to management continuity due to LCC elections 	<ul style="list-style-type: none"> • Potential for no or little link to LCC priorities and Vision for Leeds • Loss of LCC control

Recommendations

Short- to medium-term: undertake either option 2 or 3 above as transitional arrangement until longer-term arrangements can be made. However: neither stage should be rushed - it is essential to appoint the right people to the Board utilising appropriate structures even for a transitional arrangement.

Longer-term: move to Independent Trust **or** stick with transitional arrangement if this has worked well. However, if an Independent Trust model is agreed, further consideration is required as to the number - e.g. 1 or 2 Independent Trusts or even 3. Again, for all options, there is the further need to consider the Board makeup (e.g. number and elected member representation plus possible representation from LCC officers [Option 12]), whether an independent member should act as Chair [Option 14] whether LCC officers should continue to act as Advisors (financial, legal etc.) [Option 13], whether a partner should be found for the Picture House [Option 10] and whether separate Venue Sub-Boards should be established [Option 8].

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General Skills required by all board members	
1. ACCOUNTABILITY	<ul style="list-style-type: none"> Understand board financial duties and legal (statutory) obligations Act in a lawful, ethical and justifiable manner Demonstrate personal integrity, discretion and reliability Maintain confidentiality Participate in board activities in an informed way Review and ensure action is taken on audit reports Ensure compliance with statutory and legal requirements
2. STRATEGIC THINKING	<ul style="list-style-type: none"> Contribute to the development of a shared vision and corporate direction Take a long term, broad view of situations in decisions and actions Understand government, business and cultural systems relevant to the board's activities Formulate strategic goals and targets Identify the impact of external trends and changes; and adapt goals and targets accordingly Understand principles of organisational change Promote a customer focus ethos
3. MONITORING	<ul style="list-style-type: none"> Analyse and interpret financial statements and management reports Review organisational performance and customer satisfaction on a regular basis Assess and provide feedback on executive performance Assess and improve board/committee performance Assess and manage risk
4. POLICY DEVELOPMENT	<ul style="list-style-type: none"> Assess and determine broad policy objectives Take account of the impact of policy decisions on stakeholders and customers Endorse standards and regulations Establish and review priorities for resource allocation
5. DECISION MAKING	<ul style="list-style-type: none"> Adopt and comply with ethical decision making processes Consider opposing points of view and alternative solutions Present a balanced perspective on issues and decisions Take account of diverse community attitudes, opinions, values and cultures Resolve conflict appropriately Empower people to achieve goals by delegating sufficient authority and resources Delegate day to day management to CEO – set parameters for decision making
6. NETWORKING	<ul style="list-style-type: none"> Access business, community and government networks on behalf of the board Develop alliances and partnerships within and outside the industry or community sector Represent and promote the board within the industry and to the community
7. ADVISING	<ul style="list-style-type: none"> Evaluate needs, priorities, alternatives and consequences Interpret information and draw conclusions Suggest proposals and solutions to improve board processes and outcomes Present information, ideas and opinions to others in a convincing way
8. TEAMWORK	<ul style="list-style-type: none"> Understand individual and team roles and responsibilities Communicate clearly and effectively Engage in constructive discussion to reach an agreed position Work cooperatively with board members and employees to achieve organisational goals Apply effective time management Foster mutual respect and trust

Specific Skills required by Board members

Specific expertise in one or more of the following areas in priority order

- Learning
- Property management and development
- Finance and fund raising
- Legal issues
- Human Resources
- Public relations, marketing and communication
- Business management
- Administration and project management

- Represent Leeds diverse community

- Demonstrate interest in and possess a broad expertise /knowledge of the performing arts industry and facilities

- Ability to devote time required to Board Meetings and for pre meeting study and review of agenda and papers

- Show no real or perceived bias respecting any special interest group; have in mind the best interests of the entire performing arts community

- Willing to maintain and active interest in the affairs of the Grand Theatre and to become familiar with its programmes, resources, clients and staff

What is expected of a Board member

Know the Theatre's mission, aims, objectives, policies, programmes, services, strengths and needs

Be willing to take a lead in an area or work or a special project

Remain aware of developments in the performing arts

Bring a sense of humour to deliberations

Be loyal to board decisions

Support senior staff and never criticise them in front of their colleagues

Serve the organisation as a whole rather than a particular interest group within it

Don't accept favours related to your work as a board member

Maintain your independence, avoid conflicts of interest

With thanks to Arts Council: Basics of Board Management



Leeds Grand Theatre

Board Manual

Draft

This document has been produced by combine advice from three sources

- The Charity commission for the majority of the general advice, copyrighted by Charity Commission but available for reproduction for Board members
- In terms of guidance The National Hub of Expertise on Governance again copyrighted but available for reproduction to Board Members
- Leeds Grand Theatre board proposals for specific details

Table of Contents

This document has been produced by combine advice from three sources.....	2
Table of Contents	2
Foreword	4
The Hallmarks of a successful charity.....	5
Summary	5
Focus on impact and outcomes	6
Aims and Objectives of Leeds Grand Theatre and Opera House Ltd	6
Fit for purpose	7
Sound governance.....	7
Maximises potential	8
Accountable and transparent	8
Flexible	8
List of Board Member Skills and Attributes required by Leeds Grand Theatre.....	10
Leeds Grand Theatre Board Members Skills Audit	12
Potential sources for new members.....	12
Charity Commission recommended	13
Role of Board members.....	13
Board member duties at a glance	14
Board members and their responsibilities	14
Compliance – Board members must:.....	14
Duty of prudence – Board members must:.....	14
Duty of care – Board members must:.....	14
What should I do before I become a Board member?	15
Am I eligible to become a Board member?	15
Appointments.....	15
How long does the appointment of a Board member last?	15
Can a Board member resign?	15
How do Board members make decisions?	16
What do the Chair and Treasurer do?	16
Compliance.....	17
Board members must:	17
Can Board members be paid for their duties?	17
Can a Board member be employed by the charity?	17
Do Board members have to keep accounts?	18
Do charity accounts need external audit or scrutiny?.....	18
What charity Board members’ duties in relation to fundraising?	19
What if the charity’s objects no longer serve a useful purpose?	19
With what other laws and regulations must Board members comply?	20
Duty of prudence.....	21
Board members must:	21
What are the financial duties of Board members?	21
What are the principles for Board members?	21
What duties do Board members have towards charity property?	21
Duty of care.....	23

Board members must:	23
What is the statutory duty of care?	23
How often do Board members need to meet?	23
How much time will be needed?	24
What else do Board members need to think about?.....	24
If things go wrong	24
What are the liabilities of charity Board members?.....	24
Can a charity be wound up?	25
What is 'governance'?	26
The key principles of good governance	26
What is good governance	26
1. Good governance means focusing on the organisation's purpose and outcomes for citizens and users	26
2. Good governance means performing effectively in clearly defined functions and roles	26
3. Good governance means promoting values that underpin good governance and upholding these through behaviour	27
4. Good governance means taking informed, transparent decisions within a framework of controls	27
5. Good governance means developing the capacity of the governance team to be effective	27
6. Good governance means engaging stakeholders and making accountability real	27
Equality and diversity.....	27
The Role of Chief Executive.....	28
The key principle:	28
Supporting principles:	28
Clarity of other roles	29
The role of the chair.....	29
Effective delegation	29
Terms of reference	29
Monitoring	29
Nolan Principles (useful base for board members approaches)	31

- **Copyright Notice, Disclaimer and Privacy Statement**
- Charity Commission 2003

- Guidance from the Charity Commission for all who serve as Board members

Foreword

As a board member your skills and energy will help to make a difference to your chosen cause and charity. You will become responsible for the charity's mission, for its property, finances and the employment of any staff or volunteers. Without good and committed Board members, no charity can hope to succeed.

Being a Board member can be hard work and in most cases it is unpaid. But by contributing you should also gain. Board membership should be rewarding, providing many opportunities for personal development. As you give your skills to the running of your charity, you will at the same time gather new skills and experience.

For instance, you will need to plan the strategic future of the charity and its work. You will need to take the lead in developing and managing staff and volunteers – for most charities, their most important resource. You may also need to become involved in policy decisions within the charity, in the local community, regionally or nationally. Innovation, problem-solving and representing the charity in public may also be needed.

You will of course be joining a team of Board members. To be effective, the team will need a range of people with a good mix of skills. It will also be diverse, with people who understand the needs to be served, and others with business and management experience. This should also be positive – you will be meeting and working with new people with different backgrounds, and from different walks of life.

Geraldine Peacock, Chairman Charity Commission

Andrew Hind, Chief Executive Charity Commission

The Hallmarks of a successful charity

Summary

Leeds Grand Theatre Board's basic responsibilities		
To focus on impact and outcomes	To be clear and confident about why The Grand Theatre exists and what it aims to achieve. What are its values and beliefs which guide its work? In partnership with staff it is the board's role to decide the theatre's purpose and how it will achieve it.	<ul style="list-style-type: none"> • Approve business and marketing plans
To ensure the Grand theatre is fit for purpose	The structure policies and procedures of an effective charity enable it to achieve its mission and aims and deliver its services efficiently	<ul style="list-style-type: none"> • Set goals for venues • Approve artistic policy and agree programming. Assess performance against programme
To ensure sound governance	Ensure the right balance of skills and experience to run the charity effectively	<ul style="list-style-type: none"> • Set boundaries between responsibilities of staff and board • Work to skills matrix •
Maximises potential	To be responsible for establishing plans and policies that will provide long term stability. The Board is trusted with responsibility to provide continuity of management, to set parameters within which staff can make day to day decisions	<ul style="list-style-type: none"> • Appoint Manager • Set employment policies and code of conduct • Build relationship of mutual respect with staff • Strong financial strategy including fund raising • Review quarterly operational income/expenditure for current period and year to date against budget and forecast to year end • Review annual performance against budget • Analyze and approve future annual budget
Accountable and transparent	Accountable to the public and other stakeholders in a way that is transparent and understandable	<ul style="list-style-type: none"> • Comply with legal obligations • Clear about activities • Monitors performance
To establish and promote Leeds Grand Theatre's role in the community	Building and promoting the identity of The Grand Theatre is one of the board's most important tasks. Board members are expected to inform and enthuse friends, acquaintances and strangers about the work of the Theatre. It has the responsibility to encourage the greatest possible involvement of the local community. The board will also be expected to look for opportunities to increase income.	<ul style="list-style-type: none"> • Protect public interest • Review audience development, marketing and education strategies and targets

Focus on impact and outcomes

1. An effective charity considers the impact that it wants to have and actually has on the people who benefit from it, is clear about its objects, vision, mission and values, and how it will achieve them.

In order to demonstrate this, the charity:

- complies with the law by ensuring that its aims and planned activities are within the objects set out in its governing document;
- has a clear idea of its vision, mission, and values (e.g. set out in a written statement that is regularly reviewed) which gives the charity focus, direction and clarity and involves stakeholders both in defining and measuring its efficacy;
- prepares and regularly reviews a written plan outlining the steps it will take to achieve its mission;
- has considered methods of identifying, measuring and learning from the charity's achievements and outcomes, including the positive and negative effects that it has on the people who benefit from the charity, other stakeholders and the community as a whole;
- sets achievable targets and indicators against which success is measured based on the aims of the charity, the needs of the people who benefit from it, the quality of its services and the resources available;
- Regularly reviews whether the charity's objects (as set out in its governing document) are up to date and relevant.

Aims and Objectives of Leeds Grand Theatre and Opera House Ltd

- Present an eclectic programme of attractions on stage to appeal to the broad spectrum of the region's population
- Feature the highest artistic standards and quality of entertainment from drama, ballet, dance and musical companies and concerts promoted by the commercial sector, or supported by the arts Council and the regional Arts Councils;
- Provide a production and administrative base for its residence company Opera North, to present its annual series of operatic performances;
- Provide a theatrical home for Northern Ballet Theatre;
- Support, provide and maintain first class rehearsal, administrative and technical facilities for both its resident and visiting artistic companies cater for and provide hospitality facilities for artists, staff, audiences and sponsors alike;
- Make accessible both artistic work and physical facilities by keeping under review and implementing new pricing, education and diversity and equal opportunities policies for all sectors of the community including the young, unemployed, elderly, black and Asian minority groups, disabled and disadvantaged
- Train and empower staff and provide effective customer care programmes; access awareness and diversity programmes;
- Maintain the highest standards of Health and Safety for the public and personnel required to use , enjoy and work within the venue;
- Promote and market the programme with confidence to the community and maintain good relations with the external funding bodies, the media and the general public at large;
- Balance its annual budget by prudent management, financial control and direction of all its affairs

Fit for purpose

2. The structure, policies and procedures of an effective charity enable it to achieve its mission and aims and deliver its services efficiently.

In order to demonstrate this, the charity:

- reviews its organisational and board member structures and evaluates its achievements and performance against its targets on a regular basis to ensure that it is maximising its potential;
- identifies and regularly assesses the risks that it is exposed to and decides how it will manage them;
- regularly reviews its governing document to ensure that it is up to date and that the board members have the powers that they need in order to achieve the charity's objects and manage its resources;
- identifies and complies with relevant legislation and takes professional advice where necessary;
- develops and uses written policies and procedures for its employment practices, including the appointment, appraisal, training and development of staff;
- recognises and promotes diversity in beneficiaries, staff and volunteers;
- where it utilises volunteers, cultivates an environment which attracts volunteers to support the aims of the charity and puts in place policies and procedures which recognise their worth and maximise their contribution to the charity;
- has policies and procedures to protect vulnerable groups that it works with including, for example, children and people with a learning disability.

Sound governance

3. An effective charity is run by a clearly identifiable board member body that has the right balance of skills and experience to run the charity effectively, acts in the best interests of the charity and its beneficiaries, understands its responsibilities and has systems in place to exercise them effectively.

In order to demonstrate this, the charity:

- complies with the law by ensuring that the board member body is constituted in accordance with the governing document;
- identifies the mix of skills, knowledge and experience necessary for the efficient and effective direction of the charity and ensures that the rotation of board members provides adequate opportunities for re-assessing that mix;
- recruits and selects board members on the basis of the mix of skills, knowledge, experience and the diversity that they bring to the board member body, as well as the time they have to do the job well; undertakes all appropriate checks to ensure that a prospective board member is both eligible and suitable to act in that capacity;
- has a policy for managing conflicts of interest on the board member body and ensures that board members understand that they must act solely in the best interests of the charity;
- has an induction programme for board members which enables them to rapidly become effective and valuable board members;
- has a board member body that takes responsibility for evaluating its own performance and for identifying and addressing the individual training needs of board members;
- has a board member body that is the right size for the charity – large enough to include the right balance of skills and experience needed to run the charity effectively, but small enough to facilitate discussion and effective decision making;
- has a clear understanding of the respective roles of the board member body and staff with written role descriptions for board members and board member officers (such as the Chair and Treasurer), and has systems in place that the board member body use to monitor and oversee the way in which their delegated powers are exercised;

- is able to take decisions which further the work of the charity while recognising and managing the risks to the charity's beneficiaries, to itself and to other stakeholders.

Maximises potential

4. An effective charity manages and uses its resources so as to optimise its potential.

In order to demonstrate this, the charity:

- plans to manage its resources (including finance, skills, knowledge, experience and assets), considers appropriate methods of controlling costs and generating new funding, and monitors actual performance so as to identify any potential problems in good time and take corrective action;
- has robust systems in place for internal financial control and the protection of its funds;
- diversifies its sources of income, for example, to reduce the risk of over dependence on one or two sources;
- has a fund-raising strategy that works within recognised good practice frameworks and considers which methods of fund-raising are appropriate for the charity;
- has robust processes in place for the management and control of all fund-raising activities undertaken by the charity or on its behalf;
- has a strategy in place for both its investments and its reserves which takes into account and plans for the needs of current and future beneficiaries;
- considers and plans for the use of non-cash resources such as volunteers, donated goods, and physical assets for own use or investment;
- considers collaborations and partnerships with other organisations and mergers with other charities to improve efficiency and the better delivery of benefits and services.

Accountable and transparent

5. An effective charity is accountable to the public and other stakeholders in a way that is transparent and understandable.

In order to demonstrate this, the charity:

- complies with its legal obligation to produce an annual report and accounts which includes an explanation of what the charity has done during the year and, as a matter of good practice, the extent to which it has achieved its charitable aims in a way that internal and external stakeholders can understand;
- complies with relevant legal and good practice obligations for financial reporting, including the Charities [Statement of Recommended Practice \(SORP\)](#) and has reporting practices that are honest, open, even-handed (not hiding the bad), clear and comply with the appropriate standards;
- explains its activities and decisions in an open and transparent way while maintaining confidentiality where appropriate, and is able to demonstrate its independence from other bodies. Independence in this context means that the charity must act to carry out its own charitable purposes, and not for the purpose of implementing the policies or directions of a governmental authority, or of any other bodies;
- welcomes both positive and challenging feedback from its stakeholders and has well-publicised, effective and timely procedures for dealing with complaints about the charity and its activities. These explain rights to complain and appeal and give details of the process and likely timescales;
- has a communications strategy that ensures that accurate and timely information is given to stakeholders including the media, donors and beneficiaries.

Flexible

6. An effective charity is flexible enough to influence and adapt to changes in the environment in which it works in order to meet the changing needs of those who use its services.

In order to demonstrate this, the charity:

- has systems in place to gather and analyse information about emerging trends in the environment in which it operates, and their likely impact on the activities of the charity and partner organisations, and uses these to inform its planning processes;
- welcomes feedback from its beneficiaries about the services it provides and the areas where improvements could be made;
- identifies and uses opportunities to influence the environment in which it works to be more conducive to its aims, following the law and good practice when campaigning or lobbying;
- is not complacent but is engaged in a process of continual improvement, using techniques and tools best suited to its size and activities, e.g. recognised quality systems and benchmarking, to improve its own future performance;
- is ready to share good practice with other bodies;
- investigates and makes appropriate use of new technologies to carry out its activities more effectively;
- considers from time to time different methods of carrying out its administrative work, for example buying in external services or collaborative working such as sharing resources such as staff, offices or transport.

List of Board Member Skills and Attributes required by Leeds Grand Theatre

General Skills required by all board members

1. ACCOUNTABILITY - Understand board financial duties and legal (statutory) obligations.

- Act in a lawful, ethical and justifiable manner.
- Demonstrate personal integrity, discretion and reliability.
- Maintain confidentiality
- Participate in board activities in an informed way.
- Review and ensure action is taken on audit reports.
- Ensure compliance with statutory and legal requirements

2. STRATEGIC THINKING

- Contribute to the development of a shared vision and corporate direction.
- Take a long term, broad view of situations in decisions and actions.
- Understand government, business and cultural systems relevant to the board's activities.
- Formulate strategic goals and targets.
- Identify the impact of external trends and changes; and adapt goals and targets accordingly.
- Understand principles of organisational change
- Promote a customer focus ethos.

3. MONITORING

- Analyse and interpret financial statements and management reports.
- Review organisational performance and customer satisfaction on a regular basis.
- Assess and provide feedback on executive performance.
- Assess and improve board/committee performance

4. POLICY DEVELOPMENT

- Assess and determine broad policy objectives.
- Take account of the impact of policy decisions on stakeholders and customers.
- Endorse standards and regulations.
- Establish and review priorities for resource allocation.

5. DECISION MAKING

- Adopt and comply with ethical decision making processes.
- Consider opposing points of view and alternative solutions.
- Present a balanced perspective on issues and decisions.
- Take account of diverse community attitudes, opinions, values and cultures.
- Resolve conflict appropriately.
- Empower people to achieve goals by delegating sufficient authority and resources.
- Delegate day to day management to CEO – set parameters for decision making

6. NETWORKING

- Access business, community and government networks on behalf of the board.
- Develop alliances and partnerships within and outside the industry or community sector.
- Represent and promote the board within the industry and to the community.

7. ADVISING

- Evaluate needs, priorities, alternatives and consequences.
- Interpret information and draw conclusions.
- Suggest proposals and solutions to improve board processes and outcomes.
- Present information, ideas and opinions to others in a convincing way

8. TEAMWORK

- Understand individual and team roles and responsibilities.
- Communicate clearly and effectively.
- Engage in constructive discussion to reach an agreed position.

- Work cooperatively with board members and employees to achieve organisational goals.
- Apply effective time management.
- Foster mutual respect and trust.

Specific Skills required by Board members

Specific expertise in one or more of the following areas in priority order

- Learning
- Property management and development
- Finance and fund raising
- Legal issues
- Human Resources
- Public relations, marketing and communication
- Business management
- Administration and project management

Represent Leeds diverse community

Demonstrate interest in and possess a broad expertise /knowledge of the performing arts industry and facilities

Ability to devote time required to Board Meetings and for pre meeting study and review of agenda and papers

Show no real or perceived bias respecting any special interest group; have in mind the best interests of the entire performing arts community

Willing to maintain and active interest in the affairs of the Grand Theatre and to become familiar with its programmes, resources, clients and staff

What is expected of a board member at Leeds Grand Theatre

Know the Theatre's mission, aims, objectives, policies, programmes, services, strengths and needs

Be willing to take a lead in an area or work on a special project

Remain aware of developments in the performing arts

Bring a sense of humour to deliberations

Be loyal to board decisions

Support senior staff and never criticise them in front of their colleagues

Serve the organisation as a whole rather than a particular interest group within it

Don't accept favours related to your work as a board member

Maintain your independence, avoid conflicts of interest

Suggest the names of board members who could make a significant contribution

Leeds Grand Theatre Board Members Skills Audit

Profile	Chair	Deputy	1	2	3	4	5	6	7	8
Age										
18 – 25										
26 – 35										
36 – 45										
46 – 60										
60+										
Gender										
Male										
Female										
Ethnicity										
Use CRE definitions										
Geographic residency										
Leeds										
Yorkshire										
England										
Other										
Expertise										
Learning										
Legal										
Financial										
Fundraising										
Marketing										
Business										
PR										
Artistic										
Administrative										
HR										
Organisational experience										
Private										
Theatre										
Public										
Voluntary										

Potential sources for new members

- Existing board contacts
- Senior staff suggestions
- Funding body suggestions
- Volunteers
- Friends
- Key client groups
- Board members of other cultural organisations
- Arts and Business
- Trade Unions
- Chamber of Commerce
- Sponsors

Charity Commission recommended

Role of Board members

Board members are the people who serve on the governing body of a charity. They are responsible for controlling the management and administration of a charity.

The great majority of Board members serve as volunteers, and receive no payment for their work.

Charity Board members come from all walks of life, and are united by their wish to create positive change in society. Most people are eligible to serve as Board members. The work of a Board member should be rewarding and enjoyable, and an opportunity to serve the community while learning new skills.

To be a Board member requires time, understanding and effort. It is also a rewarding opportunity to serve the community and develop personal skills.

Board member duties at a glance

This page summarises the main duties and responsibilities of charity Board members. Again, it is not a legal document, but sets out the legal principles in everyday language. The headings on this page are also used for sections of the more detailed guidance that follows.

Board members and their responsibilities

(1) Board members have and must accept ultimate responsibility for directing the affairs of a charity, and ensuring that it is solvent, well-run, and delivering the charitable outcomes for which it has been set up.

Compliance – Board members must:

(2) ensure that the charity complies with charity law, and with the requirements of the Charity Commission as regulator; in particular ensure that the charity prepares reports on what it has achieved and annual returns and accounts as required by law.

(3) ensure that the charity does not breach any of the requirements or rules set out in its governing document and that it remains true to the charitable purpose and objects set out there.

(4) comply with the requirements of other legislation and other regulators (if any) which govern the activities of the charity.

(5) act with integrity, and avoid any personal conflicts of interest or misuse of charity funds or assets.

Duty of prudence – Board members must:

(6) ensure that the charity is and will remain solvent.

(7) use charitable funds and assets reasonably, and only in furtherance of the charity's objects.

(8) avoid undertaking activities that might place the charity's endowment, funds, assets or reputation at undue risk.

(9) take special care when investing the funds of the charity, or borrowing funds for the charity to use.

Duty of care – Board members must:

(10) use reasonable care and skill in their work as Board members, using their personal skills and experience as needed to ensure that the charity is well-run and efficient.

(11) consider getting external professional advice on all matters where there may be material risk to the charity, or where the Board members may be in breach of their duties.

What should I do before I become a Board member?

You should take all reasonable steps to find out as much as you can about the charity, and about what will be expected of you as a Board member.

Finding out more: Before you become a Board member, you should learn as much as you can about the charity, and what being a Board member will mean for you. For instance, for an existing larger charity, we advise you to read annual reports, important policies and the annual accounts; we also advise that you meet existing Board members, senior staff and perhaps some of the people who benefit from the charity's work. Some charities may also invite you to sit in on a Board members' meeting as an observer before you formally join. You may wish to find out what training and support the charity offers its Board members.

The governing document: You should also get a copy of the charity's governing document, and read it. It will probably be a dry legal document, but it is the charity's main constitutional document, and governs key aspects of the charity's work. If it isn't clear what it means, then one of the existing Board members or the charity's Secretary should explain it to you.

Am I eligible to become a Board member?

Most people over 18 years of age can become Board members, but a few are not eligible.

Ineligible people: Those who have already been disqualified as company directors and those who have been convicted of an offence involving dishonesty or deception are some of the people who cannot usually become Board members. In some cases, people who receive benefits from the charity may also be ineligible.

Appointments

Eligibility Criteria To be eligible to serve on the Board you must live or pay council tax to Leeds City Council. You must be willing to work to the general skills list and demonstrate tangible experience in the specific skills required for The Grand Theatre

Appointments	Councillors will be elected through the members appointments committee All other board members will be selected by the current board
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How long does the appointment of a Board member last?

Terms of Office Councillors will be selected annually. All other appointments will be for three years with the eligibility of reappointment for one additional term. For all a maximum of 6 concurrent years. (A rota of appointments will be required at outset to ensure all members do not come up for election simultaneously).

Can a Board member resign?

Yes – it is usually straightforward for a Board member to resign. But in some situations, especially with unincorporated charities, it is important to check the charity's governing document carefully. Sometimes legal advice will be needed to ensure that things are done properly.

How do Board members make decisions?

All decisions by the Board members concerning a charity are taken by all the Board members, acting collectively and as a team. However, the decisions need not be unanimous; a majority decision is sufficient unless the charity's governing document states otherwise.

Collective responsibility: Subject to any power of delegation there is a general rule that Board members must take personal responsibility for their decisions, and that all decisions concerning the charity must be taken by the Board members acting together.

Setting up groups or committees: Board members can always invite some of their number to look into particular matters and make recommendations. The decision whether or not to act on the recommendations is for the Board members to take together. *In some cases the governing document of a charity may permit the Board members to set up committees with delegated powers to carry out particular functions.* Check with legal

Delegating to employees: The Board members will need to delegate decisions on day-to-day management matters to employees. In these cases the scope of the authority should be clearly laid down in writing and instructions given for decisions on important matters to be reported to the Board members. Board members should establish proper reporting procedures and clear lines of accountability. More needed

What do the Chair and Treasurer do?

Some Board members are known as 'officers' and have special responsibilities. These include the Chair, Treasurer, and in some cases there may also be other designated officers.

Special responsibilities: The Treasurer and the Chair of the charity will have wider responsibilities than other Board members.. The Chair, as well as helping to plan and chair Board member meetings, may also be the link between the Board members and the employees and representing the charity at appropriate events. However, when it comes to making decisions about the charity, the Board members must take them together.

Treasurer support is provided by Leeds City Council who will ensure that proper accounts are kept, and help set financial and investment policies check with Doug

Compliance

Board members must:

- ensure that the charity complies with charity law, and with the requirements of the Charity Commission as regulator; in particular ensure that the charity prepares reports, annual returns and accounts as required by law.
- ensure that the charity does not breach any of the requirements or rules set out in its governing document and remains true to the charitable purpose and objects set out there.
- comply with the requirements of other legislation and regulators which govern the activities of the charity.
- act with integrity, and avoid any personal conflicts of interest or misuse of charity funds or assets.

Can Board members be paid for their duties?

Generally, no. Most Board members are unpaid, and must not benefit in any way from their connection with the charity. There are limited exceptions to this rule.

Prohibited benefits: Board members are not entitled to receive any payment out of the charity's funds other than reasonable and necessary out-of-pocket expenses, such as the cost of travel to attend Board member meetings. Additionally, they must not benefit, either directly or indirectly, from the charity by, for instance:

- taking a lease of the charity's property;
- borrowing money from the charity; or
- making contracts to do business with the charity.

When Board members abuse their position: This is a legal rule and any Board member who breaks it may have to make good any loss that results to the charity out of their own pocket. Even if there is no loss, a Board member who makes a profit from breaking the rule may have to pay the amount of any profit to the charity.

Can a Board member be employed by the charity?

Generally, no because Board members must not gain from their position. Again, there are limited exceptions to this rule.

The legal position: Generally, a Board member cannot become an employee of their charity nor can an employee become a Board member. The exceptions are where the governing document of the charity explicitly authorises it, or if permission has been given by us or a court of law.

When Board members abuse their position: This is a legal rule and a Board member who breaks it may have to repay to the charity any benefits they have received, such as salary. The rule still applies even where the Board member has resigned as a Board member, before or after taking up employment.

The exception: The only instance in which special permission may not be needed is where the charity can show that the Board member has not obtained the employment by reason of being a Board member and there is no ongoing conflict of interest. This would mean that the Board member concerned:

- has no significant involvement with the charity's decision to create or retain the post, or with any material aspect of the recruitment process; and
- had resigned as a Board member to apply for the post in advance of a post being advertised publicly in a fair and open competition.

Do Board members have to keep accounts?

Yes. All charities must prepare annual accounts. Different rules apply to different sizes and types of charity. Preparing accounts is of course only one part of proper financial planning and control.

The legal position: There are legal requirements (in the 1993 Act and associated regulations) for charities, relating to:

- maintenance and retention of accounting records;
- preparation of charity accounts and annual reports;
- audit or independent examination of accounts;
- submission of accounts, annual reports and annual returns to us; and
- availability of accounts to the public.

Financial thresholds: How far any individual charity must comply with these requirements depends on the level of gross income and/or total expenditure. Board members must familiarise themselves with the appropriate requirements. Registered charities with gross income or total expenditure of over £10,000 per year must submit their accounts annually, within 10 months of the end of the relevant financial year.

Non-submission of accounts: If Board members fail to submit their accounts and annual return on time, this could lead to us taking action against the Board members. This action could include conducting an investigation into the charity or publishing the charity's details on our website as defaulting in the submission of annual accounts and returns.

Incorporated charities: Different accounting rules apply to charities that are companies. Further information is available from Companies House.

Do charity accounts need external audit or scrutiny?

All charities with income or expenditure of more than £10,000 must have their accounts scrutinised by "an independent person". Larger charities will need a full external audit. Charities that are companies must comply with company law.

Independent person: In general statutory requirements mean that all charities with an income or expenditure over £10,000 must have their accounts scrutinised by an "independent person". This can be by independent examination or an audit by a registered auditor. To be "independent" the person concerned should not be:

- a Board member;
- involved in the administration of the charity;
- a major donor or beneficiary; or
- a close relative, business partner or employee of any of the above.

External audit: If a charity's income or expenditure exceeds £250,000 in the current year or either of the two preceding years, the accounts must be audited by a registered auditor.

Incorporated charities: Different rules apply to charities which are companies. Further information can be obtained from Companies House.

What charity Board members' duties in relation to fundraising?

Board members must ensure that any fundraising activity carried out by, or on behalf of, their charity is properly undertaken, and that all funds collected are properly accounted for.

The legal position: Where Board members allow or employ people to undertake fundraising on their behalf, all funds raised should be paid into a bank account in the charity's name before deduction of the fundraiser's expenses. In certain circumstances this is a legal requirement. Board members must always:

- ensure that any appeal properly describes what donations from the public will be used for; and
- ensure that where professional fundraisers are employed as agents for the charity, a proper contract is drawn up.

Good practice: In addition to these legal requirements, Board members should always:

- insist on approving both the fundraising methods and any appeal literature that will be used on their behalf;
- be prepared to be open and honest about the costs of such an appeal if asked; and
- explain in their annual report the effectiveness of fundraising activities to explain the figures given in the accounts.

What if the charity's objects no longer serve a useful purpose?

If a charity's objects are no longer relevant there are ways of changing them. Where charities don't have the powers themselves to make the changes, they must contact Charity Commission

Regular review: Board members should regularly review whether their charity is still meeting a useful purpose. Sometimes a charity can become more effective by changing the way it works. In other cases it may need to change the objects or provisions (or both) in its governing document.

Amending the governing document: The governing document of most unincorporated charities contains a power enabling its amendment. In some cases the charity can amend the objects without Charity Commission intervention, subject to what is said in the governing document and the general law; in many others any amendment will require our written consent. In either case, any new objects should be kept close to the charity's original intention and must remain legally charitable.

Contacting the Commission: Any Board members intending to make or propose an alteration are strongly advised to seek our views beforehand. If the charity's governing document has no amendment provision, or one that does not allow the objects to be amended, Board members should contact Charity commission help.

Incorporated charities: Section 64 of the 1993 Act requires a charitable company to seek our prior consent to any amendment of the company's objects or provisions relating to the way the company's property is used.

After the objects have been changed: Whether or not our prior authorisation is needed Board members must give us details of any change to the objects of the charity.

With what other laws and regulations must Board members comply?

Like all organisations, charities are subject to the law of the land. Aspects of their work may be regulated by other government bodies. Board members need to be aware of these requirements, and must ensure that the charity complies.

Some examples: The exact answer will depend on the type of charity, and the activities it undertakes. The following list gives examples of key areas that may apply to your charity:

- For charities that are companies, company law.
- For charities employing staff, employment law.
- Health and safety legislation, for instance as relating to staff, volunteers and beneficiaries.
- Legislation concerning racial equality, disability discrimination, equal opportunities and similar areas.
- For charities providing registered care, the requirements of the Commission for Social Care Inspection.
- For charities working with children or other vulnerable people, the range of legislation protecting those clients.
- For charities that are housing associations, the requirements of the Housing Corporation.

External advice: We emphasise that this is not a full list, and that many other regulators and Inspectorates may be involved with certain charities. Board members may need to seek external advice to be sure they are aware of all their compliance responsibilities.

Duty of prudence

Board members must:

- ensure the charity is and will remain solvent.
- use charitable funds and assets reasonably, and only in furtherance of the charity's objects.
- avoid undertaking activities that might place the charity's endowment, funds, assets or reputation at undue risk.
- take special care when investing the charity's funds or borrowing funds for it to use.

What are the financial duties of Board members?

The Board members of every charity must ensure that its finances are used appropriately, prudently, lawfully and in accordance with its objects.

Financial management: This could include making decisions about fundraising, the provision of services, and investments. This is an important duty in any charity. Whatever the size of the capital and income of the charity, proper financial management is the key to the success of the charity and its ability to help its beneficiaries.

What are the principles for Board members?

Board members must act reasonably and prudently in all matters relating to the charity and must always bear in mind that their prime concern is the charity's interests. The charity's income and property must be applied only for the purposes set out in the governing document.

Fairness and objectivity: The charity's expenditure must be applied fairly among people who are properly qualified to benefit from it.

Accumulation of surpluses: The income of a charity must be applied for its purposes within a reasonable period of receipt, unless the Board members have explicit power to accumulate it. Without such a power, the Board members should not allow the charity's income to accumulate unless they have a specific use for it in mind.

Personal conduct of Board members: Board members must act reasonably and prudently in all matters relating to the charity and need always to bear in mind that their prime concern is its interests. They must not let any personal views or prejudices affect their conduct as Board members. They must exercise an appropriate degree of care in administering their charity.

Conflict of interest: Where Board members are required to make a decision that affects the personal interests of one of the Board members, the charity's governing document may require that that person should not be present at any discussion or vote on the matter. Even if the governing document does not require this, Board members should follow this procedure as a matter of good practice.

What duties do Board members have towards charity property?

Board members must always act to protect property owned by the charity. If a charity has permanent endowment, particular care must be taken to maintain its value.

The Board member role: Board members are accountable for the charity's solvency, continuing effectiveness and the preservation of its endowments. They must exercise overall control over its financial affairs. They should ensure that the way the charity is administered is not open to abuse by unscrupulous associates or employees; and that their systems of control are rigorous and constantly maintained..

Land and buildings: If the charity owns land or buildings, Board members need to know on a continuing basis what condition it is in, that it is being properly used, and that adequate insurance is in place. The Board member Act 2000 confers a power to insure property but it does not impose a duty to do so. However, the trusts of many charities do impose a positive duty to insure: if Board members fail to insure property this will be a breach of trust.

Cash management: Money not needed for immediate expenditure should be invested. It is recommended that if expenditure is expected in the near future, surplus cash is deposited to earn interest. Investments need to be reviewed periodically to ensure they remain suitable for the charity's needs. Wherever possible, we suggest that funds are placed in a range of investments so as to avoid substantial losses caused by the failure of a single investment or institution.

Bank accounts: **Dougs advice needed** Board members must follow any relevant clause in the charity's governing document that specifies who is authorised to sign cheques. If there is no provision in the governing document which relates to the operation of bank accounts, the bank mandate must specify at least two Board members as signatories, unless the Board members can reasonably claim that it is necessary for employees to sign cheques to allow the charity to operate.

Protecting endowed property: In particular, Board members need to ensure that property which is permanent endowment is used in a way that produces enough money for expenditure while at the same time safeguarding the value of the investment.

Debts and money due: Board members must ensure that all income due to the charity is received and that all tax and rating relief due is claimed.

Duty of care

Board members must:

- use reasonable care and skill in their work as Board members, using their personal skills and experience as needed to ensure that the charity is well-run and efficient.
- consider getting external professional advice on all matters where there may be material risk to the charity, or where the Board members may be in breach of their duties.

What is the statutory duty of care?

This general duty on Board members means they must give enough time, thought and energy to their duties as Board members, and make reasonable use of their skills and experience.

The law says: The Board member Act 2000 sets out what it calls the “duty of care” – to exercise such care and skill as is reasonable in the circumstances having particular regard to:

- any special knowledge or experience that the Board member has or professes to have; and
- where a Board member acts in the course of a business or profession, to any special knowledge or experience that it is reasonable to expect of a person acting in the course of that kind of business or profession.

Application of duty of care: Narrowly speaking, the statutory duty of care only applies to Board members of unincorporated charities who are exercising specified powers conferred on them by the Board member Act 2000. It also applies when such Board members exercise the same type of powers derived from a source other than that Act. An example might be when they exercise investment powers set out in the governing document. More generally, legal precedent and good practice mean that the duty of care should be considered as applying to all aspects of Board members’ work in making decisions about their charity. As noted above, Board members should ensure that they know and understand how the Board member Act 2000 applies to them and their charity.

Incorporated charities: The Board member Act 2000 does not apply, but the principles of general charity law impose similar duties and requirements on Board member directors.

How often do Board members need to meet?

They must meet as often as needed to do justice to the affairs of the charity, and make well-informed decisions. Board members who do not meet often enough risk breaching their duty of care.

Need for regular meetings: Not every charity conducts all its business at meetings of the Board members, but many do. If the charity does so, it cannot be administered properly unless the Board members meet regularly.

Quorum of Board members: Check legal The governing document may require a quorum for meetings of the Board members. If so, the Board members must ensure that their number does not fall below the minimum required for a quorum or, if it does, that it does not stay below that number. If there are no such requirements in the governing document, then the number of Board members needs to be kept to an effective working strength. This number will depend on the charity’s administrative requirements and the legal rule (if the governing document does not specify otherwise) that no decision can be taken except by the agreement of all or a majority of the Board members.

How much time will be needed?

Many Board members of larger charities find that they need to give the equivalent of about a day a month.

Giving adequate time and energy: Being a Board member will involve preparation for and attendance at Board member meetings, and often also at other meetings and functions. It is essential that Board members are able to devote enough time to these essential duties of being a Board member. This means they should be aware of their responsibilities and duties and how much time they will need to give.

What else do Board members need to think about?

Running a charity can be complex and Board members need to be up to date on the operating environment for their charity. This may involve wider networking, taking up training opportunities, or reading the relevant newsletters or specialist trade papers.

Collaboration: Board members should find out what work is being done by similar organisations working in the same area. In some cases they can do this by joining an umbrella association co-ordinating work in a particular field. Board members should try to collaborate with other charities and avoid duplicating their efforts..

Strategy and risk: Board members are also responsible for setting the charity's strategic aims, objectives and direction. Identifying risks arising from its activities and managing those risks is important in helping to ensure that the charity achieves its strategic aims and objectives. Board members of charities with gross annual income in excess of £250,000 must make a statement in their annual report as to whether they have considered the major risks to which the charity is exposed and systems designed to minimise those risks..

If things go wrong

The Charity Commission offers information and advice to charities to help them operate as effectively as possible and to prevent problems arising.

What are the liabilities of charity Board members?

As stated above, a conscientious and committed Board member need have few worries about personal liability. But it is important for all Board members to understand their position.

The normal position: If Board members act prudently, lawfully and in accordance with the governing document, then any liabilities (ie debts or financial obligations) that they incur as Board members can normally be met out of the charity's resources. However, if Board members incur liabilities or debts that amount in total to more than the value of the charity's assets they may not be able to cover themselves in full out of the charity's property, even if the liabilities have been properly incurred.

If Board members act imprudently: If the Board members act imprudently, or are otherwise in breach of the law or the governing document, the position is different. Here, Board members may be personally responsible for liabilities incurred by the charity, or for making good any loss to the charity. Since Board members act collectively in running a charity, they will usually be collectively responsible to meet any such liability.

Charity Commission powers: CC can take proceedings in court for the recovery, from Board members personally, of funds lost to charity as a result of a breach of trust by the Board members. However, there is only a small likelihood that Board members will have to pay out of their own pocket towards compensating a third party who has suffered a financial loss as a result of their dealings with the charity. Despite this, we appreciate there are genuine concerns about the risk of personal liability.

Reducing risk: We strongly recommend that Board members are particularly careful when entering into substantial contracts or borrowings to ensure that the charity has the means to meet its obligations. If Board members are clear about all the potential risks and identifying the areas, if any, where their charity might be exposed, Board members can take preventative action to lessen the possibility of personal liability. For example, we recommend that Board members:

- familiarise themselves with the governing document;
- establish effective induction procedures for new Board members;
- take professional advice when needed or required by statute;
- take advice from the Commission or a professional expert when unsure about their duties;
- clarify what powers they have to delegate authority either to an agent or employees;
- implement effective internal management and financial controls;
- find out what areas of law might affect the charity's activities, such as employment, health and safety, human rights and data protection; and
- before they enter into a contract, satisfy themselves that the charity has the resources to meet its part of the contract and understand the consequences of breaching the contract.

Incorporated charities: Different rules apply to the directors of charitable companies, as company law also applies; this confers limited liability on Board member company directors. The general principles of prudence are, however, the same.

Can a charity be wound up?

In certain situations, a charity can be wound up, or its assets transferred to another charity. This is a complex area of law, and Board members must ensure that they act lawfully.

Remaining assets: The governing document will normally require the assets remaining on dissolution to be passed to a charity with similar purposes.

What is 'governance'?

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"the systems and processes concerned with ensuring the overall direction, effectiveness, supervision and accountability of an organisation."¹

Board members take ultimate responsibility for the governance of their organisations. However, governance is not a role for board members alone. More, it is the way Board members work with chief executives and staff (where appointed), volunteers, service users, members and other stakeholders to ensure their organisation is effectively and properly run and meets the needs for which the organisation was set up

The key principles of good governance

Underlying each of these principles is the additional principle of equality – that of ensuring equity, diversity and equality of treatment for all sections of the community. We see this as fundamental rather than creating a separate 'Equality' section,

Board leadership Every organisation should be led and controlled by an effective Board of Board members which collectively ensures delivery of its objects, sets its strategic direction and upholds its values.

The Board in control The Board members as a Board should collectively be responsible and accountable for ensuring and monitoring that the organisation is performing well, is solvent, and complies with all its obligations.

The high performance Board The Board should have clear responsibilities and functions, and should compose and organise itself to discharge them effectively.

Board review and renewal The Board should periodically review its own and the organisation's effectiveness, and take any necessary steps to ensure that both continue to work well.

Board delegation The Board should set out the functions of sub-committees, officers, the chief executive, other staff and agents in clear delegated authorities, and should monitor their performance.

Board and Board member integrity The Board and individual Board members should act according to high ethical standards, and ensure that conflicts of interest are properly dealt with.

The open Board The Board should be open, responsive and accountable to its users, beneficiaries, members, partners and others with an interest in its work.

What is good governance

1. Good governance means focusing on the organisation's purpose and outcomes for citizens and users

- Being clear about the organisation's purpose and its intended outcomes for citizens and service users
- Ensuring that users receive a high quality service
- Ensuring that taxpayers receive value for money

2. Good governance means performing effectively in clearly defined functions and roles

- Being clear about the functions of the governing body
- Being clear about the responsibilities of non-executives and the executive and ensuring those responsibilities are carried out
- Being clear about relationships between governors and the public

3. Good governance means promoting values that underpin good governance and upholding these through behaviour

- Putting organisational values of good governance into practice
- Individual governors behaving in ways that uphold and exemplify effective governance

4. Good governance means taking informed, transparent decisions within a framework of controls

- Being rigorous and transparent about how decisions are taken
- Having and using good quality information, advice and support
- Having effective controls in place, including managing risk

5. Good governance means developing the capacity of the governance team to be effective

- Ensuring that appointed and elected governors have the skills and experience they need to perform well
- Developing the capacity of people with governance responsibilities and evaluating their performance
- Striking a balance, in the membership of the governing body, between continuity and renewal

6. Good governance means engaging stakeholders and making accountability real

- Understanding formal and informal accountability relationships
- Taking an active and planned approach to accountability to the public
- Taking an active and planned approach to responsibilities to staff
- Engaging effectively with institutional stakeholders

Reproduced with thanks to The Independent Commission for Good Governance in Public Services

Equality and diversity

The Board should ensure that it upholds and applies the principles of equality and diversity, and that the organisation is fair and open to all sections of the community in all of its activities.

The Board should ensure that its organisation upholds and promotes equal opportunities and diversity in all areas of its work, including:

- the identification and assessment of needs to be met;
- allocation of resources, making of grants or provision of services;
- membership of the Board and any sub-committees;
- staff recruitment, selection, training and conditions of service;
- communication with stakeholders and the public;
- accessibility of meetings and communications; and
- the buying of goods and services.

The Board should set strategies for and receive regular reports on the organisation's work to achieve equality and diversity, against clear targets where practicable. These reports should be used to help develop the organisation's overall strategies.

Where the organisation is set up to serve a specific section of the community, this should be clear and the above principles should be interpreted and applied as appropriate.

The Role of Chief Executive

The Board should ensure that formal arrangements are set up for the regular supervision, appraisal and personal development of their chief executive. This may be carried out by the chair, another Board member or by a small group of Board members and be linked to the achievement of measurable targets.

The Board should ensure that there is a formal mechanism for setting the remuneration of the chief executive, which should be ratified by the Board. The remuneration package for the chief executive should: be adequate to attract and retain the quality of staff required, but no more; be openly disclosed in the organisation's accounts, including pension and other benefits.

The Board should seek independent expert or professional advice when required concerning sensitive matters relating to the chief executive's employment.

The key principle:

The Board should set out the functions of sub-committees, officers, the chief executive, other staff and agents in clear delegated authorities, and should monitor their performance.

Supporting principles:

Clarity of roles The Board should define the roles and responsibilities of the chair and other honorary officers, in writing.

Effective delegation The Board should ensure that staff, volunteers and agents have sufficient delegated authority to discharge their duties. All delegated authorities must have clear limits relating to budgetary and other matters.

Terms of reference The Board should set clear terms of reference for subcommittees, standing groups, advisory panels, etc.

Monitoring All delegated authorities must be subject to regular monitoring by the Board.

Clarity of other roles

The Board should define and write down the role of the chair, and that of other honorary officers such as vice-chair, treasurer and the secretary to the Board; it should be noted that for companies the role of secretary is partly defined by the relevant legislation.

The role of the chair should include, as a minimum, to ensure:

- the efficient conduct of business at the organisation's Board and general meetings;
- that the organisation's business is efficiently and accountably conducted between Board meetings;
- that the organisation complies generally with its responsibilities
- specifically that the appraisal and remuneration of the organisation's chief executive is conducted appropriate
- that the employment of the chief executive complies with employment legislation and good practice; and
- that the appraisal of board and Board member performance is conducted

Where the Board has delegated specific roles to honorary officers or to other Board members, ultimate responsibility rests with the Board as a whole. In such situations the Board member(s) concerned should separate the specific roles from their wider Board member role.

Effective delegation

The Board should ensure that staff, volunteers and agents have sufficient delegated authority to discharge their duties. All delegated authorities must have clear limits relating to budgetary and other matters.

The Board will need to delegate parts of its work to others in a clear, practical and legal manner. Delegations may be made to individual Board members, sub-committees the chief executive, other staff, volunteers or agents and consultants.

Delegations must comply with the terms of the organisation's governing document and any relevant legislation.

Where there is a chief executive, delegations to other staff and volunteers should normally be through that individual.

Delegations should always be in writing, and should set clear limits on matters such as expenditure, authority and decisions that can be made. Delegations may be written in Board minutes, terms of reference for sub-committees, staff job descriptions, or in a separate list.

Terms of reference

The Board should set clear terms of reference for sub-committees, standing groups, advisory panels, etc. The Board may wish to set up sub-committees, advisory groups, panels or other bodies to assist its work. Such bodies should have clear written terms of reference in addition to any delegated authority.

Monitoring

All delegated authorities must be subject to regular monitoring by the Board. The Board must remain in ultimate control of all delegations:

- Honorary officers and other Board members should report back to the Board promptly on any use of delegated authority;
- the Board should receive regular reports and minutes from all sub-committees etc;

- mechanisms established for internal control and performance reporting should be used to monitor use of delegated authority by the chief executive, or other staff or volunteers

Nolan Principles (useful base for board members approaches)

Selflessness: Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.

Integrity: Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity: In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability: Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness: Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty: Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership: Holders of public office should promote and support these principles by leadership and example.

Reproduced with thanks to the Committee on Standards in Public Life

Appendix 1 Gaining new members

EXPRESSIONS OF INTEREST INVITED

Purpose of Advertisement

The Leeds Grand Theatre invites nominations from women and men interested in serving on the Leeds Grand Theatre Board

Role of the Organisation and Board

Leeds Grand Theatre is <explain organisation mandate, role and/or structure
The role of the Board < is to details of primary purpose

Selection Criteria

Nominations are sought from people with <quals, skills or experience> in <list areas of interest or expertise>.

Other selection criteria include <list selection criteria>.

<target group> candidates are encouraged to apply.

Membership Details

There are number vacancies.

Appointments are for a period of 3 years with the opportunity for one further term of three years

Nomination Process

Nomination forms and further information can be obtained from <contact person>, address and phone number.

Nominations close at <time and date>.

Background Information for Candidates (Pro-Forma)

The following information may be included in background information to send out to interested people to give them a clear idea of what's involved, what's expected and how to submit a nomination.

Tick U	
	Function Enabling legislation Organisation vision and objectives Purpose of board
	Board Structure Terms of reference Number and roles of members Committees reporting to the board/committee
	Meetings Frequency, duration and location of meetings
	Duties and Responsibilities Summary of members' duties and responsibilities Expectations regarding members' availability and time commitment
	Selection Outline of selection process Selection criteria Statement that nomination does not guarantee selection

	Remuneration and Expenses Remuneration rates (if applicable) Expenses policy.
	Directions Mailing address for nominations Closing date Contact person and phone number.

Nomination Form (Pro-Forma)

The following information may be included in the nomination form.

Background Information
Contact Details
Name
Address
Telephone
Demographics (if required)
Date of birth
Country of birth
Qualifications
Work Experience
Current and previous jobs
Voluntary experience
Areas of Expertise or Interest
Board Experience and Community Involvement
Current and past membership of business, professional or community organisations, and positions held
Statement Addressing the Selection Criteria, and/or
Statement in Support of Nomination
Why does this position interest you ?
Leeds Grand Theatre's Board role is to . . . How do you feel you can contribute to achieving this role ?
Any other information you would like to give in support of your nomination.

- Attach a copy of curriculum vitae.
- Nominate 2 or 3 people who can be contacted to provide a reference in support of application
- Forward nominations to, name and address by <closing date>.

Induction Checklist

Tick U	
	<p>1. Information</p> <p>1.1 On the Grand Theatre</p> <ul style="list-style-type: none"> Enabling legislation Corporate plan Annual report Current policy documents Briefing papers on operations Glossary of terms
	<p>1.2 On the Board</p> <ul style="list-style-type: none"> Terms of reference Board structures Member details Meeting arrangements Standing orders or meeting procedures Administrative support
	<p>1.3 On Roles and Responsibilities</p> <ul style="list-style-type: none"> Statement of duties and performance expectations Relationship to Chair, other members, General Manager, Statutory obligations and legal duties
	<p>2. Familiarisation</p> <p>2.1 Briefings</p> <ul style="list-style-type: none"> From the Chair, General Manager From industry, government and community experts.
	<p>2.2 Site Visits</p> <ul style="list-style-type: none"> To see first hand the organisation's operations To meet employees.
	<p>2.3 Seminars, Functions or Meetings</p> <ul style="list-style-type: none"> Arrange special induction seminars for new members. Attend industry seminars or internal meetings. Establish networks.
	<p>3. Training</p> <ul style="list-style-type: none"> Training in board duties, responsibilities and skills. Training in industry specific skills or knowledge areas. Training in general management and or personal competence.
	<p>4. Socialisation</p> <ul style="list-style-type: none"> Interact informally with board members and key stakeholders to establish collaborative working relationships.

Invitation to Nominate (Pro Forma)

Invitation to Nominate

Introduction and Purpose

Announce that the <appointing authority> is seeking to make appointments to the Leeds Grand Theatre Board.

Explain role and function of the Board.

Clarify Status of Invitation

Insert one of the following sentences, depending on whether approaching individuals or organisations:

As a significant <industry/regional/local government/community> body your organisation is invited to submit nominations for Leeds Grand Theatre Board for consideration We are seeking people with board general skills and with experience in <area of expertise>. or

The <appointing authority> is keen to appoint women and men with <key skills, attributes and expertise>. You may wish to consider nominating for Leeds Grand Theatre Board, or alternatively suggest other people who may be willing to nominate.

For versions 2 and 3, include a proviso that receiving an "invitation to nominate" does not imply that a nomination from that person or group will be successful.

Encourage Nominations

Tell them what a great opportunity it is to contribute to the work of the XYZ Board/Committee, to serve the community and to gain professional and personal satisfaction.

Nomination information

Attach background information and a nomination form. State closing date and where to send nominations. Give name & contact number for enquiries.

Nomination requirements

Specify that nominees must be of a high calibre, meet time and availability requirements and meet other selection criteria

Key Charity Commission publications

The Charity Commission produces a wide range of publications and website guidance giving information and advice to charity Board members and the general public on issues relating to charity law, regulation and best practice. The [full list of publications](#) is on our website and in our publication [CC1](#), but the list below is a selection based on the issues covered in this guidance.

Charity Commission Publications

CC8 Internal Financial Controls for Charities
CC11 Payment of Charity Board members
CC14 Investment of Charitable Funds: Basic Principles
CC20 Charities and Fundraising
CC21 Registering as a Charity Commission
CC24 Users on Board: Beneficiaries who become board members
CC28 Disposing of Charity Land
CC30 Finding New Board members
CC33 Acquiring Land
CC36 Amending Charities' Governing Documents: Orders and Schemes
CC42 Appointing Nominees and Custodians: Guidance under s.19(4) of the Board member Act 2000
CC44 Small Charities: Transfer of Property, Alteration of Trusts, Expenditure of Capital
CC48 Charities and Meetings
CC49 Charities and Insurance
CC61 Charity Accounts: The framework
CC64 Receipts and Payments Accounts Pack
CC65 Accrual Accounts Pack
RS2 Charities and Commercial Partners
RS4 Collaborative Working and Mergers
The Charity Commission and Regulation
SORP 2005

Website publications

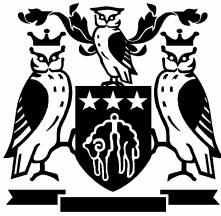
[Charities and Risk Management](#)
[Guidance on electronic banking](#)
[A Guide to Conflicts of Interest for Charity Board members](#)

To obtain copies of these or any publications you can:

- View and print them from Charity Commission website
- Order during office hours (0830 – 1800 weekdays) by phoning us on 0845 300 0218; or
- Write to the Charity Commission, PO Box 8585, Adamsway, Mansfield, NG18 9AJ

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Originator: Steven Courtney

Tel: 24 74707

Report of the Head of Scrutiny and Member Development

Scrutiny Board (Culture and Leisure)

Date: 11 February 2008

Subject: Middleton Park Equestrian Centre - Update

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Introduction

- 1.1 At its meeting in June, the Board agreed to undertake an inquiry into the Middleton Park Equestrian Centre. The terms of reference were agreed at the Board's September meeting.
- 1.2 The Board has received and considered a range of evidence, including a report presented to the Executive Board (March 2007) and a copy of the management agreement currently in operation between the Equestrian Centre and the Council.
- 1.3 The Board last considered this item at its meeting in November 2007, where it resolved:
- (1) *That the recent dialogue between the Council and the Centre be welcomed.*
 - (2) *That both parties be urged to continue in constructive negotiations in order to resolve the matters at point and provide clarity over the future of the Middleton Park Equestrian Centre.*
 - (3) *That the Board be kept informed of the outcome of the continuing negotiations and a further report be brought to the Board detailing the final position and the associated implications.*

2.0 Report Issues

- 2.1 Officers of the Council will attend the Board to update Members on progress, to outline the current position and detail the next steps.

3.0 Recommendation

- 3.1 The Board is requested to consider the information provided and make comments and recommendations as appropriate.

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Report of the Head of Scrutiny Support and Member Development

Scrutiny Board (Culture and Leisure)

Date: 11 February 2008

Subject: Work Programme

Electoral Wards Affected: All

Specific Implications For:

Ethnic minorities

Women

Disabled people

Narrowing the Gap

1.0 Introduction

- 1.1 Appendix 1 provides Members with a copy of the Board's current Work Programme.
- 1.2 Attached at Appendix 2 is the schedule of key decisions set out in the Forward Plan of Key Decisions for 1 February 2008 to 31 May 2008, which may usefully inform the Board's consideration of its Work Programme.
- 1.3 This is an opportunity for the Board to review and, where appropriate, amend its work programme to reflect any emerging issues.

2.0 Recommendation

- 2.1 The Board is requested to:
 - (i) Consider the details presented in Appendix 1 and Appendix 2, and determine any necessary amendments to the Work Programme.
 - (ii) Receive and make any changes to the attached Work Programme following any discussions and/or decisions arising from the meeting.
 - (iii) Determine the priority and scope of any additional items identified for inclusion within the Work Programme

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SCRUTINY BOARD (CULTURE AND LEISURE) WORK PROGRAMME (FEB. 2008)

Item	Description	Notes	Type of item
Meeting date – February 2008			
Bowls provision	To receive a report that outlines the Council's current provision of outdoor bowls.	The Board may wish to consider / identify any issues to examine in more detail.	B
Performance Management Information	To receive 3 rd quarter performance information relating to culture and leisure.		PM
The City Varieties Music Hall	To receive and consider an outline of the current governance arrangements.	OSC minutes (6 November 2007) suggested that the Board may wish to consider reviewing the current governance arrangements.	B
Middleton Park Equestrian Centre	To receive a progress update on developments.	The Board to maintain a watching brief on progress.	
Meeting date – March 2008			
Wharfemeadows Scrutiny Inquiry	To receive the Executive Board's response to the Board's report and recommendations.		
New Leaf Leisure Centres	To receive a project update and an outline of the next steps.		B
Leeds Strategic Plan – draft indicators and targets	To consider the draft indicators and targets associated with the Strategic Plan, prior to Executive Board's consideration of the final draft toward the end of February 08.		DP

Key:			
CCFA / RFS	Community call for action / request for scrutiny	PM	Performance management
MSR	Monitoring scrutiny recommendations	B	Briefings (Including potential areas for scrutiny)
RP	Review of existing policy	SC	Statutory consultation
DP	Development of new policy	CI	Call in

SCRUTINY BOARD (CULTURE AND LEISURE) WORK PROGRAMME (FEB. 2008)

Meeting date – March 2008 (cont.)			
Roundhay Mansion	To receive a progress update.	Identified on 10/12/07	B
Board's Annual Report	To agree the Board's contribution to the Scrutiny Annual Report		
Meeting date – April 2008			
Sports Trust Update	To receive a report updating the Board on progress and outlining the proposed draft agreement.	Need to confirm the timing of this item. Suggested that this may be available earlier (10/12/07)	B/ DP

Unscheduled Items			
Recommendation Tracking		Details to be confirmed	MSR/ PM
Parks and Green Space Strategy	To receive and consider the draft strategy.	Identified on 10/12/07. Timescales for the development of the strategy are likely to extend beyond the current municipal year.	DP

Key:			
CCFA / RFS	Community call for action / request for scrutiny	PM	Performance management
MSR	Monitoring scrutiny recommendations	B	Briefings (Including potential areas for scrutiny)
RP	Review of existing policy	SC	Statutory consultation
DP	Development of new policy	CI	Call in

SCRUTINY BOARD (CULTURE AND LEISURE) WORK PROGRAMME (FEB. 2008)

Working Groups

Working group	Membership	Progress update	Dates of meetings
Wharfemeadows Inquiry	All Board Members	<p>The Board received and considered evidence from a range of witnesses, including WAG, a number of Council Departments and a representative from the Royal Society for the Prevention of Accidents (RoSPA).</p> <p>The Board also considered a written statement from Otley Town Council. Arrangements are in place for the Chair to have a face-to-face discussion with the Chair of Otley Town Council to discuss any specific issues in more detail.</p> <p>Consideration of the initial draft report scheduled for 19/12/07.</p> <p>Final report agreed on 14 January 2008 and due to be presented to the Executive Board on 8 February 2008.</p> <p>Executive Board response likely to be considered on 10 March 2007.</p>	<p>15 August</p> <p>22 August</p> <p>29 August</p> <p>1 October</p> <p>19 December</p>

Key:

CCFA / RFS	Community call for action / request for scrutiny	PM	Performance management
MSR	Monitoring scrutiny recommendations	B	Briefings (Including potential areas for scrutiny)
RP	Review of existing policy	SC	Statutory consultation
DP	Development of new policy	CI	Call in

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APPENDIX 2

LEEDS CITY COUNCIL

FORWARD PLAN OF KEY DECISIONS

For the period 1 February 2008 to 31 May 2008

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made)
Review of HR Structures To agree revised HR structure	Director of Resources	1/2/08	Extensive consultation with the Trade Unions and internal stakeholders	Report to the Director of Resources	Director of Resources
Grounds Maintenance Extension of Contract with Glendale Services Ltd to cover Year 5 of existing Contract (1 st March 2009 to 28 th February 2010)	Chief Officer Environmental Services	1/2/08	Procurement, ALMOs, Highway Services	Tender documents	Director of City Services
Waste Disposal Contract Extension To extend the current waste disposal contract by 6 months.	Director of City Services	1/2/08	Chief Officer	Contract Documents	Director of City Services
Route 2/12 Bus Stop Accessibility Improvements To allow design and implementation of the scheme.	Director of City Development	4/2/08	Completed as part of preliminary design,	Design and Cost Report and Drawings	Director of City Development

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made)
Leeds West End Partnership - Memorandum of Understanding To agree to the principle of establishing a Memorandum of Understanding and to agree with its contents	Executive Board (Portfolio: Development and Regeneration)	8/2/08	Legal Services West End Partnership Board Stakeholders	The report to be issued to the decision maker with the agenda for the meeting	Director of City Development
Roundhay Road Proposed HOV Scheme Authority to implement the HOV lane and extension of the bus lane	Executive Board (Portfolio: Development and Regeneration)	8/2/08	Lead Member, Ward Members, West Yorkshire Passenger Transport Executive (WYPTE), Bus Operators and Frontagers	The report to be issued to the decision maker with the agenda for the meeting	Director of City Development
Private Streets Programme Approval to the continuation of a Programme to Adopt Private Streets.	Executive Board (Portfolio: Development and Regeneration)	8/2/08	Consultation with residents and Ward Members on specific streets.	The report to be issued to the decision maker with the agenda for the meeting	Director of City Development

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made)
Albion Place Public Realm Improvements - Capital Scheme 14147 Approve scheme design and cost	Executive Board (Portfolio: Development and Regeneration)	8/2/08	Retailers; Stakeholders; Ward Members; Lead Member; Council officers through City Centre Public Realm Project Board	The report to be issued to the decision maker with the agenda for the meeting	Director of City Development
Yeadon Town and District Centre Scheme Approval of £943,218 capital funding.	Executive Board (Portfolio: Development and Regeneration)	8/2/08	Internal consultees; Highways, Planning, SDA, detailed programme of external consultation as per project plan, further detail to be provided within report	The report to be issued to the decision maker with the agenda for the meeting	Director of Environment and Neighbourhoods
Beeston Hill and Holbeck / Little London PFI Schemes Delegation to apply Compulsory Purchase Orders	Executive Board (Portfolio: Neighbourhoods and Housing)	8/2/08		The document to be issued to the decision maker with the agenda for the meeting	Director of Environment and Neighbourhoods

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made)
Highway Maintenance To approve the Local Transport Plan: Highway Maintenance Programme 2008/2009.	Director of City Development	3/3/08		Report to Director of City Services	Director of City Development
Bridge Capital Maintenance 2008/09 Approval of programme of design and implementation of strengthening and maintenance schemes and authority to incur expenditure	Director of City Development	3/3/08	Ward members will be consulted at the appropriate time prior to construction	LTP Settlement 2008/09	Director of City Development
Pudsey Bus Station Redevelopment Approval to construct the highway works associated with the redevelopment of Pudsey Bus Station	Executive Board (Portfolio: Development and Regeneration)	12/3/08	As this is a joint LCC/Metro scheme, joint consultation is ongoing	The report to be issued to the decision maker with the agenda for the meeting	Director of City Development

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made)
<p>Town and District Centres Parking Strategy and Priorities</p> <p>To note the contents and recommendations of the Town and District Centres Parking Strategy and Priorities Study, and to approve recommendations for the development of local parking strategies for the centres identified in the report.</p>	<p>Executive Board (Portfolio: Development and Regeneration)</p>	<p>12/3/08</p>	<p>No specific consultation is associated with the report. The development of strategies for the centres recommended in the report will be progressed subject to approval by Elected Members to the detailed consultation stage.</p>	<p>The report to be issued to the decision maker with the agenda for the meeting</p>	<p>Director of City Development</p>
<p>Otley - Heavy Goods Vehicle Traffic</p> <p>To seek approval for proposals for HGV Management in the Otley area.</p>	<p>Executive Board (Portfolio: Development and Regeneration)</p>	<p>12/3/08</p>	<p>Ward Members, Neighbouring Local Authorities</p>	<p>The report to be issued to the decision maker with the agenda for the meeting</p>	<p>Director of City Development</p>

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made)
Fountain Primary School Approval to carry out capital works and to incur expenditure in respect of the scheme to provide additional accommodation and to carry out internal alterations at Fountain Primary School.	Executive Board (Portfolio: Children's Services)	12/3/08		The report to be issued to the decision maker with the agenda for the meeting	Director of City Development
A65 Quality Bus Initiative Approval to Award Contract and to Implement the Works. Phase 1 Professional Services for Design. Phase 2 Construction of the Works.	Executive Board (Portfolio: Development and Regeneration)	12/3/08	Consultation is ongoing with Ward Members and local communities.	The report to be issued to the decision maker with the agenda for the meeting	Director of City Development

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made)
New Leaf Leisure Centres - Design and Cost Report and Third Party Funding notification Approval of an injection into the Capital programme and authority to spend in respect of off site highway works at Morley and Armley leisure centres. Notification of the securing of third party funding to part offset the highway costs.	Executive Board (Portfolio: Development and Regeneration)	12/3/08	Ward Members, Leisure Centre users, Executive Member for Learning and Leisure	The report to be issued to the decision maker with the agenda for the meeting	Director of City Development
Abbey Mills and St Ann's Mills, Kirkstall, Leeds To consider the offers for St Anns' Mills.	Executive Board (Portfolio: Development and Regeneration)	16/4/08	Ward Members	The report to be issued to the decision maker with the agenda for the meeting	Director of City Development
Children's Centre Programme Approve the localities affected by final phase of CC Programme	Executive Board (Portfolio : Children's Services)	16/4/08	Education Leeds, Children's Services, Providers and Stakeholders city wide. First consultation undertaken in 2006.	The report to be issued to the decision maker with the agenda for the meeting	Director of Children's Services

Key Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be Considered by Decision Maker	Lead Officer (To whom representations should be made)
Proposed Leeds Arena Development, Selection of Preferred Operator To seek approval to the selection of the preferred operator for an Arena in Leeds	Executive Board (Portfolio: Development and Regeneration)	16/4/08	Yorkshire Forward, Arena Project Board	The report to be issued to the decision maker with the agenda for the meeting	Director of City Development
Care of Looked after Children - Independent Fostering Agencies Award of a framework contract to various Independent Fostering Agencies	Chief Officer - Children and Young People's Care	17/4/08	Full tender exercise involving looked after young people	Panel Report	Director of Children's Services

NOTES

Key decisions are those executive decisions:

- which result in the authority incurring expenditure or making savings over £500,000 per annum, or
- are likely to have a significant effect on communities living or working in an area comprising two or more wards

<u>Executive Board Portfolios</u>	<u>Executive Member</u>
Central and Corporate	Councillor Richard Brett
Development and Regeneration	Councillor Andrew Carter
Environmental Services	Councillor Steve Smith
Neighbourhoods and Housing	Councillor John Leslie Carter
Leisure	Councillor John Procter
Children's Services	Councillor Stewart Golton
Learning	Councillor Richard Harker
Adult Health and Social Care	Councillor Peter Harrand
Leader of the Labour Group	Councillor Keith Wakefield
Leader of the Morley Borough Independent Group	Councillor Robert Finnigan
Advisory Member	Councillor Judith Blake

In cases where Key Decisions to be taken by the Executive Board are not included in the Plan, 5 days notice of the intention to take such decisions will be given by way of the agenda for the Executive Board meeting.

LEEDS CITY COUNCIL

BUDGET AND POLICY FRAMEWORK DECISIONS

Decisions	Decision Maker	Expected Date of Decision	Proposed Consultation	Documents to be considered by Decision Maker	Lead Officer

NOTES:

The Council's Constitution, in Article 4, defines those plans and strategies which make up the Budget and Policy Framework. Details of the consultation process are published in the Council's Forward Plan as required under the Budget and Policy Framework.

Full Council (a meeting of all Members of Council) are responsible for the adoption of the Budget and Policy Framework.