



EXECUTIVE BOARD

Meeting to be held in Civic Hall, Leeds on
Wednesday, 5th November, 2008 at 1.00 pm

Councillors

R Brett (Chair)
A Carter
J L Carter
S Golton
R Harker
P Harrand
J Procter
S Smith

MEMBERSHIP

K Wakefield
J Blake *

R Finnigan

*non voting advisory member

CONFIDENTIAL AND EXEMPT ITEMS

The reason for confidentiality or exemption is stated on the agenda and on each of the reports in terms of Access to Information Procedure Rules 9.2 or 10.4(1) to (7). The number or numbers stated in the agenda and reports correspond to the reasons for exemption / confidentiality below:

9.0 Confidential information – requirement to exclude public access

9.1 The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Likewise, public access to reports, background papers, and minutes will also be excluded.

9.2 Confidential information means

- (a) information given to the Council by a Government Department on terms which forbid its public disclosure or
- (b) information the disclosure of which to the public is prohibited by or under another Act or by Court Order. Generally personal information which identifies an individual, must not be disclosed under the data protection and human rights rules.

10.0 Exempt information – discretion to exclude public access

10.1 The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed provided:

- (a) the meeting resolves so to exclude the public, and that resolution identifies the proceedings or part of the proceedings to which it applies, and
- (b) that resolution states by reference to the descriptions in Schedule 12A to the Local Government Act 1972 (paragraph 10.4 below) the description of the exempt information giving rise to the exclusion of the public.
- (c) that resolution states, by reference to reasons given in a relevant report or otherwise, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

10.2 In these circumstances, public access to reports, background papers and minutes will also be excluded.

10.3 Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

10.4 Exempt information means information falling within the following categories (subject to any condition):

- 1 Information relating to any individual
- 2 Information which is likely to reveal the identity of an individual.
- 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority.
- 5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 6 Information which reveals that the authority proposes –
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment
- 7 Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

A G E N D A

Item No K=Key Decision	Ward	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> <p>(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Chief Democratic Services Officer at least 24 hours before the meeting)</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of those parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information.</p>	

Item No K=Key Decision	Ward	Item Not Open		Page No
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>DECLARATION OF INTERESTS</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>MINUTES</p> <p>To confirm as a correct record the minutes of the meeting held on 8th October 2009.</p> <p><u>NEIGHBOURHOODS AND HOUSING</u></p>	1 - 10
6 K			<p>AREA DELIVERY PLANS FOR 2008/09</p> <p>To consider the report of the Director of Neighbourhoods and Housing seeking endorsement of the 10 Area Delivery Plans</p>	11 - 42
7			<p>PUBLIC PRIVATE FINANCE INITIATIVE ROUND 6 - SUBMISSION OF EXPRESSION OF INTEREST</p> <p>To consider the report of the Chief Regeneration Officer on proposals to develop an Outline Business Case for the implementation of a programme of new house building in the city in order to create a range of Extra Care and Lifetime Homes provision in key locations through the support of Housing PFI Credits.</p>	43 - 54

Item No K=Key Decision	Ward	Item Not Open		Page No
8	Burmantofts and Richmond Hill; Gipton and Harehills; Killingbeck and Seacroft; Temple Newsam;	10.4(3)	<p>EASEL JOINT VENTURE PARTNERSHIP</p> <p>To consider the joint report of the Directors of Environment and Neighbourhoods and City Development on a proposal to set up and operate a joint venture partnership through a private limited company with Bellway plc and Bellway Homes Ltd. to deliver the Council's regeneration programme in east and south east Leeds.</p> <p>Appendices 7 and 8 to this report are designated as exempt under Access to Information Procedure Rule 10.4(3).</p>	55 - 132
9			<p>A STRATEGY FOR IMPROVING LEEDS PRIVATE SECTOR HOUSING</p> <p>To consider the report of the Director of Environment and Neighbourhoods on proposed future investment and regeneration proposals for private sector housing in Leeds with reference to findings of recent research into back-to-back housing and the most recent Leeds Private Sector Housing Condition Survey.</p> <p><u>CHILDREN'S SERVICES</u></p>	133 - 142
10	Hyde Park and Woodhouse		<p>DEPUTATION TO COUNCIL - THE NEED OF LOCAL SCHOOLS AND COMMUNITIES FOR SPORTS FACILITIES IN THE HYDE PARK AREA</p> <p>To consider the report of the Chief executive of Education Leeds in response to the deputation to Council from local Hyde Park residents on 10th September 2008.</p>	143 - 150
11			<p>INCLUSION AND EARLY SUPPORT: HAWTHORN CENTRE DEPUTATION TO COUNCIL</p> <p>To consider the report of the Acting Chief Officer Early Years and Integrated Youth Support Service in response to the deputation to Council from representatives of Leeds Mencap on 10th September 2008.</p>	151 - 162

Item No K=Key Decision	Ward	Item Not Open		Page No
12			<p><u>LEISURE</u></p> <p>RADIO FREQUENCY IDENTIFICATION (RFID) NEW TECHNOLOGY IN LIBRARIES - PHASES 3 AND 4.</p> <p>To consider the report of the Director of City Development on a proposal to complete the installation programme of Radio Frequency Identification technology in libraries to enable self service within libraries allowing them to open for longer hours at reduced cost.</p>	163 - 168
13			<p><u>ADULT HEALTH AND SOCIAL CARE</u></p> <p>OLDER PEOPLE'S DAY SERVICES: SERVICE IMPROVEMENT PLAN</p> <p>To consider the report of the Director of Adult Social Services on progress of work undertaken to implement proposals approved by the Board in July 2008 and on other ongoing work in relation to pilot schemes and developing locality plans which will set out how the service model will be delivered city wide.</p>	169 - 184
14			<p>THE MENTAL CAPACITY ACT 2005</p> <p>To consider the report of the Director of Adult Social Services on the principal requirements and implications associated with the implementation in Leeds of the Mental Capacity Act 2005 and outlining the requirements of the Deprivation of Liberty Safeguards which are incorporated into the Act.</p>	185 - 198

Item No K=Key Decision	Ward	Item Not Open		Page No
15			<p>IMPLEMENTATION OF THE MENTAL HEALTH ACT 2007</p> <p>To consider the report of the Director of Adult Social Services advising of the main changes to the Mental Health Act and on the submission of the Implementation Self Assessment Tool to the Department of Health in June of this year.</p> <p><u>CENTRAL AND CORPORATE</u></p>	199 - 202
16			<p>FINANCIAL HEALTH MONITORING 2008/09 - HALF YEAR REPORT</p> <p>To consider the report of the Director of Resources on the Council's financial health position for 2008/09 after six months of the financial year, covering revenue expenditure and income to date compared to the approved budget, the projected year end position and proposed actions to work towards achieving a balanced budget by the year end. The report also provides an update on the general fund capital programme and highlights the position in relation to other key financial indicators.</p>	203 - 208
17			<p>TREASURY MANAGEMENT STRATEGY UPDATE 2008/09</p> <p>To consider the report of the Director of Resources providing a review and update of the Treasury Management Strategy for 2008/09 which was approved by the Board on 8th February 2008.</p>	209 - 218
18			<p>SKILLS PLEDGE, TRAIN TO GAIN AND APPRENTICESHIPS</p> <p>To consider the report of the Director of Resources on three key initiatives arising from the national skills improvement agenda, namely 'The Skills Pledge', 'Train to Gain Funds' and 'Apprenticeships'.</p>	219 - 248

Item No K=Key Decision	Ward	Item Not Open		Page No
19			<p>INFORMATION GOVERNANCE FRAMEWORK</p> <p>To consider the report of the Assistant Chief Executive (Planning, Policy and Improvement) on a proposed Information Governance Framework as the corporate model for implementing information governance across the Council.</p> <p><u>DEVELOPMENT AND REGENERATION</u></p>	249 - 332
20		10.4(3)	<p>PROPOSED LEEDS ARENA, SELECTION OF PREFERRED DEVELOPER/SITE</p> <p>To consider the report of the Director of City Development on progress made with the procurement of a developer and site for the proposed Leeds Arena, on the proposed preferred and reserve sites for the development and necessary financial approvals. Appendix 1 and Plans 1 to 3 to the report are designated as exempt under Access to Information Procedure Rule 10.4(3).</p>	333 - 366
21			<p>ADOPTION OF THE SUPPLEMENTARY PLANNING DOCUMENT OF THE STREET DESIGN GUIDE AND RESPONSE TO THE DEPUTATION OF THE NATIONAL FEDERATION OF THE BLIND</p> <p>To consider the report of the Director of City Development on the outcome of consultation on the Street Design Guide, on its proposed adoption as a Supplementary Planning Document and as a response to the concerns expressed by the Leeds branch of the National Federation of the Blind in their deputation to Council on 10th September 2008.</p>	367 - 406

Item No K=Key Decision	Ward	Item Not Open		Page No
22	Horsforth		<p>FORMER HORSFORTH LIBRARY - REFURBISHMENT FOR YOUTH CENTRE AND AREA MANAGEMENT TEAM ACCOMMODATION</p> <p>To consider the report of the Director of City Development on the proposed refurbishment of the former Horsforth library building to provide accommodation for a youth centre and the area management team and for use by the Area Committee.</p>	407 - 414
23			<p>PROPOSED TAKEOVER OF HBOS BY LLOYDS TSB</p> <p>To consider the report of the Director of City Development giving an update on on action being taken locally in relation to the proposed takeobver of HBOS by Lloyds TSB; the takeover of Bradford and Bingley by the Government, anddd sale of some of its assets.</p> <p><u>ENVIROMENTAL SERVICES</u></p>	415 - 418
24			<p>WASTE SOLUTION FOR LEEDS - RESIDUAL WASTE TREATMENT PFI PROJECT - EVALUATION METHODOLOGY AND UPDATE</p> <p>To consider the report of the Director of Environment and Neighbourhoods on progress of the project, on proposed criteria and sub-criteria for the evaluation of bids, identifying a price ceiling above which bidders may be disqualified and on the proposed approach to dealing with third party waste.</p>	419 - 428

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EXECUTIVE BOARD

WEDNESDAY, 8TH OCTOBER, 2008

PRESENT: Councillor R Brett in the Chair

Councillors J L Carter, R Finnigan, S Golton,
R Harker, P Harrand, J Procter, S Smith,
K Wakefield and J Blake

Councillor J Blake – Non-voting advisory member

84 Exclusion of the Public

RESOLVED – That the public be excluded from the meeting during consideration of the following parts of the agenda designated exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information so designated as follows:-

- (a) Appendix A to the report referred to in minute 95 under the terms of Access to Information Procedure Rule 10.4 (4) and (5) and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information because disclosure would seriously prejudice the Council's position in negotiations and litigation in relation to current and future legal proceedings in the employment tribunal. This could result in significant cost liability to the Council which would have to be met from the public purse.
- (b) Appendix 1 to the report referred to in minute 104 under the terms of Access to Information Procedure Rule 10.4 (3) and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information because publication could prejudice the City Council's financial interests in relation to negotiations currently underway with private sector investors and Yorkshire Forward.

85 Minutes

RESOLVED – That the minutes of the meeting held on 2nd September be approved.

CHILDREN'S SERVICES

86 Managing Pupil Numbers at the new Swallow Hill Community College from 2009/10

The Chief Executive of Education Leeds submitted a report on proposals for managing pupil numbers at the new Swallow Hill Community College when it opens in September 2009 including the proposed provision of an annex on the Wortley School site.

RESOLVED –

- (a) That the strategy proposed to accommodate the additional pupil numbers be approved.
- (b) That the expenditure from the education capital programme for the capital costs for establishment of the annex be supported.

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

87 Sharp Lane Primary School - Creation of New Entrance and Provision of Remodelling Works

The Chief Executive of Education Leeds submitted a report on proposals to create a new entrance and undertake associated remodelling works at Sharp Lane Primary School and to incur the necessary expenditure.

- (a) That the design proposals in respect of the scheme to create a new entrance and undertake associated remodelling works at Sharp Lane Primary School be approved.
- (b) That the injection of a Section 106 funding contribution, in the sum of £2,866,204, into the approved Capital Programme be approved
- (c) That expenditure of £902,200 be authorised in respect of this scheme.

88 Report on the September 2008 Admission Round for Community and Controlled Schools

The Chief Executive of Education Leeds submitted a report providing statistical information on the September 2008 admission round for community and controlled schools.

RESOLVED – That the report be noted.

89 The National Challenge and Structural Change to Secondary Provision in Leeds

The Chief Executive of Education Leeds submitted a report on the context and proposals for the next phase in developing secondary school provision in Leeds with specific reference to the National Challenge response.

RESOLVED – That a review of provision in East and North East Leeds be commenced by consulting with schools, ward members, young people and communities and an options paper be brought to this Board later this year.

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

LEISURE

90 Deputation to Council - Friends of Woodhouse Moor Regarding the Provision of Park Wardens on Woodhouse Moor

The Director of City Development submitted a report responding to issues raised in the deputation by the Friends of Woodhouse Moor to Council in July, on proposed future capital investment, the current revenue situation and

measures taken in respect of anti-social behaviour and barbecues on Woodhouse Moor.

- (a) That approval be given for the development of a fully funded bid to the Heritage Lottery Fund Parks For People Programme to be brought back to this Board for approval prior to submission.
- (b) That the work of the Woodhouse Moor Multi-Agency Forum approach to tackle anti-social behaviour in the park be noted.
- (c) That the proposal to consult on the potential for a barbecue area in the park be noted.

91 Garforth Library - Big Lottery Grant

The Director of City Development submitted a report on a proposal to develop a new Library and One Stop Centre for Garforth and the surrounding area following a successful bid to the Big Lottery Fund.

RESOLVED – That a fully funded injection of £1,334,900 into the 2008/11 Capital Programme be approved and that authority be given for expenditure of £1,434,900 on this scheme.

92 The Government Offer in respect of Free Swimming for those 60 years and over and the 16 years and under

The Director of City Development submitted a report on the response to the Government's offer of free swimming for the over 60s and on proposals in respect of the offer in respect of under 16s.

In presenting the report the Executive Member (Leisure) corrected information in table 1 therein with reference to 'Leeds Share' in the right hand column by replacing "£350,000" with "£347,272" and "£143k" with "£170,714".

RESOLVED –

- (a) That it be noted that officers wrote to the Development of Culture, Media and Sport by 15 September indicating acceptance of the offer for free swimming for the over 60s (Pot 1).
- (b) That the Council's participation in Pot 2 to provide free swimming for the under 16s be approved and that a further report be brought back to this Board to agree allocation of government capital provided as part of the free swimming initiative.
- (c) That a further report be brought to this Board in 2010/11 reviewing the free swimming scheme in light of the government funding available at that time for the continuation of such a scheme.

93 New Leaf - Financial Close Position

The Director of City Development submitted a report providing an update on the progress of the procurement through the Local Education Partnership (LEP) of the New Leaf Leisure Centres in Armley and Morley and on the financial position agreed at Financial and Contract Close, which took place on 7th August 2008.

RESOLVED – That the report be noted.

ADULT HEALTH AND SOCIAL CARE

94 Department of Health Extra Care Housing Fund Bid: 2008-2010

The Chief Officer Adult Social Care submitted a report on a proposal to redevelop Hemingway House older persons residential home in Hunslet, replacing it with 45 units of Extra Care Housing for older people, in partnership with Methodist Homes Association and the Primary Care Trust.

RESOLVED –

- (a) That the proposal to develop 45 units of Extra Care Housing for older people on the site of Hemingway House, in partnership with Methodist Homes Association and the Primary Care Trust be approved.
- (b) That the sale of the land at Hemingway House at less than best value to a value forgone of £225,000 be endorsed.

95 Putting People First: Vision and Commitment to the Transformation of Adult Social Care

The Director of Adult Social Services submitted a report providing an update on the work undertaken in Leeds to prepare for the personalisation agenda, since the publication of the concordat "Putting People First" In December 2007.

RESOLVED –

- (a) That progress made in Leeds towards the development of a more personalised system of social care through the Self Directed Support project and other initiatives be noted.
- (b) That, acknowledging the scale and scope of the transformation agenda and the challenge it presents, the approach taken in Leeds to deliver successful change be endorsed.
- (c) That the direct engagement of elected members in these developments be continued by the submission of further reports to this Board, involvement in workshops, seminars, conferences and in the recently established members' forum.
- (d) That the Board notes the impact Self Directed Support will have on existing service provision including directly provided services and commissioned services in Leeds and the need to accelerate the transformation of these services to meet the challenges and impact of personalisation and customer choice.
- (e) That it be noted that progress and the pace of change regarding the delivery of Personalisation in Leeds will be the subject of some detailed feedback from the recent inspection of Older People's Services.
- (f) That the Scrutiny Board (Health and Adult Social Care) be requested to monitor progress of the personalisation agenda.

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

CENTRAL AND CORPORATE

96 Pay and Grading Review (Including a response to the Deputation to Council by GMB regarding the Current Dispute on Equal Pay)

The Director of Resources submitted a report providing an update on the Pay and Grading Review and responding to the deputation from GMB to full Council on the current dispute relating to Equal Pay.

Following consideration of the appendix to this report, designated as exempt under Access to Information Procedure Rule 10.4 (4) and (5), which was considered in private at the conclusion of the meeting it was

RESOLVED –

- (a) That the response to the GMB Deputation to Full Council on 2 July 2008 be noted.
- (b) That the progress regarding implementation of the new Pay and Grading arrangements be noted.

97 Leeds Benefits Service Annual Report 2007/08

The Director of Resources submitted a report providing information on the performance of Leeds Benefits Service during 2007/08 and on the main issues facing the service over the forthcoming year.

RESOLVED – That the report be noted.

98 Capital Programme Update 2008 - 2012

The Director of Resources submitted a report providing an updated position on the 2008-2012 Capital Programme.

RESOLVED –

- (a) That the adjustments to capital programme expenditure and resources as detailed in Appendix A to the report be approved.
- (b) That the Strategic Development Fund be sub-divided into 3 investment areas as set out in section 4 of the report.

(Under the provisions of Council Procedure Rule 16.5 Councillor Wakefield required it to be recorded that he abstained from voting on this matter only in relation to those matters relating to the ALMOs programme).

99 Leeds, by Example: Developing a Corporate Social Responsibility Policy

The Deputy Chief Executive submitted a report highlighting the progress made in developing a Corporate Social Responsibility Policy for Leeds, outlining current developments and seeking agreement of a programme of work to enable the initiative to move forward.

RESOLVED – That the vision, definition and plans as set out in the report be approved and that ongoing and piloted schemes currently under development be noted.

100 Managed Print Service

The Head of ICT submitted a report on a proposed scheme to introduce a managed print service across the Council.

RESOLVED – That approval be given to an injection of £1,835,000 into the Capital Programme and that scheme expenditure in the same amount be authorised.

101 Progress Report on the PPP / PFI Programme in Leeds

The Deputy Chief Executive submitted a report providing an update on the Council's PPP/PFI projects and programmes.

RESOLVED –

- (a) That the current status of PPP/PFI projects and programmes be noted
- (b) That approval be given to the completion and entry into all necessary legal documentation in relation to the Design and Build contract for Crawshaw High School.

(Councillor J L Carter declared a personal interest in this item as a member of the West Yorkshire Police Authority).

102 Cohesion and Integration Priorities and Delivery Plan 2008-2011

The Assistant Chief Executive (Planning, Policy and Improvement) and Director of Environment and Neighbourhoods submitted a joint report on the development of the policy framework and strategic approach to cohesion in Leeds, highlighting a new definition of cohesion and integration and on the proposed cohesion and integration priorities 2008 – 2011 and delivery plan.

RESOLVED – That the report be noted and that the Cohesion and Integration Priorities 2008-2011 and the Delivery Plan attached as appendix 1 to the report be approved.

DEVELOPMENT AND REGENERATION

103 Pudsey Bus Station - Associated Highway Works

The Director of City Development submitted a report on the design and implementation of the associated highway works required to accommodate the redevelopment of Pudsey Bus Station.

- (a) That approval be given to the design and implementation of associated highways works to the redevelopment of Pudsey Bus Station as set out in the submitted report and on drawing HDC/298886/C06, at a total cost of £766,750.
- (b) That authority be given to incur expenditure of £615,000 works and £131,750 staff costs (£20,000 previously approved) which can be met from the Integrated Transport Scheme 99609 within the approved Capital Programme.
- (c) That it be noted that a separate report will be presented to the Chief Highways Officer seeking approval for the advertising and sealing of the associated Traffic Regulation Orders.

104 Sustainable Education Travel Strategy and the Development of an Integrated School Transport Policy for Children's Services

The Director of City Development submitted a report on a proposed Sustainable Education Travel Strategy for Leeds and on the ongoing collaborative work between Education Leeds and Children and Young People's Social Care to develop and introduce a Children's Services School Transport Policy which encompasses all statutory demands.

RESOLVED –

- (a) That the adoption and publication of the Leeds Sustainable Education Travel Strategy be approved.
- (b) That approval be given for the development of a Children's Services School Transport Policy and to the intention to integrate this with the Leeds Sustainable Education Travel Strategy by September 2010.

105 Lands Lane and Central Square Refurbishment

The Director of City Development submitted a report on a proposal to spend a designated sum from the Council's Capital Programme in order to fund the refurbishment of Lands Lane and Central Square.

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

RESOLVED –

- (a) That the scheme design as outlined in the report be approved.
- (b) That release of expenditure and authority to spend in respect of this scheme be given in the terms detailed in the exempt appendix to the report.

106 Town and District Centre Regeneration Scheme - Armley Town Street

The Director of Environment and Neighbourhoods submitted a report on a proposal to spend £794,274 of Town and District Centre Regeneration Fund monies to aid the regeneration of Armley's Town Street.

RESOLVED –

- (a) That the project brief and scheme design as presented be approved.
- (b) That authority be given to spend £794,274 of capital expenditure from the Town and District Regeneration scheme.

107 Proposed Lloyds TSB Takeover of Halifax Bank of Scotland

The Director of City Development submitted a report on potential implications of the proposed takeover of Halifax Bank of Scotland by Lloyds TSB, and of action proposed by the City Council and its partners.

RESOLVED –

- (a) That the proposed actions detailed in section 1 of the report be endorsed and that a meeting with representation from all political

groups be convened in the near future to consider the ongoing situation in this respect.

- (b) That a further report be brought to the next meeting of this Board.

NEIGHBOURHOODS AND HOUSING

108 Deputation to Council - Designated Public Places Order Consultative Committee Regarding the Designated Public Places Order Proposed for Hyde Park and Woodhouse

The Director of Environment and Neighbourhoods submitted a report responding to the deputation from the Designated public Places Order Consultative Committee to Full Council on the Designated Public Places Order Proposed for Hyde Park and Woodhouse.

RESOLVED – That approval be given to the approach of creating two DPPO's covering Little London and Little Woodhouse immediately with consultation for a further DPPO to cover Woodhouse Moor and nearby residential areas and greenspaces to be started in October.

109 Environment and Neighbourhoods Lettings Policy Revision

The Director of Environment and Neighbourhoods submitted a report on a proposal to implement a revised version of the Council's lettings policy from Wednesday 22nd October 2008.

RESOLVED –

- (a) That the implementation of the revised lettings policy with effect from 22nd October 2008 be approved.
- (b) That the submitted report be used as the basis for a briefing document for all Members of Council.

110 Update report on the Regeneration of 'The Beverleys' Area of Beeston

The Director of Environment and Neighbourhoods submitted a report providing an update on the progress of the Beverleys acquisition and demolition scheme and on the proposed expenditure to undertake the scheme.

RESOLVED –

- (a) That approval be given to the injection of additional private sector resources of £156,000 received from Beeston Group Repair Phase 2 additional to those previously accounted for within this group repair scheme.
- (b) That Scheme Expenditure to the amount of £2,952,700 be authorised .
- (c) That officers report back in future on the progress of the scheme.

111 Assistance to Vulnerable Households

The Director of Environment and Neighbourhoods submitted a report providing an update on the progress made in relation to the Assistance to Vulnerable Households scheme and of Regional Housing Board funding for the 2008-2011 programme.

RESOLVED –

- (a) That scheme expenditure of £1,800,000 fully funded through Regional Housing Board grant for the three year 2008-2011 programme be authorised and that a report on progress of the Scheme be brought back to this Board.

112 Policing Green Paper - From the Neighbourhood to the National: Policing Our Communities Together

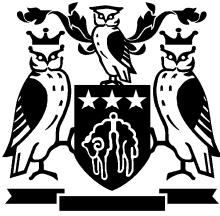
The Director of Environment and Neighbourhoods submitted a report commenting on the government green paper and outlining concerns with some of the key proposals.

RESOLVED – That the submitted report together with the resolution of the Local Government Association and Association of Police Authorities on the same subject be approved as the formal response of this Council to the Government's Policing Green Paper: From the Neighbourhood to the National: Policing our Communities Together and that the submission be made under cover of a letter from the Safer Leeds Partnership.

DATE OF PUBLICATION 10th October 2008
LAST DATE FOR CALL IN 17th October 2008 (5.00 pm)

(Scrutiny Support will notify Directors of any items Called In by 12.00 noon on Monday 20th October 2008).

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Report of the Director of Environment and Neighbourhoods

Executive Board

Date: 8 October 2008

Subject: Area Delivery Plans 2008/09

Electoral Wards Affected:

All

Ward Members consulted
(referred to in report)

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

This report provides an overview of the Area Delivery Plans for 2008/09 that were recently agreed by the Area Committees and developed with the involvement of Council Services and partner agencies. The Plans will guide the work of the Area Committees throughout 2008/09, and set out key actions and improvements for each area. They also provide a mechanism for directing resources and a framework for investing Well Being budgets in each of the areas.

The agreed actions set out within the Delivery Plans will enable Committees to address local priorities which are specific to their area. Appendix 2 highlights the priority areas for action in 2008/09 and shows how the locally focused work undertaken by each of the Area Committees contributes to the delivery of service improvement priorities across the themes of the Leeds Strategic Plan 2008-11.

Executive Board is asked to endorse the 10 Area Committee Delivery Plans for 2008/09.

1.0 Purpose of this report

- 1.1 To provide an overview of the 10 Area Delivery Plans for endorsement by the Executive Board.

2.0 Background Information

- 2.0 Area Committees play an important role in the delivery and coordination of local services. They aim to improve the quality of decision making by strengthening the role of elected members in making decisions which impact upon the areas they represent and by engaging local people in discussion about the issues that matter to them most. They also play a key role in developing partnerships with local service providers such as the Police, Primary Care Trust and Voluntary, Community and Faith Sector (VCFS) organisations.
- 2.1 On an annual basis, Area Committees are required to prepare an Area Delivery Plan for endorsement by the Executive Board after the Council's budgets have been set. These plans detail local priorities within the context of the Leeds Strategic Plan and the key actions to be delivered to contribute to the achievement of its objectives and targets.
- 2.2 On 16th July 2008, the Council launched the Leeds Strategic Plan 2008-11. This details the outcomes and priorities the Council has agreed with its partners and includes the Local Area Agreement for the City. The achievement of these outcomes and priorities will contribute to the delivery of the longer term aspirations for the city as set out in the Vision for Leeds 2004 to 2020.
- 2.3 The 2008/09 Area Delivery Plans have sought to integrate the strategic priorities identified within the Leeds Strategic Plan with the specific and varied needs of individual areas. However because of the way in which both plans were developed it was necessary to develop the plans in tandem and the ADPs had to be agreed by Area Committees in advance of the finalisation of the Leeds Strategic Plan. Therefore 2008/09 is seen as a transitional year, to allow Area Committees to realign some actions and activities where required.

Headline Achievements 2007/08

The increased opportunities to influence and improve local services through delegated functions to Area Committees, has marked a significant step change in locality working over recent years, and partly as a result of this, real improvements are being seen in many of the neighbourhoods within Leeds. In 2007/08 Area Committees were delegated responsibility for overseeing a range of local services, these include:

- Overseeing the allocation, approval and monitoring of **Area Well Being budgets**.
- Operation of the **Community Centres** portfolio.
- Locally based **CCTV cameras**.
- Provision of a range of services, via uniformed patrols of **Neighbourhood Wardens** to reassure, reduce anti-social behaviour and the fear of crime
- Provision of a range of services, via uniformed patrols of **PCSO's** to reassure, reduce anti-social behaviour and the fear of crime
- Area based **Youth Service** programmes targeted at 13 – 19 year olds; centre based youth work, detached youth work, Connexions project work with individuals and small groups

- Provide **recycling banks** at suitable locations throughout the city to enable the public to dispose of items such as glass, plastic, etc
- Scheduled cleansing and maintenance of **public conveniences**

3.2 In addition to these formal delegations, under the general wellbeing powers operated by area committees, a wide range of projects and programmes have been undertaken to tackle local problems and build upon local opportunities.

3.3 A summary of headline achievements against Area Delivery Plan priorities in 2007/08 is included at Appendix 1. Examples taken from each of the Area Committees gives some indication of the breadth and range of actions undertaken:

Inner East:

- The Area Committee commissioned Probation Services to establish a dedicated Community Payback team. The initiative, which delivers major local environmental improvements, won the Howard League for Penal Reform 2008 national award for “outstanding schemes”, and was nominated for the West Yorkshire Criminal Justice Board’s Justice Award.
- The Area Committee continues to supported Neighbourhood Management in its area, using local inter-agency “tasking teams” to tackle crime and grime. Successes include: Community clean ups, local youth diversionary activities, local Smartwater schemes, joint enforcement work, dispersal orders and much more.

Outer East:

- The regeneration of Kippax High Street, completed in May 2008 as part South and East teams Town & District Regeneration programme, has been welcomed by traders and Kippax Parish Council. The programme has delivered a new forecourt and parking areas to shop fronts; a viewpoint area on a previously derelict site; the creation of a community garden at Cross Hills and new street furniture along the High Street.
- Intensive Neighbourhood Management (INM) in Halton Moor & Osmondthorpe has seen environmental concerns and issues of community safety addressed by a partnership formed through the INM programme. Projects have included increased CCTV coverage; the establishment of a community house; the creation of a ‘Hate Crime Group’ to tackle this ongoing problem; various other schemes to improve the environment. The results have been very impressive with reports of hate crime having reduced from a peak of up 15 per month to the current level of 1 or 2 per month. This success has led to the project making the final of the ‘*Regional Making a difference awards – stepping up to the challenge*’ category.

Inner North East:

- The Inner North East Area Committee implemented a new engagement strategy. This resulted in 3 events in each ward and allowed people the opportunity to identify the priorities in their area, which has subsequently informed the area delivery plan. Other elements of the strategy include the distribution of a 'Take Action Card' for residents.
- The Chapel Allerton K-Fund was a small grants scheme funded via ERDF Objective 2 money, with match funding from the Well Being Fund. A total of £60k worth of funding was distributed. The funding directly contributed to 28 people gaining employment as a result of the support given. The project was able to access a total of £99.5K in funding from other sources outside of Leeds City Council

Outer North East:

- Wetherby Market Square Town and District Centre scheme was completed during 2007/8. The scheme, which was managed by the Area Team, involved widening the pavements in front of the shops, installing new street furniture, upgrading the street lighting, and providing a new large York Stone paved area in front of the Town Hall. This scheme was successful in winning a national urban transport design award.
- The Moor Allerton Partnership was established in 2006 as a multi agency partnership to tackle issues in the area relating to health, education, employment, crime, housing and the environment. Area Management have responsibility for driving forward action in this area through partnership working.

Inner North West:

- Improving Little London – the Little London intensive management scheme has led to a major improvement in crime and grime locally, so that by 2007 the area was no longer in the worst 3% areas within the National Indices of Deprivation.
- Provision of funding to the Youth Service to provide a mobile bus to enable the Service to provide a wider range of outreach work across the area.

Outer North West:

- Provision of four designated public place orders for Horsforth, Guiseley, Yeadon and Otley and support for additional police resources to help implement them to reduce anti social behaviour in the town centres.
- Major improvements to the car parks in the visitor attraction of Chevin Forest Country Park to help improve the tourism offer locally.

Inner South:

- Work undertaken by the Beeston Hill and Holbeck Regeneration Board contributed to and helped secure major housing regeneration schemes including Regional Housing Board funding For Holbeck and PFI for Beeston Hill and Holbeck.
- Other regeneration work included the delivery of an Intensive Neighborhood Management Scheme which resulted in cleaner streets and less anti-social behavior in the area; funding to the dedicated pride team, the family intervention project, the neighbourhood safety project and the provision of an additional enforcement officer.

Outer South:

- The Outer Area Committee undertook an extensive pilot of Participatory Budgeting (PB). This helped to promote local community pride and cohesion. In particular it acted as the basis for the development of greater understanding and cooperation

between the Council and Drighlington Parish Council. This work was instrumental in Leeds being named by the DCLG Minister Hazel Blears as being a leading authority on (PB).

- As part of the regeneration of Rothwell, work undertaken by the Area Committee resulted in the development of a much improved Marsh Street car park. For the first time integrating into one car park what had previously been two.

Inner West:

- Heritage lottery funding of £1.4 million has been secured for Townscape Heritage Initiative for Armley Town Street, as part of the development plans for the West Leeds Gateway Regeneration Area.
- A successful participatory budgeting pilot project in the Broadleas, Bramley has led to four new environmental projects being developed by the community with funding from the City Council.

Outer West:

- Joint working with Bradford Council led to the securing of £200,000 funding over two years from Leeds and Bradford Councils to develop the corridor between the two cities; £11 million has been successfully bid for from the Northern Housing Challenge Fund – this will be used for housing development in three locations.
- Major improvements to Pudsey Town Centres through the Town and District Centre schemes has led to securing of major new retail and transport investments; the Farsley Town Centre improvements have provided a better environment around the library and Town Street.

4.0 Area Action Plan Priorities for 2008/09

4.1 For 2008/09, in addition to the services mentioned above, Area Committees will acquire the responsibility for overseeing neighbourhood management activity. Committees will lead on the identification of priority neighbourhoods requiring specific coordinated activity in order to improve environmental or quality of life type issues. This will include the **Intensive Neighbourhood Management** programmes funded through the safer stronger communities fund and smaller programmes funded predominantly through Area Committees such as neighbourhood improvement plans.

4.2 In addition, a number of enhanced roles to influence, develop and consult with local people and service providers have been added to the responsibilities of Area committees. These cover a wide range of themes, including:

- The coordination of **Local Engagement Activity** linked to the improvement of local services and Area Delivery Plan priorities
- Influencing the development and use of **Community Green Space**, and consultation on proposals to improved these
- Overview of **Police Community Safety Officers (PCSOs), Neighbourhood Policing Teams and Multi Agency Crime and Grime Operations** in each ward
- Influencing the development and delivery of activity undertaken by the **Environmental Action Teams**
- **Street Cleansing** - involvement in discussions about priority service developments, service planning and proposals on significant issues and or changes to services
- Commenting on annual and forward programmes of planned maintenance, traffic management proposals and minor maintenance scheme to **local Highways**

- Become Champions for the development and delivery of children's services, linked to the establishment of **Local Children and Young People's Plans** and act to influence where appropriate
- To influence and become an important conduit for the early identification of **Health and Well Being** priorities for within localities
- **Review of 16 Conservation areas**
- Influencing **Grounds maintenance** activity and contractual requirements.
- Consultation and monitoring of **area based regeneration schemes**, and **Town and District centre** projects
- **Advertising on lamp posts**, a potential source of income for Area Committees over the next 15 years

Further work will take place this year to clarify the detail of these responsibilities and to formalise arrangements for their operation.

- 4.3 Appendix 2 highlights priority actions for each Area Committee which will contribute to the achievement of strategic outcomes under the 8 themes of the Leeds Strategic Plan. The 8 theme consist of: Culture, Enterprise and the Economy, Learning, Transport, Environment, Health and Wellbeing, Thriving Places and Harmonious Communities.
- 4.4 The Leeds Strategic Plan encompasses the Local Area Agreement for the city, and Area Delivery Plans have been developed to contribute to the delivery of targets against the city's key performance indicators. This should help to strengthen local service improvements, and ensure that the Council and it's partners work together to maintain excellence in service delivery.
- 4.5 The table below provides a brief example from each Area Delivery Plan of a priority action for 2008/09.

Inner East:

- Activities are being commissioned from Sports Development to assist in the delivery of ADP objectives to enable more people to become involved in sports. The activities will aim to have an impact on the confidence of young people and extend the range of provision currently available to younger children, not catered for by Youth Services. Two sites in the locality are being used to enable a wide participation of children across inner East.

Outer East:

- In Methley, a £350k project to provide rugby and football pitches along with changing facilities, car parking and a new access road to the site has already started. Outer East Area Committee have contributed £65k of the capital costs and Area Management staff have been involved in the consultation process with users and local residents.

Inner North East:

- To enter into partnership with the Unpaid Work Team in Probation Services to establish a regular programme of referrals and work in the inner north east area to tackle environmental issues highlighted through Tasking meetings, the Area Management Team and Ward Councillors. This will form part of the strategy to develop and improve the effectiveness of Tasking meetings.

Outer North East:

- A number of Environmental projects will be supported across the Outer North East Area through the award of grants to local community and residents groups, Parish Councils, In Bloom organisations, Schools and Churches. The aim of the grant

scheme is to provide local people with an opportunity to improve the environment of their street, neighbourhood or village by equipping them with the resources required to carry out the work. Grants can be used for any type of environmental project including bulb planting, creating edible landscapes, installing benches, and public art.

Inner North West:

- Tackle the environmental issues of the area exacerbated by the large number of students and multi occupied houses by developing environmental enforcement, education activities and proactive work with the Universities

Outer North West:

- Deliver the planned improvements via the Town and District Centre regeneration scheme to Otley Market Place and Yeadon High Street

Inner South:

- The Area Committee will seek to improve the amount of available community space, for example by helping to fund a bespoke radio suite for Leeds 11 FM, part fund the conversion of the former Beeston library for community purposes and transferring community assets to appropriate voluntary sector organisations.
- As part of the regeneration plan for Middleton, the Area Committee will oversee the development of an economic regeneration strategy for the estate.

Outer South:

- Continued improvements to open spaces will be achieved through the provision of area committee funded site based gardeners and support for 'in bloom' groups.
- The area committee funded neighbourhood development worker will help to ensure that local people are fully involved in the design and delivery of neighbourhood improvement plans in three areas.

Inner West:

- Support the local economy through the successful development of the pilot Catalyst Centre for small business in Bramley and the employment of a Town Centre Manager in Armley

Outer West:

- Support the further development of the four year old innovative West Leeds Festival, including the major event of the festival which this year will be in Calverley and Farsley ward.

4.6 Area Committees will receive regular progress reports on the Area Delivery Plans over the course of the year and the plans will help direct how the Committees' resources are deployed.

5.0 Implications for council policy and governance

5.1 The development and delivery of a comprehensive annual programme of locally targeted activity linked to local service improvements, is a fundamental role for Area Committees.

5.2 Under the Council's constitution each Area Committee is required to prepare an Annual Area Delivery Plan for endorsement by the Executive Board after the Council's budgets have been set. The work described in this report and the recommendation comply with existing Council policy and governance arrangements.

6.0 Legal and resource implications

- 6.1 Work to date has been based on an understanding that the main resource implications for the Area Delivery Plans will be met through existing mainstream resources and some elements of grant based funding, whilst this available. New schemes and priorities will be met either by realigning existing budgets, attracting additional external funding or from Well-being revenue budgets in 2008/09 and the 3 year Well-being capital allocation.
- 6.2 External funding is also being sought from a range of sources such as the Learning and Skills Council, Big Lottery, European Funding and Yorkshire Forward to deliver actions across some key areas, such as worklessness, the environment and health related activities.
- 6.3 Area Management Teams will also work closely with Town & Parish Councils, voluntary, community and faith sector organisations and partner agencies to deliver priorities and resource actions.

7.0 Conclusions

- 7.1 Each of the Area Committees has continued to make considerable progress overseeing the effective implementation of their Area Delivery Plans.
- 7.2 The 2008/09 plans have been developed in parallel with the Leeds Strategic Plan, which was published in July 2008. As a result, 2008/09 is seen as a transitional year, and work will be undertaken to ensure that Area Delivery Plans are fully aligned to the indicators and outcomes that the Council and it's partners have signed up to.
- 7.3 The plans will guide the work of each of the committees over the year ahead and provide a mechanism for directing local resources. Executive Board endorsement is therefore requested for all 10 Area Delivery Plans for 2008/09.

8.0 Recommendation

- 8.1 The Executive Board is asked to endorse the 2008/09 Area Delivery Plans produced by the Area Committees.

Background papers

Area Deliver Plans:

Inner East
Outer East
Inner North East
Outer North East
Inner North West
Outer North West
Inner South
Outer South
Inner West
Outer West

Leeds Strategic Plan 2008-11

Area Committee Roles for 2008/08 – Executive Board report 16 July 2008



Area Achievements 2007/08 - Delivering Better Outcomes for Local People Across Leeds

Summary of Area Delivery Plan Achievements

Further information and the full Area Delivery Plans are available on the internet (www.leeds.gov.uk) or by contacting:

Liz Jarmin 0113 395 0647
liz.jarmin@leeds.gov.uk

Area: Inner East

- **Tackling Crime and Grime**

The Area Committee supported the continued development of a Neighbourhood Management approach in the area, based on a framework of local inter-agency “tasking teams” focusing on issues of crime and grime.

Elected Members are involved in their respective tasking team meetings, helping provide intelligence and contributing to problem-solving on local issues that do not appear to be easily resolved through normal channels of activity.

Each ward was allocated £25k from the Area Committee’s Wellbeing budget to support problem solving actions that arose from local tasking meetings. This has enabled quick and appropriate interventions to be undertaken which have made a noticeable difference to real problems being faced in neighbourhoods.

Examples of local actions delivered in 2007/08 through tasking include:

Community clean ups, local youth diversionary activities, support for community events, local Smartwater schemes, trembler alarms, support for out of school activities, bollard and anti-graffiti painting, no parking cones for schools, joint enforcement work, dispersal orders and much more.

- **Community Safety and Neighbourhood Improvements**

Through Wellbeing and Safer Stronger Communities Fund monies, the Area Committee commissioned Probation Services to establish a dedicated Community Payback team for Inner East.

The team utilises unpaid work of offenders who have a community service order. Up to 7 offenders are available, 7 hours a day, every day of the year.

A dedicated supervisor is employed for the area and a referrals system is in place, managed through the Area Team, which enables Elected Members, community groups and agencies to request the free labour force to undertake jobs for them.

The scheme ensures that the Community Payback is being directed at helping resolve long standing environmental problems and supporting local groups who would otherwise struggle to afford the labour costs.

Work undertaken during 2007/08 through this scheme included:

Painting school fencing and park equipment, garden tidying, clearing void property gardens, supporting local clean up operations, cutting back ginnel overgrowth.

The Area Committee’s partnership with Probation Services won the Howard League for Penal Reform 2008 national award for “outstanding schemes” and was nominated for the West Yorkshire Criminal Justice Board’s Justice Award.

Area: Outer East

- **Town and District Centres**

Outer East Leeds has 4 Town & District Centre Regeneration Schemes. 2007/8 saw the completion of one full scheme in Kippax High Street and the partial completion of schemes in Halton Village and Garforth Main Street. The scheme in Kippax was completed to the total satisfaction of Ward Members, Kippax Parish Council and local traders. It has given a boost to the area and local people feel it will act as a catalyst for the complete regeneration of the High Street. The completion of the 3 remaining schemes will take place in 2008/9.

- **Community Safety and Neighbourhood Improvements**

In 2006/7 Outer East Area Committee funded a 'pilot' Community Payback scheme in partnership with West Yorkshire Probation Service. This scheme ran for 6 months and feedback was very good. In 2007/8 the scheme ran for the full year and provided much needed support across the area for Parish Councils, Community Groups, 'in bloom' and environmental groups etc. Outer East Area Committee paid £15,000 for the scheme but received the equivalent of 2270 working days at 7.5 hours per day. Based upon a minimum wage calculation this equates to around £85,000 worth of labour. Work has included environmental clean up's, painting of church halls, planting of bulbs, helping at OAP luncheon clubs etc.

- **Improving Local Sports Facilities**

Years of planning, acquiring funding and lobbying by a variety of different sports groups led to work starting on the delivery of new sports pitches and the improvement of current pitches. Outer East Area Committee and its management team were instrumental in obtaining funds and supporting the planning process of improvements to pitches in Whinmoor and new pitches in Methley. The Area Committee provided £55,000 of funding towards the Methley project, which in total will cost in excess of £250,000.

The regeneration of Micklefield started in 2004 with a grant secured through Yorkshire Forward to improve the community centre (old fire station) and carry out environmental improvements throughout the village. The Micklefield Regeneration Forum is chaired by the Area Committee Chair with officer representation from its management team. In 2007/8 further projects were delivered including a new football stand at the village's main sporting venue and securing almost £150,000 of funding to develop a skate park in the village. Work on the skate park will commence September 2008.

- **Intensive Neighbourhood Management**

The Halton Moor estate in Outer East Leeds is the only Intensive Neighbourhood Management area within the four wards. The estate has seen an upturn in fortune in recent years through the intensive work of partner agencies. However, despite an increased demand for property and a reduction in crime (especially burglary), the area continues to suffer from high levels of hate crime. To combat this, a strategy was developed which included the formation of a hate crime group involving representatives from the Police, Schools and Youth Service. A local plan has been developed, and over the next twelve months work will be undertaken to assess the impact of the approach and measure its outcomes. The plan is available on the LCC website.

Area: Inner North East

- **Town and District Centre Town Centres**

The Town and District Centres scheme will provide £500,000 of investment to the centre of Oakwood to improve business confidence by enhancing access and limiting on street parking. This will free up parking space and prevent people from using the area to park and ride. The scheme will provide additional parking spaces, a new pedestrian crossing, improved lighting, new street furniture and improve a busy junction at the northern gateway.

- **Community Engagement and Empowerment**

The priority neighbourhood group is chaired by the Area Management Team and continues to be responsible for a number of improvements in the area. This includes a successful application for £4,000 to the PCT, an increased role for residents in the partnership to improve levels of engagement and the relaunch of the local newsletter. As a consequence of improved levels of community engagement the Area Management Team made the Multi Use Games Area (MUGA) at the former Miles Hill School accessible to local residents.

The Inner North East Area Committee implemented a new engagement strategy. This resulted in 3 events in each ward and allowed people the opportunity to identify the priorities in their area. The results of this activity has informed the area delivery plan, which has allocated funds to issues raised by local people. The Area Management Team have also distributed 'Take Action Cards' to local people, which they can return through a freepost account. This allows them to highlight issues in the area, which are sent on to services to address.

- **Community Centres**

As a result of work by the Area Management Team, the Feel Good Factor began leasing the council owned building at 53 Louis Street in Chapeltown. As part of the agreement the Feel Good Factor carried out £100k worth of improvements to the building. There is now a healthy living centre located in the heart of Chapeltown from where cooking, healthy eating and exercise classes are run. The interior of the building has been modernised and the council now receives rent from the building.

Work has continued at the Mandela Centre to develop an expanded programme of activities to meet the needs of young people in the area. A steering group of young people has been established to lead on the development of the Mandela Centre as a youth hub for Chapeltown. This year young Asian people began to attend the centre for the first time, which has lead to mixed youth sessions. Attendance of the these sessions continues to grow, which has promoted community cohesion in the area and developed cross cultural contact within the service.

Area: Outer North East

- **Town and District Centres**

Wetherby Market Square Town and District Centre scheme was completed during 2007/8. The scheme, which was project managed by the Area Team, involved widening the pavements in front of the shops, installing new street furniture, upgrading the street lighting, and providing a new large York Stone paved area in front of the

Town Hall. This scheme was successful in winning a national urban transport design award.

A second Wetherby Town and District scheme for Wetherby Horsefair was prepared and approved during 07/08. This involves resurfacing the street in York Stone, new street furniture with bollards demarking pedestrian and vehicle areas, and a pelican crossing to enable safer access to Wetherby town centre from Hallfield Lane car park and Health Centre. This scheme compliments the Market Square Improvements and will enable better pedestrian access to the Town Centre. Both schemes are part of the Council's Town and District Centre Regeneration Programme.

- **Community Engagement and Empowerment**

The Moor Allerton Partnership was established in 2006 as a multi agency partnership to tackle issues in the area relating to health, education, employment, crime, housing and the environment. Area Management have responsibility for driving forward action in this area through partnership working.

During 07/08 the following sub-groups were established to look at actions and priorities more specifically: Mini Map (community safety), Moor Allerton Children and Young People (MACY), Community Engagement and Communications, Voluntary Community Faith Sector Forum, Moor Allerton Older Person's sub-group, Worklessness, and Environment.

A number of actions took place during 07/08 including: an assessment of local services and community facilities, careers day which targeted people claiming incapacity benefit and unemployed lone parents which resulted in nine people being referred onto work and training providers, energy efficiency improvements to the homes of local elderly people, a duvet exchange and a sloppy slipper campaign.

Area Management administer the Town and Parish Council Forum for the Outer North East. Key areas of enhancement to the well-being and service provision of the communities they serve have been identified through consultation with this forum, and these are being worked through with the relevant departments and services.

- **Community Centres**

A community facilities conference was held on 27th September, organised by Area Management the Yorkshire Rural Community Council, to support the sustainability and capacity of village facilities, parish halls and community centres through sharing good practice, guidance and advice. The event was well attended by representatives from Outer North East, and a more localised follow up for Outer North East event was held on 29th November.

- **Improving the Local Environment**

£40,000 was allocated to the Environment Fund for Outer North East from the Well Being budget. This paid for approximately 60,000 bulbs, hanging baskets, a tub walk, barrier baskets, planter replacements and enhancements to a playing field.

Area: Inner North West

Highlights of some of the work undertaken and supported by the Area Committee include:

- **Greenspace Improvements**

Investment of £47,000 capital funding in seven greenspace improvements in Little London. Areas which had been long standing eyesores such as rubble strewn waste ground behind the community centre and bramble covered steps on Servia Hill were cleared and brought back into public use. There have also been enhanced maintenance works to Royal Park greenspace and the employment of site based gardeners for Beckett Park and Woodhouse Ridge

- **Neighbourhood Improvements**

Four Neighbourhood Improvement Plans (NIPs) were developed and delivered through the North West Area Committee. An example of effective NIP activity can be demonstrated within the Harolds and Thornvilles in Headingley, where 800 properties were surveyed to gather information on what improvements residents would like to see. As a result, every household has now been treated with anti climb paint to address the issue of high burglary rates in the area.

Area: Outer North West

In the last year there has been a significant increase in the range of projects funded and initiatives undertaken in order to make improvements in the local area. Highlights of some of the work undertaken and supported by the Area Committee include:

- **Community Safety**

Four Designated Public Place Orders for Horsforth, Guiseley, Yeadon and Otley were successfully put in place and complemented with additional police resources to help implement them; a Cumulative Impact policy was established for Horsforth; the area management team continued to organise and arrange successful multi action crime and grime initiatives across the area; funding continued for an additional PCSO for Horsforth and the Behind Closed Doors project which provides support and advice on domestic violence related issues. Continuation funding was also awarded to support neighbourhood conflict resolution activity within the area.

- **Young People**

Through the mobile Youth Bus, additional youth outreach activities have been provided and support for summer holiday play provision has taken place. A new children's play activity area at West End school in Horsforth has been delivered and an outdoor recreation and sports project for West Busk Lane in Otley. Further support has been provided to deliver new changing facilities for the cricket club in Pool and funding for the children's book festivals in local libraries throughout the area

Area: Inner South

- **Culture and Cohesion**

Delivery of Well-Being funded 'I Love South Leeds' festival with a focus of creating cohesive and harmonious communities. The festival included art circus road shows, workshops, a talent contest and a grand finale, and was managed by South Leeds Health for All.

- **Community Engagement and Empowerment**

- Well-Being funded Priority Neighbourhood Development Worker successfully worked in identified neighbourhoods across Inner South Leeds to develop the capacity of local residents and engage them in the regeneration of their neighbourhoods. As a result, Neighbourhood Improvement Plans (NIPs) were implemented with community involvement in 3 neighbourhoods identified as priority areas for action according to the Index of Multiple Deprivation. Actions delivered included community clean ups, establishment of residents groups and production of newsletters.

- **Young People**

Year 2 of the Peer Mentoring Programme was successfully delivered at South Leeds High School with the Warrington Peace Centre tackling issues of conflict and cohesion in the school. The programme was short listed for a national community cohesion award and has been recognised as best practice by the Department for Children, Schools & Families.

- The Well-Being funded Youth Bus delivered mobile activities and sessions for young people at targeted locations across the Inner South area. The aim of the project is to reduce anti-social behaviour and increase opportunities for positive activities for young people. Over 1,000 young people accessed the bus during 2007/08. Activities included sports, music, DVDs, art and jewellery making. In addition Connexions information was provided. The project is delivered by St Luke's Cares, a local Voluntary, Community and Faith organisation.

- **Intensive Neighbourhood Management**

The Intensive Neighbourhood Management programme spent £490,328 Neighbourhood element and £344,499 Cleaner Safer Greener funding on a variety of projects to improve the environment and address community safety issues in priority SOA areas of Beeston Hill, Holbeck and Belle Isle. The projects supported included the Signpost Family Intervention project, Neighbourhood Safety Liaison team and the dedicated environmental PRIDE team, including enforcement officer.

Area: Outer South

- **Community Engagement and Partnership Working**

In partnership with Aire Valley Homes and Drighlington Parish Council, Area Management delivered an innovative pilot in Outer South Leeds. The 'Big Spender' initiative was based on the 'Participatory Budgeting' concept where the responsibility of deciding how funding is spent in an area is placed with residents. £30,000 of funding from Narrowing the Gap Elected Members Group, Aire Valley Homes and the Outer South Area Committee was available for local individuals, groups and agencies to bid for to deliver projects that met the needs of the community. Representatives from each

of the eleven projects bidding for money presented their schemes to residents at a venue in Drighlington on 'Decision Day'. On the day all households in Drighlington received a voting card to score the projects based on community benefit, value for money and achievability. Projects were ranked based on the scores. Six of the eleven projects received their requested amount from the £30,000 allocation. The 7th project to receive funding did not secure the full amount requested, but was given the remainder of the funding to deliver a smaller scale project.

- 2007/08 saw Ian Clayton, Barrie Rutter and the BBC's Look North Paul Hudson headline the second successful Morley Literature Festival. Festivals and community celebrations, such as Rothwell 600, offer a wide range of culture and sporting activities for all ages. These events are key vehicles for engaging with local residents and developing their skills and confidence to become active members of their community.

- **Neighbourhood Improvements**

The Area Committee continued to fund a Priority Neighbourhood Worker in response to the Narrowing the Gap agenda. In partnership with key agencies and residents, the Priority Neighbourhood Worker worked in five targeted neighbourhoods to develop and deliver Neighbourhood Improvement Plans that address issues such as anti-social behaviour and environmental concerns and develop the capacity of local residents. Support has also been given to community groups through 50 skips lent to the community for clean ups, and eleven community groups received small grants totalling £5,889.20.

- **Town and District Centres**

The Town and District Centre Regeneration Scheme of Marsh Street Car Park in Rothwell reached its completion. A significant refurbish and regeneration of the car park was undertaken, and the final landscaping works are due to be finished soon.

The Town Centre Management project funded by the Area Committee for Morley and Rothwell provides a town centre manager to coordinate and direct partners in actions to improve both town centres. Community consultation was undertaken at the annual town 'Summits' where residents and businesses met to discuss key issues that would form the basis for each towns action plan for the coming year. The Town Centre Partnerships, developed by the Town Centre Manager, continue to operate successfully and contribute towards creating thriving town centres.

- **Improving the Local Environment**

2007 saw the creation of a Cleaner Neighbourhoods Sub Group for the Outer South. A multi agency task group that coordinates and monitors actions to resolve environmental issues in the area.

Area: Inner West

- **Neighbourhood Improvements**

The provision of greenspace and streetscene improvements, together with the funding of additional police activities and a local Neighbourhood Warden through the Fairfield Intensive Neighbourhood Management project, have led to the Estate moving out of the worst 3% deprivation rankings and a marked improvement in resident satisfaction locally. In addition funding won from the Northern Housing Challenge bid as part of the Leeds Bradford corridor, will lead to significant investment in new mixed tenure housing. Elsewhere in Barmley, initiatives held on the Broadleas Estate included an

Estate Action Day to raise awareness and tackle crime and grime issues, and the establishment of a Participatory Budgeting pilot where local people put forward proposals to change their neighbourhood and voted to develop four specific local environmental projects using Local Authority funding

- **Culture and Cohesion**

The 'I Love West Leeds Festival' entered its fourth successful year and had increasing attendances in all its events over a two week period in July. It helped raise the profile of the West area of the city for investment, enhancing the area as a desirable place to live as well as involving huge number of people and organisations in cultural activities. Area Committee money levered in significant funding from the Arts Council and other sources. All parts of the West Leeds Community were engaged in activities and the main "park" event this year saw the festival take over Armley Mills with music, film, plays, family fun events and this years festival theme - underpants!

Area: Outer West

- **Greenspace Improvements**

Significant improvements to parks, for example at Pudsey Park there is a new bandstand, skate park and children's playground. The West Leeds Country Park and Green Gateways linking all the greenspaces in the area has seen further development of signage, footpath improvement and interpretation with many voluntary local groups involved.

- **Crime and Grime**

A number of multi agency crime and grime initiatives were held in Outer West including the implementation of a DPPO for Pudsey Town Centre and several multi-agency Operation Champions, including two linked to local high schools. Within the Bawns Estate local area management plan, there have been several clean ups involving local residents and various agencies assisted by the West Leeds wardens team

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Area Delivery Plans 2008/09 – Delivering Better Outcomes for Local People Across Leeds

Summary of Priorities and Key Actions for the 10
Area Committees

Further information and the full Area
Delivery Plans are available on the internet
(www.leeds.gov.uk) or by contacting:

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Better Outcomes for Local People – delivering the Leeds Strategic Plan Priorities at an area level through the Area Committee Area Delivery Plans

The **Leeds Strategic Plan 2008 to 2011**, sets out key priorities and identifies how we will contribute to delivering the aspirations of the City set out in the **‘Vision for Leeds 2004 to 2020’**.

The Plan also encompasses the Local Area Agreement for the city, and Area Delivery Plans have been developed to contribute to the delivery of targets against the city’s key performance indicators. This should help to strengthen local service improvements, and ensure that the Council and it’s partners work together to maintain excellence in service delivery.

The Area Delivery Plans for 2008/09 set out service priorities and improvement strategies for each of the Area Committees. Priorities and specific actions were developed following the compilation of information about each area, the results of local consultation and discussions with ward members and service providers.

Actions within the Plans have been developed to reflect new and existing areas of priority work, which the Area Committees have delegated responsibility for. These include: Community Centres; Neighbourhood Wardens; CCTV; and Neighbourhood Management Co-ordination.

In addition, for 2008/09 a number of enhanced roles to influence, develop and consult with local people and service providers have been added to the responsibilities of Area committees. These cover a wide range of themes, including:

- The coordination of **Local Engagement Activity** linked to the improvement of local services and Area Delivery Plan priorities
- Influencing the development and use of **Community Green Space**, and consultation on proposals to improved these
- Overview of **Police Community Safety Officers (PCSOs), Neighbourhood Policing Teams and Multi Agency Crime and Grime Operations** in each ward
- Influencing the development and delivery of activity undertaken by the **Environmental Action Teams**
- **Street Cleansing** - involvement in discussions about priority service developments, service planning and proposals on significant issues and or changes to services
- Commenting on annual and forward programmes of planned maintenance, traffic management proposals and minor maintenance scheme to **local Highways**
- Become Champions for the development and delivery of children’s services, linked to the establishment of **Local Children and Young People’s Plans** and act to influence where appropriate
- To influence and become an important conduit for the early identification of **Health and Well Being** priorities for within localities
- **Review of 16 Conservation areas**
- Influencing **Grounds maintenance** activity and contractual requirements.
- Consultation and monitoring of **area based regeneration schemes**, and **Town and District centre** projects

- **Advertising on lamp posts**, a potential source of income for Area Committees over the next 15 years

Further work will take place this year to clarify the detail of these responsibilities and to formalise arrangements for their operation

The sections below summarise the priorities and key actions for each of the Area Committees. They provide a snapshot of activities to be implemented over the next twelve months and demonstrate how the Area Committees will deliver against each of the priority themes outlined in the Leeds Strategic Plan.

Area: Inner East

Leeds Strategic Plan Theme: Culture

Enable more people to become involved in sport and culture by providing better quality and wider ranging activities and facilities.

In 2008/09 the Inner East Area Committee is helping to support a range of Summer engagement activities across the area. These events will bring local communities together and help a range of services engage with local people.

- In Gipton a Gala was held which took place on 12th July 2008 and attracted in excess of 3000 people. The Wellbeing funding supported Gipton Together in the organisation of the event which became a showcase for local talent and an information point for local groups and organisations.
- In Burmantofts and Richmond Hill a series of 10 smaller events were held throughout August in various venues across the ward. Wellbeing funding assisted Healthy Living Leeds in the organisation. They all proved very popular with local residents, offering activities for children, advice on healthy living, services in the area, information on EASEL, housing and organisations operating in the area.
- In Harehills, Well Being funding supported a Street party, to celebrate the Repainting of the Bankside Street mural combined with Nelson Mandela's birthday. The party attracted lots of local residents and art groups with music and activities for both, old and young alike. Additionally, in June a multi-faith cricket match took place, bringing together youngsters of Christian, Muslim and Jewish faiths. Harehills Youth in Partnership championed the event. The Area Management Team are working with the organisation to develop this activity further.
- In Seacroft a Summer Gala took months to prepare and organise but at the last moment it had to be cancelled due to the weather. However, a Gala Committee has now been formed and are beginning to give some thoughts to the next year's event.

Leeds Strategic Plan Theme: Health and Wellbeing

Reduce health inequalities through the promotion of healthy life choices and improved access to services

Activities are being commissioned from Sports Development to assist in the delivery of ADP objectives to enable more people to become involved in sports. The activities will aim to have an impact on the confidence of young people and extend the range of provision currently available to younger children, not catered for by Youth Services. Two sites in the locality are being used to enable a wide participation of children across inner East.

The activities consist of two summer camps and a basketball project. The basketball project is a 6 week scheme which delivers six 1 hour basketball sessions in 10 local primary schools, targeting Year 5 and Year 6 pupils. Also, two multi sports camps for 8-12 year olds ran during August, at Fearnville Leisure Centre and Thomas Danby College. High numbers of children attended and sessions were delivered by a variety of coaches

including some from local sport clubs. It created an opportunity for young people to access good facilities and mix with children from a broader geographical area.

Young people throughout the area have also benefited from £5,000 per ward of additional summer holiday programmes delivered by Youth Services and funded by the Well Being budget. The following, provides only some examples of activities: in Burmantofts and Richmond Hill - Street Dancing workshops, Family Learning Science Workshops, Healthy Eating, Arts and Crafts. In Gipton and Harehills – trips, caving, sailing, rock climbing and motor cycle maintenance sessions for multi ethnic groups. In Killingbeck and Seacroft – trips out, outdoor education and indoor sports.

Area: Outer East

Leeds Strategic Plan Theme: Culture

Enable more people to become involved in sport and culture by providing better quality and wider ranging activities and facilities.

Outer East Area Committee has always had the provision of improved and new sports and cultural facilities at the top of its agenda. In 2008/9 the Area Management Team will work very closely with Learning and Leisure to deliver improved sports pitches at Fieldhead Carr and Skelton Woods in Whinmoor, and Glebelands in Garforth. The work to these pitches includes resurfacing, improved drainage and new floodlights with much of the funding being provided by Outer East Area Committee.

In Methley a £350k project to provide rugby and football pitches along with changing facilities, car parking and a new access road to the site has already started. Outer East Area Committee contributed £65k of the capital cost and Area Management staff have been involved in the consultation process with users and local residents.

At Thorpe Park it is anticipated that work will start to provide 4 new pitches on that site. The Area Committee sees the whole Thorpe Park project as a key priority for the area as it will be a key location for the provision of jobs and training and leisure activity for local people. Area Management staff are members of the Thorpe Park Partnership that will help deliver these objective as well as playing an integral part in local consultation.

The Town & District Centre (T&DC) regeneration programme continues in 2008/9 with work scheduled in Garforth, Cross Gates and Halton. The Garforth scheme will include the extension and improvement of Garforth Library which will combine with its One Stop Centre. As part of the T&DC programme Halton Library improvements were completed in September 2008. Work is also scheduled in 2008/9 to improve Swillington Library.

Leeds Strategic Plan Theme: Thriving Communities

In 2008/9 Area Management in Outer East will continue to use the partnership approach referred to as 'Tasking' to continue to address the ADP improvement priorities of ***'Reducing crime and the fear of crime; reducing anti-social behaviour; reducing offending.'***

A number of projects are being delivered this year that have been brought about as a result of Neighbourhood Management tasking partnerships that are being led by Area Management or where Area Management is a key player include:

- Production of a Neighbourhood Improvement Plan in Halton Moor to continue with the work that has already started through Intensive Neighbourhood Management and the Hate Crime Group. This will help build on work already undertaken and continue this momentum moving forward, ensuring that residents have the opportunity to become involved and everyone is clear on what part they have to play in the process.
- Production of a Neighbourhood Improvement Plan in Swarcliffe to address priority issues on the estate and work with local residents and Ward Members to ensure that £300k of PFI credits are spent wisely on local priorities.
- Funding provided by Area Committee to improve security at vulnerable buildings as required; target hardening of domestic properties in Halton, Whinmoor, Kippax.
- Diversionary youth work in Kippax, Whinmoor, Cross Gates and Halton to address issues of underage drinking. Working in tandem with this is a project with the Police and with all alcohol outlets in Cross Gates and Halton that will determine where alcohol has been purchased.

In addition, Area Management will work closely with the Police, ASBu, the 5 High Schools, Youth Service etc, to address anti social behaviour by using ASBO's and ABC's but also using Signpost for early intervention and other tools such as professional witnesses as were used in Whinmoor during 2007/8.

Area: Inner North East

Leeds Strategic Plan Theme: Environment

Cleaner, greener and more attractive city through effective environmental management and changed behaviours.

The main priority for the Inner North East Area Committee is to set up a partnership with the Unpaid Work Team from Probation Services to establish a programme of environmental improvements in the area. This project will supply a maximum of 18,000 hours of labour, which will be worth £180,000 to the area. The project will be jointly funded by the Area Committee and Probation Services.

This project will link in with current community engagement and partnership arrangements. A referral system will be established by the Area Management Team that will be linked to Tasking meetings, attended by the Police, Housing Associations, Community Safety

Officers, Wardens and Councillors. This will increase the effectiveness of the Tasking process and the council's response to issues raised by front line workers.

It will also link to the results of community engagement activities and will mean that issues highlighted by members of the public will be addressed quickly in order to improve customer satisfaction, while showing members of the public ex-offenders are repaying their debt to society.

Leeds Strategic Plan Theme: Thriving Communities

Reduce crime and fear of crime through prevention, detection, offender management and changed behaviours

Through issues identified in Tasking meetings the Area Committee has set aside £10,000 from the Well Being Fund to commission community safety activities particularly burglary reduction initiatives and car crime. This will improve the effectiveness of tasking meetings, improve the council's response to issues raised and improve the council's reputation amongst partners.

The Area Committee will commission £7,500 from the Well Being Fund to target hotspots in the area, identified through Neighbourhood Management Tasking meetings. This will result in an improved response to issues raised and result in effective action.

The Area Committee will set aside £32,244 of Well Being Funds to commission diversionary activities to work with young people involved in anti-social behaviour. This will extend the range of activities available to younger children, not catered for by Youth Services and has funded activities such as Karate for Inner Kids and series of week long summer sport courses. This has been linked to supporting Extended Services clusters to develop and provide access to their premises, by running courses from schools, where appropriate.

Area: Outer North East

Leeds Strategic Plan Theme: Enterprise and the Economy

Increased entrepreneurship and innovation through effective support to achieve the full potential of people, business and the economy.

- Implementation of Horsefair Town & District Regeneration Scheme – this scheme compliments the Market Square scheme as it provides a pedestrian link between the eastern car parks and the Market Square, encouraging pedestrians to penetrate the town centre from these main car parks and thereby improve economic activity. Scheme completion date 12 December 2008.

Leeds Strategic Plan Theme: Environment

Cleaner, greener and more attractive city through effective environmental management and changed behaviours.

- Targeted enforcement activity where there is fly tipping and environmental neighbourhood blight.
- Delivery of Operation Champions and crime and grime days in Moor Allerton priority neighbourhood.
- Partnership work with the ENEHL Area Panels to improve the environment of ALMO estates. Budget of £75k available from ENEHL for Moor Allerton. A number schemes being worked up through Parks and Countryside and match funding will be sought to maximise the £75k.
- Commission £50k Well Being Fund to establish an Environmental Fund for projects to improve the environment in the north east outer area, and encourage increased community participation - linked to pilot neighbourhood award scheme being delivered in partnership with Parks and Countryside Team.
- Target environmental action teams to tackle hotspots across north east outer area, and encourage volunteer litter pickers to work in local neighbourhoods.

Leeds Strategic Plan Theme: Thriving Communities

Reduce crime and fear of crime through prevention, detection, offender management and changed behaviours

Increase the number of people who are not able to adequately heat their homes

- Implementation programme of neighbourhood crime and grime initiatives delivered through Operation Champions and single days of multi agency action in priority neighbourhood.
- Tasking Meetings to deliver activities to tackle community safety and identify and target offenders committing crime.
- Through Tasking Meetings, Operation Champions and priority neighbourhood sub-groups, develop effective communication and public information mechanisms to carry prevention messages to promote a culture of responsible drinking.
- Deliver a targeted referral event to 'health for warmth' to support people to be able to adequately heat their homes.
- Train health professionals in signposting to advice services to support people facing financial difficulties.

Leeds Strategic Plan Theme: Harmonious / Stronger Communities

More inclusive, varied and vibrant neighbourhoods through empowering people to contribute to decision making and delivering local services

Improved community cohesion and integration through meaningful involvement and valuing equality and diversity

- Encourage local community groups and residents to participate in environmental improvement projects within their local neighbourhoods.
- Support to develop and sustain activities in local facilities for young people and the local community.
- Review and monitor performance of Moor Allerton Partnership and action plan.
- Production of annual programme of local engagement activities, outcome reports and proposals for the year ahead.
- Support Town and Parish Councils to enhance the well-being and service provision of the communities they serve.
- Support to voluntary, community and faith sector to deliver priority service provision.

Area: Inner North West

Leeds Strategic Plan Theme: Thriving Places

Low crime, low levels of anti-social behaviour and affordable, decent housing are the three most important things for making somewhere a good place to live according to the Leeds Residents survey for North West in 2007. In addition, in Inner North West Leeds are the need to develop an area of housing mix, with more affordable homes and family homes rather than multi occupied houses. Littering and waste collection are also major concerns whilst in Little London and Hawkesworth Wood the concerns are about the better management of neighbourhood services and the multi faceted issues of crime, poor housing, educational attainment, poor environment and worklessness

Area Committee priorities for this theme include:

- Development of Little London PFI Housing regeneration scheme together with the Intensive Neighbourhood Management of services
- Neighbourhood Improvement plans for the Little London, the Silk Mills, Harold and Thornvilles and Hawkesworth Wood to tackle issues of “narrowing the gap”
- A fuel poverty pilot to be completed in Hyde Park and Woodhouse and outcomes analysed with a view to undertaking in other areas
- Effective enforcement of Headingley Town Centre DPPO, implementation and monitoring of DPPOs for Little London and Little Woodhouse and consulting on DPPO for Woodhouse Moor
- Tackling litter and waste through additional enforcement activity

Leeds Strategic Plan Theme: Harmonious / Stronger Communities

Local pride, a sense of belonging and neighbourliness are key ingredients for the sorts of places people want to live in. However, not all parts of Inner North West Leeds share this sense of belonging and neighbourliness in equal measures. The area has many temporary residents/students as well as a mix of ethnic communities. There are also numerous groups and organisations from the voluntary, community and faith sector, that support a wide range of activity and provide services. The Area Committee priorities and targets are

- Work with the Universities to better engage and integrate students into the local community and promote acceptable behaviour
- Increase and diversify the number of local residents engaging in community consultation events to reach all sections of the community, particularly those at risk of being marginalised
- Establishment and facilitation of a community cohesion working group
- Improve mechanisms for students to become involved in neighbourhood activities
- Establish a residents/community network

Area Committee: Outer North West

Leeds Strategic Plan Theme: Enterprise and the Economy

North West Leeds Area Committee will undertake a number of initiatives which will help enhance the attractiveness of local Town and District Centres. The Committee will

- Deliver improvements via the Town and District Centre regeneration scheme to Otley Market Place and Yeadon High street in accordance with the approved business plan
- Commission a feasibility study for the repair and relocation of the former Parkinson clock to Netherfield road car park in Guiseley
- Coordinate the actions of the steering group for the redevelopment of Netherfield road car park
- Develop a business case for the refurbishment the former Horsforth library
- Establish an outer north west Business and Employment Area Committee sub group

Leeds Strategic Plan Theme: Environment

Maintaining the quality of the built environment and ensuring that new developments create spaces to inspire and bring people together are key to creating sustainable communities and neighbourhoods in Outer North West. The impact of climate change and fuel poverty issues are becoming increasingly critical. The area committee priorities are to

- Investigate a Carbon Reduction Grant scheme for outer north west in order to encourage and assist a variety of tree planting projects
- Enforcement via the Environmental Action Team of hotspots areas for fly-tipping, A-Boards, litter, leaf clearing, parking etc in targeted areas
- Support the Groundwork Streetscene Awareness project in local schools
- Continue to support the development of Neighbourhood improvement Plans in priority areas
- Continue to support the work of the Streetscene sub group to oversee the work of the Environmental Action Team and Streetscene Services

Area Committee: Inner South

Leeds Strategic Plan Theme: Thriving Communities

Improve quality of life through mixed neighbourhoods offering good housing and better access to services

Reduce crime and the fear of crime through prevention, detection, offender management and changed behaviours

In order to regenerate our most deprived areas, we will continue to coordinate the work of the Beeston Hill and Holbeck Regeneration Partnership. Supporting the Board, Project Team and Neighbourhood Renewal Area Residents Forum. During the year we will publish our regeneration plan for Beeston Hill, apply for outline planning permission on the Beverleys site, support the delivery of the Housing based PFI, acquisition, demolition and group repair schemes. We will also start to implement the extensive proposals for the improvement of Holbeck Moor and scope regeneration potential for the Parkside area.

We will also coordinate the Middleton Regeneration Board, produce a strategy for regeneration, develop proposals for the creation of a catalyst centre, and begin detailed planning for housing redevelopment in central Middleton. We will support this work with finance from the areas allocation of Safer Stronger Communities Money.

On a smaller scale we will bring forward a further three neighbourhood improvement plans, supported by Area Committee well being monies. As part of this we will consult with all residents living within the designated areas, to involve, influence and shape the programme.

Leeds Strategic Plan Theme: Harmonious / Stronger Communities

More inclusive varied and vibrant neighbourhoods through empowering people to contribute to decision making and delivering local services

Improved community cohesion and integration through meaningful involvement and valuing equality and diversity

In addition to our ongoing work aimed at building stronger more cohesive communities such as leading the production of an area based cohesion plan, tension monitoring and crime based tasking, we will deliver the third 'I Love South Leeds Festival' and undertake a pilot project centred on Middleton aimed at building a more cohesive area. Amongst other things this will include a participatory budgeting project.

Area: Outer South

Leeds Strategic Plan Theme: Culture

Enhanced cultural opportunities through encouraging investment and development of high quality facilities

Increased participation in cultural opportunities through engagement with all our communities

In the forthcoming year we will continue to modernise our community centre portfolio. This will include significant investment from central and area committee based funds to a range of community facilities including, Morley Town Hall, Windmill, Drighlington Meeting Hall, St Gabriels, Gildersome and Churwell. We will review our centres to ensure they are fit for purpose and meet local need and if appropriate be prepared to develop dispose with those centres which can be better managed in a different way or are surplus to requirements. In particular we are negotiating to transfer over to Joseph Priestly College Peel Street Centre.

As part of the programme developed within the neighbourhood improvement plans diversionary activities for young people feature strongly, one such project involves Dazle delivering dance classes with in the most deprived communities of Outer South Leeds

Leeds Strategic Plan Theme: Enterprise and the Economy

Increased entrepreneurship and innovation through effective support to achieve the full potential of people, business and the economy.

The Committee has placed a considerable priority on the regeneration of the two Town centres of Morley and Rothwell. Despite the limited public funds available, in conjunction with Morley Town Council, the committee will continue to employ a Town Centre Manager to work with local traders to make both areas attractive to visitors and shoppers. This will include the development of an extensive and varied programme of attractions ranging from donkey rides on a Saturday, to the Morley Literature Festival and Rothwell 600 Celebrations. Whilst the Lit fest will involve approximately 12 separate events, the 600 celebrations have encompassed approximately 20 different events

In addition as part of the Councils Town and District Centre programme we will seek to bring forward significant proposals for the regeneration of Morley Bottoms, funded by our partners, the Housing Corporation and Leeds City Council.

Area Committee: Inner West

Leeds Strategic Plan Theme: Culture

Consultation on the priorities for the Area Delivery Plan showed that local people value participation by all groups and communities in cultural events. The Area Committee will continue to fund a range of events. The priorities for this theme will enhance the area's cultural life to reflect its status as a vibrant part of the city and enable everyone to participate in and enjoy what is on offer and complement those City wide activities provided elsewhere within the City Council.

Examples of this in Inner West will include

- Support for the delivery of local festivals, galas and carnivals
- Assist with the public consultation and delivery of improved sports facilities via the proposed PFI New Leaf Armley Leisure Centre
- Support the delivery of Summer Sports Programmes in Inner West
- Support the delivery of the fifth I Love West Leeds Festival in July 2009

Leeds Strategic Plan Theme: Enterprise and the Economy

Underpinning the resurgence of Leeds as a city is the renaissance of its economy. The priorities are to support both city's continued prosperity as well as narrowing the gap between the most disadvantaged people and communities and the rest of the city.

The Inner Area Committee will

- Deliver improvements via the Town and District Centre regeneration scheme to the High Street, Armley in accordance with the approved business plan.
- Engage a Town and District Centre manager to support, encourage and liaise with businesses to re-invigorate the town centre.
- Develop Leeds Industrial Museum at Armley Mills as an improved visitor attraction and economic driver for West Leeds.
- Develop the West Leeds LEGI Catalyst Centre as a hub for new business support.

Area Committee: Outer West

Leeds Strategic Plan Theme: Transport

Accessible, affordable, and convenient transport will make a big contribution to the city being a place where people want to live and work. Outer West Leeds has good transport links – the outer ring road gives good links to the M1, M62 and A1 (M), and it is close to Bradford City Centre. New Pudsey railway station is well used for people commuting both to Leeds and Bradford centres. The extensive bus network has recently been enhanced by the provision of FTR buses. Transport is however, a major concern for local people. Local community consultation has shown that improving the quality, accessibility and use of public transport was a priority for all groups as was improving access to job opportunities.

The priorities for the Area Committee are:

- Through the Leeds Bradford Corridor Project commission a feasibility study for extension to New Pudsey Park and Ride
- Support Metro in the development of a new bus station for Pudsey town centre which will open in 2009
- Commission feasibility work on the “The Living Street” concept to determine whether this could be implemented successfully within the Leeds-Bradford corridor area.
- Liaise with highways to tackle issues of HGV’s on Farsley Town Street.
- Implement 20mph zone in Dragons area of Wortley, and oversee implementation of Highways scheme to implement such a scheme in the Cobdens, Whincovers and Bangors.

Leeds Strategic Plan Theme: Environment

Local residents feel the environment is important. Maintaining the quality of the built environment and ensuring that new developments create spaces to inspire and bring people together are key to creating sustainable communities and neighbourhoods. Parks like Pudsey Park already have green flag status and there has been extensive investment already in this and other parks

The priorities under this theme are:

- Undertake enforcement operations on littering around high schools
- The impact of climate change can be clearly seen in West Leeds; parts of the area around Wortley Beck have been increasingly at risk of flooding in the past ten years. We are working with our partners to undertake flood alleviation works in this area.
- Carry out Environment Week in Whincovers, Cobdens, Pinders and Bangors to include bin-yard clean up
- Improve the environment in the Heights and Gambles by establishing a new Neighbourhood Management Initiative
- Extend green bag collection across the area where none exists at present
- Look into the feasibility of making improvements to Tannery Site at Gamble Hill



Originator: C Addison / I
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Report of the Chief Regeneration Officer

Executive Board

Date: 5th November 2008

Subject: Public Private Finance Initiative Round 6 – Submission of Expression of Interest.

Electoral Wards Affected:

City Wide

Ward Members consulted (referred to in report)

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

1. The Government has announced the availability of investment funds for housing under the Public Private Finance Initiative (PFI). This Round 6 of the programme will release up to £1.87 billion of PFI revenue credits to support suitable housing investment and regeneration programmes. This round of funding covers all the funding available between 2008/09 and 2010/11.
2. A jointly sponsored project between the Environment and Neighbourhoods and Adult Social Care has been developed with the aim of creating a network of extra care and affordable lifetime homes in the City to meet primarily the needs of older people, but which will also make a significant contribution to neighbourhood regeneration and achieving affordable housing targets.
3. The project aims to develop a significant number of new homes (c1,100) as replacement for just over 600 units of older and outdated older people's housing. It allows scope for the refurbishment of up to 200 linked adjacent properties or additional new build. The new homes will be mixed tenure, potentially with up to 25% for affordable sale.
4. The programme is closely aligned to the Council's regeneration and affordable housing programme priorities and the PCT's investment plans. It is also driven by the aims of the Leeds City Council Housing Strategy for Older People – 'Home not Alone' which seeks to provide for the health and well being of older people through appropriate housing, appropriate and flexible support and care and the maximisation of independent living.

5. An Expression of Interest (Eoi) has been developed in line with the bid timetable seeking up to £271m in PFI credits to support the capital investment required to deliver the new homes, with c£125,000 per annum estimated General Fund contribution over a thirty year contract period. Whilst it is intended that new developments are mixed tenure, the finance model in the Expression of Interest is based on an assumption that 100% of the new provision is Council and that this new accommodation will remain within the HRA subsidy system. As part of the development of the Outline Business Case, the mixed level percentage will be confirmed and negotiations will take place with CLG to remove the proposed new Council dwellings from the HRA. In addition, the financial model in the Eoi assumes 100% new build, but work will take place at Outline Business Case to potentially include a small amount of linked refurbishment.

1.0 Purpose Of This Report

- 1.1 The deadline for submission of expressions of interest is October 31st. Given the tight timetable, the Deputy Chief Executive has given approval to submit the Expression of Interest by that date.
- 1.2 This report seeks the endorsement of the Executive Board to the submission of the Expression of Interest, and agreement to develop an Outline Business Case for the implementation of a programme of new house building in the City to create a range of extra care and affordable Lifetime Homes standard housing in key locations across the City, through the support of Housing PFI credits.

2.0 Background Information

2.1 PFI Bidding Guidance

- 2.1.1 A further round of bidding was announced by the Minister for Communities & Local Government (CLG) on the 2nd July 2008, Round 6 for Housing, making £1.87 billion in PFI credits available. CLG has pooled 3 years' worth of PFI resources (2008/9 – 2010/11) into this one bidding round.
- 2.1.2 Bidding guidance has been issued detailing the scope of projects that will be supported. The following priorities have been indicated in the bidding guidance with the aim of supporting outputs that contribute to regeneration and the creation of sustainable communities, with particular emphasis on:-
- a re-positioning of estates and their neighbourhoods in terms of quality and diversity of housing, reputation and demand;
 - a comprehensive approach to a broad policy agenda which includes tackling worklessness, community empowerment and enhanced design and quality;
 - a recognition that service led solutions must complement bricks and mortar ones
 - a 'thematic' approach to stock needs (e.g. addressing problems with sheltered housing);
 - an increase in affordable rented housing, particularly where this addresses the needs of specific client groups, especially those socially excluded.
- 2.1.3 Further, there are 3 other principle elements that should be noted:-
- The primary focus for bids under Round 6 has been indicated to cover new build, although some element of refurbishment would be accepted;
 - Bids should have a capital value of £100m or more, but smaller bids will be accepted if jointly secured e.g. cross authority working;

- New homes to adhere to the Housing Corporation's Design and Quality Standards and the Code for Sustainable Homes.

2.1.4 Expressions of Interest are required to be submitted by 31st October 2008, with confirmation of inclusion into the programme proposed for the end of February 2009. Outline Business cases are to be endorsed by July 2010.

2.1.5 Initial indications are that there is considerable interest from other local authorities in this bidding round. Indications are that bids from other authorities will range from £100-200m.

2.2 Summary of Programme Proposals

2.2.1 The programme proposals contained in this report can be summarised as:-

- the provision of c1,110 new homes across the City with scope to refurbish up to 200 linked adjacent properties;
- the new homes will be mixed tenure in order to contribute to the creation of sustainable mixed communities, with an element of new build for sale, including affordable housing;
- the new housing will be a mix of extra care and affordable Lifetime Homes standard housing to replace outdated sheltered and residential care housing and fill in gaps that currently exist in provision within localities;
- each location will be selected because it is possible to achieve a critical mass of housing and support around a community hub, often linked to other regeneration investment that is taking place or planned;
- provides a greater choice of housing for older people into the future, both in terms of type of accommodation, local availability and choice of tenure;
- supports independent living, allowing appropriate housing support, health and care needs to be met;
- contributes to the regeneration programme of the City, including the Town & District Centres Regeneration Programme;
- by providing homes that are highly energy efficient that will contribute to the carbon reduction programme;
- will provide the infrastructure to support the transformation of housing support and care provision, away from building based support and care, to personalised and flexible support and care.

2.2.2 This programme will add to the work already undertaken over recent years to provide an initial network of extra care housing, replacing outdated residential care homes in seven locations in the City. The programme proposals will add to that network with an additional ten extra care schemes and complementary affordable Lifetimes Homes standard housing.

2.2.3 There will, however, continue to be the need to tackle any remaining outdated sheltered housing and residential care homes, and the need to develop appropriate specialist residential care (where independent living is not an appropriate solution), by a further programme of redevelopment, upgrade and modernisation.

2.2.4 An Expression of Interest has been developed meeting the Government's bid requirements for PFI credits. It is proposed to develop a detailed Outline Business Case for Executive

Board and Government approval that would set out the fully developed proposals as well as the framework for the procurement and implementation of the programme.

2.3 Context of National Strategies

2.3.1 The bid for Round 6 Housing PFI sits in the context of the following national strategies:-

- The Local Government White Paper, ***Strong and Prosperous Communities***, proposed a ‘duty of partnership’ on local authorities to prepare Joint Strategic Assessments across health, social care and housing;
- The Department of Health White Paper, ***Our Health, Our Care, Our Say (2006)***, envisages that ‘local authorities and PCTs focus on community well-being and ‘drive a radical realignment of the whole local system, which includes services like transport, housing and leisure;
- Communities & Local Government’s ***Transforming Places; changing lives*** regeneration framework seeks to ensure that regeneration investment is co-ordinated and prioritised in the right places, with public, private and third sector organisations working together in the same places towards a shared vision.
- ***‘Lifetime Homes, Lifetime Neighbourhoods: A National Strategy for Housing in an Ageing Society’***, the strategy has sought to outline the scale of the issue to be addressed and the approach that the Government would seek to support. In particular this strategy noted a number of key issues and principles:-
 - The 75+ age group growing faster than any other, and will be increasingly diverse;
 - Over a million people predicted to suffer from dementia by 2025;
 - Double the numbers of older disabled people in England from 2.3 million in 2002 to 4.6 million by 2041;
 - Plans for the future should focus on independent living within communities, with the right range of specialist housing available for those who need more support, homes at the heart of the community that look and feel like home;
 - Housing to be central to health and well-being with services planned and integrated to reflect that.

2.4 Demographic Need and Housing Demand

2.4.1 Demographic Change

The table below shows the population projections for Leeds for people aged 55 and over.

Table – Population Projections 2006 - 2025 Leeds Population Projections (55+ years)					
Ages	2006	2010	2015	2020	2025
55+	42300	37200	39800	43300	43100
60+	33500	38600	34000	36500	39900
65+	56200	56400	61400	62600	61500
75+	38600	38500	40100	41100	46000
85+	14500	15600	16900	18600	20900
TOTAL 55+	185100	186300	192200	202100	211400
% of Leeds Population	25.8%	25.8%	26.5%	27.6%	28.7%

- 2.4.2 The table shows a growth in the actual numbers of people aged 55 and over and, perhaps more significantly, that by 2025 the number of people aged 75+ will increase from 53,100 in 2006 to 66,900 in 2025 (a 26% increase) with the highest increase being in the 85+ age group where a 44% increase is envisaged.
- 2.4.3 Although the growth in the older population is expected to be higher in outer areas, there are other factors that will be taken into account in prioritising what intervention is needed within each location in the inner areas. Life expectancy is lower; there are also higher levels of long term limiting illness, fuel poverty and living alone. However there is a greater reliance on unpaid care in outer areas. Therefore, proposals will be developed which are appropriate to the area, and which complement other services and facilities.
- 2.4.4 The provision of housing and services is not limited to the rented sector. The greatest proportion of older people live in their own homes (64%). As this proportion is projected to increase to over 70% by 2025, the Outline Business Case will consider more fully the proportion of the new provision that should be made available for sale.
- 2.4.5 Some of the key aspirations of older people, now and into the future were highlighted in the Government Strategy, ***Lifetime Homes, Lifetime Neighbourhoods:-***
- **‘Homes for life’** – adaptable accommodation designed for all age groups;
 - **Space is important:** - to accommodate visiting family or a carer;
 - **Affordable to heat** - user friendly design with a downstairs WC and bathroom with shower and bath
 - **Access** to green, private space, and a safe neighbourhood is important, as is housing that is accessible to good local transport, facilities and amenities.
- 2.4.6 These aspirations have been incorporated into the objectives of the Round 6 Housing PFI EoI.

2.5 Current Provision and Services

2.5.1 Housing Sheltered and Residential and Accommodation for Older People

- (i) Current provision is across all tenures and includes self-contained or shared accommodation as well as some with communal care arrangements.

Table – Breakdown of Sheltered and Residential Care Units

	Inner Areas	Outer Areas	Total
LCC Sheltered	1,476	3,260	4,736
RSL Sheltered *	414	350	765
LCC Residential Care	184	459	643
Private Residential Care	1,590	2,048	3,638
Extra Care Housing	160	219	379
Total units	3,824	6,336	10,161

* RSL – Registered Social Landlords Category 2 Supported Housing

- (ii) Leeds City Council currently owns and manages 4,736 sheltered housing units across the city.
- (iii) The stock is unevenly distributed across the city compared to the distribution of older people, and in terms quality and type of accommodation. For example, there is a low level of

accommodation in Inner East Leeds and Outer North East Leeds, no modern Extra Care housing in Outer South, Inner North West or Outer West Leeds, a concentration of residential care in the Outer West and Inner North East areas and the option of RSL sheltered housing predominantly in only half of the City.

- (iv) Large parts of the stock were constructed pre-1980s and require modernising in terms of type of accommodation, space standards, access, mobility and energy efficiency. The most modern stock is the extra care housing and some of the private retirement housing that has been built more recently.
- (v) Reviews have been undertaken, through the Leeds ALMOs as part of the drive to meet the Decent Homes standard, on the suitability and need for investment in the Council's sheltered housing stock. Further, a suitability analysis has been undertaken by Adult Social Care and Asset Management on the building assets, residential care and day care centres which provide support services for older people.
- (vi) Those reviews have shown that although the accommodation meets current statutory standards, much of it fails to meet the more modern standards applicable to older people's needs in one aspect or another: old designs and housing layouts (e.g. sheltered bed-sit accommodation without access to private bathrooms in most cases); limited access internally, for example, not all homes can accommodate wheelchairs or scooters easily or at all due to narrow doorways, lobbies; inadequate communal areas (such as lack of lift access); and low energy efficiency due to the age and design of the buildings, affecting warmth and fuel bills (relative to the income levels of older people).
- (vii) As part of the development of the Outline Business Case, further work will be undertaken to analyse the current distribution, quality and range of accommodation across the City in comparison with anticipated needs and delivery issues.

2.5.2 Service Provision.

- (i) The Round 6 Housing PFI project is closely linked to the modernisation of support and care services provided for older people through Adult Social Care, Housing and health services.
- (ii) Many of the current services are provided through dedicated buildings, in particular the sheltered warden service, the residential care service and the day centre service. The services tend to be fixed in scope and scale and not flexible enough to meet the needs to individuals or their changing needs.
- (iii) The main focus of the Supporting People strategy is to enable older people to remain in their own home.
- (iv) The needs and choices of some older people will be best met in more specialist housing, such as Extra Care. There are now six extra care housing schemes in Leeds, mainly provided by housing associations, although new Council provision is planned at Hemingway House in Hunslet. High levels of care and support can be readily provided from within these schemes to both residents and non residents in the locality.
- (v) These new extra care schemes have been jointly commissioned by Housing and Adult Social Care and funded by the Housing Corporation (HC) and Department of Health money as a response to the closure of selected residential care homes, which were unable to meet the requirements of the Care Standards Act 2000. Five schemes are in operation, with one in construction and one further scheme at planning stage. The Laureates scheme in Guiseley, which is under construction, will also offer shared equity as an option. These new models of enhanced and extra care housing offer not only the possibility of supporting higher levels of dependency but also an environment for a lively and active old age.

- (vi) The Round 6 Housing PFI Eol aims to build on this provision with the objective of ultimately ensuring city-wide provision of extra care accommodation, within communities that also include housing provision for older people.

3 Main Issues

3.1 Proposal Outline

- 3.1.1 The proposal for the submission to Round 6 PFI programme is to seek to develop upon the small network of extra care housing provision in the City, and develop new housing to Lifetime Homes standards to link with the extra care housing provision. The programme aims to complement existing facilities and services, in particular new or planned investment in community hub locations in regeneration priority areas or town & district centres.
- 3.1.2 The programme will be aligned with other regeneration and investment programmes, including the Affordable Housing Programme, the Easel Programme, the West Leeds Gateway, the Town & District Centres Regeneration Programme and the Strategic Service Development Plan (LIFT).
- 3.1.3 There is the potential to have linked action between programmes on larger sites, such as development by both PFI and affordable housing provision to offer a range of suitable housing to meet the needs of the particular neighbourhood. It is also envisaged that tenure for all the sites will be a mix of rent and sale units of accommodation
- 3.1.4 The provision of support, care and health services could be delivered from the hub of the extra care housing schemes to serve the resident and local community, but not dedicated only to serve the specific housing schemes.
- 3.1.5 Initial assessments suggest that across the City there is the capacity to provide c1,100 new homes, replacing c600 homes that are not considered suitable for future housing needs. There may be an opportunity to develop a mix of new build housing together with refurbishment of existing housing provision as an alternative to complete new build. Detailed analysis of all potential locations will take place as part of the next stage, the development of the Outline Business Case.

3.2 Extra Care Housing Schemes.

- 3.2.1 These are housing schemes designed to offer independent living for residents, with fully self contained accommodation (usually 1 or 2 bedroom apartments and sometimes linked bungalow properties) with access to shared communal facilities often termed a 'resource centre'.
- 3.2.2 The size and scale of an extra care scheme will depend in part on the site constraints, and generally can offer between 50 and 150 units of accommodation. The model included in the Expression of Interest is based on an average scheme size of 60 units, with 60% 2 bedroom accommodation and 40% 1 bedroom accommodation.
- 3.2.3 The resource centre can contain a range of facilities including communal lounge, café, activity rooms, service rooms (e.g. hairdressing, chiropodist, peripatetic health services such as physiotherapy), communal laundry, assisted bathing facilities, provision for 24 hours care & support services; and storage & charging facilities for mobility scooters. Some schemes may go further linking into provision of services to the local community and offer a small shop or restaurant / bar facility.

3.3 Lifetime Homes

- 3.3.1 This is housing that is provided to meet the Lifetime Homes standards. These standards impact on the size of accommodation (allowing for wheelchair use and access and space for lifts and hoist in the future), layout of accommodation (allowing for direct access from bedroom to bathroom if required), access to the home and parking space. To meet the standard new homes need to be designed and constructed to be able to be readily adapted to meet future needs and for flexibility in use.
- 3.3.2 It is proposed that all the homes constructed by the proposed programme would meet the Lifetimes Homes standard.

3.4 Code for Sustainable Homes

- 3.4.1 All new social housing is required to be constructed to this standard. The code covers issues such as energy efficiency and CO² impact, waste and recycling, the conservation of water, the sustainable use of materials, the reduction of pollution and the health and well being of residents.
- 3.4.2 The Code has six levels, all of which are higher than the current Building Regulation standards. The Government has outlined that it would seek to have a stepped improvement in standards over the next few years, seeking Level 3 for all new homes constructed from 2010, from 2013 all homes to meet Level 4 and from 2016 all new homes to meet the highest standard Level 6.
- 3.4.3 It is proposed under this programme that all Extra Care and Lifetime homes constructed between 2012 and 2017 meet a minimum of Code Level 5, with the aim to seek development up to Code Level 6 as the best methods for achieving this become more widely available in the market. Code Level 5 is the equivalent to a 'zero carbon' home for all heating and lighting. Code Level 6 is a wholly 'zero carbon' home.

3.5 Overall Mix of housing proposed.

- 3.5.1 The overall mix proposed in the Expression of Interest is:-
- 600 one and two bed Extra Care homes
 - 510 two and three bed Lifetime homes, with scope to include larger units where local needs are identified
- 3.5.2 Although initial assessments have been undertaken on a range of sample locations, in terms of suitability, location and delivery, they have yet to be the subject of full assessment including user consultation and comparison with alternative sites that may become available within the vicinity. This detailed analysis will take place as part of the preparation of the Outline Business Case.
- 3.5.3 The range of accommodation to be provided could be both Council rented and private, with a proportion of homes on affordable leasehold or freehold sale arrangements. The extent of private sale within the new housing will be determined as part of the development of the Outline Business Case, taking into account needs, aspirations, market and risk issues. In order to minimise risk at this stage, for the purposes of the EoI financial model none has been assumed.

3.6 Contract Service Package

- 3.6.1 The aim is to provide new appropriate accommodation into neighbourhoods where older people can live independent lives; will have ready access to care and support where

needed; have access to social activities and interaction; and have flexibility of their home and support to meet changing needs.

- 3.6.2 The programme will aim to contract with the PFI provider to provide the new accommodation and also undertake the necessary scheme management and maintenance roles.
- 3.6.3 The roles that are proposed at this stage to be included into the programme include:
- Construction of new homes and facilities;
 - Repair and planned maintenance of the properties;
 - Life cycle maintenance over the proposed 30 years of the contract;
 - Management of the tenancies and leaseholders within the schemes;
 - Management of the communal facilities and resource centres.
- 3.6.4 The service package would commence operation once properties are constructed and they become available for letting. The tenanted properties are proposed to be Council tenanted properties, with the leasehold properties to manage as Council leasehold properties.
- 3.6.5 The PFI provider will therefore need to be a consortium made up of contractors for the construction and maintenance of the homes and also specialist housing managers to manage the tenancies and leasehold accommodation. During preparation of the Outline Business Case full consideration will be given to the appropriate apportionment of management and maintenance to be offered within the PFI contract, and the extent to which the Leeds ALMOs are placed to offer an efficient and effective value for money management service.
- 3.6.6 The exact range of community and communal services provided within each locality will be reviewed as part of the Outline Business Case and will reflect local circumstances. However, care services will not be included in the service package.

3.7 Project Delivery

- 3.7.1 The Regeneration City Projects Team in the Environment & Neighbourhoods Directorate, in partnership with Adult Social Care and the Public Private Partnerships Unit (PPPU), has prepared the Expression of Interest for a bid to Round 6 of the Private Finance Initiative (PFI). The EOI was required to be submitted to Communities & Local Government (CLG) by 31st October 2008. Approval to submit the Expression of Interest was received through Delegated Authority of the Deputy Chief Executive at Housing PFI Project Board on 24th October 2008.
- 3.7.2 CLG has indicated that it will advise all bidders on the success or otherwise of their bids by the end of February 2009. The bidding guidance from Government indicates that it would wish to endorse the Outline Business Cases for successful schemes by July 2010, which would lead to a programme start by 2013.
- 3.7.3 It is proposed that development of the Outline Business Case should commence immediately upon approval of this report and following the submission of the Expression of Interest, which could bring forward the Council's OBC submission date and project delivery substantially.
- 3.7.4 The outline timetable for development of the programme and for undertaking the necessary contract procurement is noted below.

Expression of Interest (Eoi) Submission	- 31 st October 2008
Approval of Eoi	- End of February 2009

Submission of Outline Business Case (OBC)	- July 2009
Approval of OBC	- September 2009
Commencement of procurement	- October 2009
Competitive Dialogue Procurement Stages	- January 2010 – May 2011
Final Business Case (FBC) submitted	- July 2011
FBC Approved	- September 2011
Financial Close	- March 2012
Start on site of programme	- May 2012

3.7.5 An early commencement of the proposed time table would enable a start on site for the proposed scheme of new housing as early as 2012, with all new developments completed within 5 years, by 2017. The contract would run in total a proposed 30 years up to 2042.

4 Implications For Council Policy and Governance

4.1 Local Strategic Context

4.1.1 The Round 6 Housing PFI Expression of Interest builds on the following local priorities:-

- (i) Leeds Affordable Housing Programme
- (ii) Leeds regeneration priority areas including EASEL, West Leeds Gateway and the Town & District Centres Regeneration Programme;
- (iii) Leeds City Council Housing Strategy for Older People – ‘Home not Alone’
- (iv) Leeds Extra Care Housing Strategy.

5 Legal and Resource Implications

5.1 The programme proposal is seeking to bid for PFI credits to support the capital cost of the new housing provision and for future life cycle renewal expenditure. The total value of credits being sought amounts to £271m in revenue credits, which will support initial capital expenditure of up to £182m for the first five years of the programme and a further £54m of life-cycle renewal work over the following 25 years (all costs based on a 2012 cost base).

5.2 The Council will be required to provide revenue funding to support the bid, principally supporting the management and maintenance of the facilities. The revenue support from the Council will be made up from rents, service charges and revenue contributions from the support and care service providers operating from the new Extra Care facilities. The exact balance of funds from each source and between the Housing Revenue Account and the General Fund will be undertaken as part of the development of the Outline Business Case, on successful approval of the Expression of Interest by Government. However, for the development of the financial model as part of the submission of the Expression of Interest, the figure used is a contribution of £125,000 per annum over thirty years (or £108,000 per annum if measures referred to in 5.2 and 5.3 above are taken).

5.3 There will be costs incurred to develop the programme, including development of the Outline Business Case, procurement of the PFI contract and with any necessary property re-housing. These costs will be clarified during the development of the Outline Business Case. However, a provision of £550,000 within the HRA has already been made by Executive Board to support this.

5.4 The programme will require identification and use of Council land for new build purposes. Some of this land will be available through replacement of current provision. However there are a

number of locations where the regeneration impact is more significant and a greater land take is required, particularly where there are currently large clear sites available. This will be explored further as part of the preparation of the Outline Business Case and a report brought back to Executive Board for approval early in 2009.

6 Conclusions

- 6.1** This programme proposes the building of a stock of new Extra Care and Lifetimes Homes housing across the City, supported by investment funds from the Housing Private Finance programme 2008 – 2011.
- 6.2** The provision of such accommodation is fully in accordance with the principle and aims of the Strategy for Older People – ‘Home not Alone’ by providing accommodation that is more appropriate to the needs of older people, meeting high standards for use, access, adaptability and sustainability.
- 6.3** The proposal to provide housing and linked facilities supports the move on the provision of support, care and health services away from building based services, to a system of self-assessed, flexible and cost effective services to meet the needs of a growing population of older people.
- 6.4** The programme proposes development of just over 1,100 new homes to replace just over 600 units of outdated housing accommodation and allows scope for the refurbishment of up to 200 linked adjacent properties. A proportion of the new homes will be offered for sale at affordable sale values.
- 6.5** An Expression of Interest has been prepared and submitted to Government within their time limit of 31st October, which seeks up to £271m in PFI revenue credits. A copy of the Eoi is available from Governance Services.
- 6.6** Council revenue and capital resources will be required to implement the programme, to support the development of a robust business case and the necessary contract procurement, as well as resources to support appropriate rehousing for any households needing to be displaced from the older accommodation.

7 Recommendations

Executive Board is asked to;

- (b) approve the submission of the Expression of Interest for Round 6 Housing PFI credits of £271m.
- (c) to agree to develop an Outline Business Case for the implementation of a programme of new house building in the City to create a range of Extra Care and Lifetime Homes housing, through the support of Round 6 Housing PFI credits.
- (d) to agree to receive a further report in early 2009 identifying land which will be required to deliver the programme.

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Not for Publication: Appendices 7 and 8 to this report are exempt/confidential under Access to Information Procedure Rule 10.4.3 as stated in the report.

Report of the Directors of Environment and Neighbourhoods and City Development

Executive Board

Date: 5th November 2008

Subject: EASEL Joint Venture Partnership

Electoral Wards Affected:
 Temple Newsam
 Killingbeck and Seacroft
 Gipton and Harehills
 Burmantofts and Richmond Hill

Ward Members consulted (referred to in report)

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

This report seeks approval from Executive board for the council to go into partnership with Bellway by setting up a Joint Venture Company (JVCo) to deliver regeneration in East and South East Leeds. The council will offer development sites to the JVCo which Bellway will develop and the money from the developments will be used by the council to fund investments in the area.

While the JVCo will operate as a private limited company, every effort has been made to ensure that local people have an opportunity to see what the JVCo is planning. For example, the JVCo will develop neighbourhood masterplans which will involve a range of community engagements to ensure that the voice of local people is listened to. In addition, the council will examine proposals from the JVCo and this information will normally be available for people to review.

Despite the current economic conditions, it is recommended that the council proceeds with the JVCo because it allows the council to look at the big picture for regenerating EASEL, to get communities involved with planning future changes and to make the best use of government money which may be available to invest in the area. It will also mean that the JVCo will be ready to build new homes when money is available and people can afford mortgages. Long term the council's ambition is still to deliver some 5,000 new homes and 2,000 jobs across the EASEL area.

Setting up the JVCo will allow the council to do things which will contribute to each of the council's priorities (as set out in the Leeds Strategic Plan), particularly those for thriving

places and harmonious communities. These things will help to improve the economic, social and environmental well-being of the communities in the EASEL area.

Once the JVCo is set up it will work on neighbourhood masterplans for the EASEL area. These masterplans will set out what should be done with development sites currently available, identify future development sites and help to identify priorities for investment spending in each of the communities. It will be very important for the JVCo to ensure that local leaders and local communities are involved in these masterplans.

There are sixteen sites in the EASEL area which have been identified as priority sites for development. Eight of these sites are proposed to initially pass to the JVCo which will then work up development proposals which for example would set out the design of new homes, how many and what types would be built and whether there should be improvements to local roads, transport and green spaces. Once these proposals are approved, Bellway will act as developer on the sites, building out the residential or commercial properties or completing landscape, highways or other works which are required.

It is intended that the JVCo will last for twenty years but Bellway and the council can review every five years whether the company is effective or still needed. To run the company, Bellway will provide £4m and this will be used for example to pay for the neighbourhood plans and to gain approval for development proposals. Bellway and the council will be equal shareholders of the JVCo and will make joint decisions through a board of directors.

To assist with ensuring that houses in the EASEL area are affordable to local people this report also seeks approval to set up an equity loan based scheme similar to the successful scheme operated on the Amberton Park site in Gipton. As there is some money remaining on that scheme it is proposed that the unused money is used on the new EASEL equity loan scheme.

1 Purpose Of This Report

- 1.1 This report seeks the necessary approvals and delegations from Executive Board to set up and operate a joint venture partnership through a private limited company with Bellway to help deliver the council's regeneration objectives in east and south east Leeds and to secure the economic, social and environmental well-being of the EASEL area and its residents.

2 Background Information

- 2.1 Executive Board members gave approval to the appointment of Bellway as the council's preferred regeneration development partner at their meeting of April 2007, subject to Executive Board agreeing the final terms of the partnership. This report, and its confidential appendices, sets out the main terms, contained in the shareholder agreement, which will establish the JVCo and seeks Executive Board approval for these terms.
- 2.2 Members should note the sale to Bellway of eight sites in Gipton and Seacroft, which formed phase one of the EASEL project, was concluded under the delegations granted at the April 2007 meeting of the Executive Board. The terms of this contract was substantially as reported to Executive Board in the confidential appendices in April 2007 and the decision to approve the sale was made by the Director of City Development with the contracts completed on the 10th March 2008. The contract allows for the transfer of the sites in two tranches with three sites being transferred initially. Two sites from tranche one (one each in Gipton and Seacroft) have now transferred to Bellway and work has commenced on these sites. The phase one contract will see the development of some 743 new houses across Gipton and Seacroft representing in excess of £70m in private sector investment by Bellway.

3 Main Issues

- 3.1 The proposals in this report revolve around setting up a joint venture partnership company with Bellway to provide the primary delivery vehicle under the council's EASEL regeneration initiative. This JVCo will deliver neighbourhood masterplans and subsequent developments across the EASEL area.
- 3.2 Bellway is one of the largest house builders in the country with a proven track record on major regeneration schemes. Bellway has worked with a number of local authorities and English Partnerships delivering housing and mixed use regeneration schemes. Bellway has retained the confidence of the market during volatile market conditions and has the capacity and ability to deliver the scale of development envisaged to make transformational change in the EASEL area.
- 3.3 Bellway offers a range of products for homes and other developments. They bring a number of different house types and styles and a willingness to amend these to create strong design solutions, in the housing units and in the layouts of new developments.
- 3.4 The proposed partnership with Bellway provides the council with a flexible and sustainable vehicle to bring in private sector investment to deliver on its objectives in the area. The agreements ensure that there is clear risk transfer to the developer and for commercial decisions to be made in an open and robust manner. In addition, the agreements allow the council to retain a flexible approach to how developments take place and when and how money generated through the JVCo is spent.

- 3.5 The EASEL initiative was envisaged as a way of maximising the use of the council's assets (mainly its land) within the EASEL area, to attract investment and to deliver substantive change to areas which have not previously benefited from the growth of the city. The council set out the following overriding objectives for the initiative and these form the objectives of the JVCo. The company aims:
- to create sustainable mixed use communities in the EASEL area;
 - to make the EASEL area a place that people want to live and work and to tackle existing deprivation and overcome the negative perceptions of the EASEL Area; and
 - to secure the economic social and environmental well-being of the EASEL area.
- 3.6 In addition to these objectives it is proposed that to maximise the benefit of increased well-being of the area and its residents, the company will target a number of key areas as detailed in the following sections. The EASEL initiative aims to deliver some 5,000 new homes and 2,000 jobs and provide a comprehensive approach to regeneration to deliver on a range of key issues affecting communities in the EASEL area.
- 3.7 The JVCo will aim to create affordable, attractive and high quality mixed tenure housing by assessing, on a neighbourhood basis, the appropriate type and mix of units required. The JVCo will be developing neighbourhood plans to set out where new housing can go, what types of housing is needed, how they will be designed and what options are used to ensure that there is an appropriate mix of affordable housing.
- 3.8 The JVCo will seek to increase housing choice for existing residents and attract new working residents into the area to achieve a diverse and sustainable housing market. Key to delivering on sustainable mixed communities, the intention here is to be able to offer existing residents affordable homes to buy and rent and to provide greater diversity of house types for families in different circumstances.
- 3.9 To attract new residents into the area will require investment not just in housing but also in learning and training, by improving the neighbourhood environment and by investing in neighbourhood centres and green spaces. The JVCo will have objectives in these areas in order to transform the image and attractiveness of the area and to create lively, busy centres for new neighbourhoods with good schools and local services making the areas places where people want to live and work.
- 3.10 The JVCo will address the underlying social and economic problems of the area and will support work focused on improving attainment and skills, reducing crime and promoting employment and enterprise. Initial work in this area has already led to the new training and catalyst centre in Seacroft (Rise) being promoted by Bellway to enhance construction training in the community and promote business start up opportunities.
- 3.11 The JVCo will also seek to capitalise on existing public and private sector investment opportunities in schools, hospitals and in the neighbouring Aire Valley Leeds by working with partners to promote developments which will contribute to the wider EASEL objectives and will complement its own developments. It will also ensure that in planning developments or in promoting investment, that there is ease of movement within and to and from the EASEL Area.

- 3.12 In considering approval to proceed with the JVCo Members will be aware that there are other options which could be pursued at this stage. However, it is recommended that the JVCo still provides the council with the best route: to plan and deliver comprehensive regeneration; to attract public and private sector investment while retaining maximum flexibility on where regeneration investment should take place and where alternative disposal or development routes should be used. A summary of the other options is provided in the following sections.
- 3.13 The council could promote piecemeal disposal on a site by site basis through the council's normal disposal routes. This route would be market driven, probably by a combination of auction sales or forms of negotiated disposal. Some sites could be attractive to be sold in this way. The agreements proposed in this report allows the council to make disposals on this basis but there are a number of limitations to this approach. This route does not maximise any potential the council has to deliver a comprehensive regeneration solution in the area. The council would have limited opportunity to influence development proposals on sites and this approach would probably limit the leverage of third party investment funding.
- 3.14 The council could look at contracting arrangements with developers without utilising a JVCo. This could for example take the form of a framework agreement with developers and would require a separate procurement exercise. This method could allow a measure of competitive bids for sites and could allow the council an influence on development proposals. In current market conditions it is uncertain how attractive this option would be in the market. This method would also be likely to limit the amount of third party funding which could be attracted and would have a limited emphasis on a comprehensive approach to regeneration in the area.
- 3.15 An emerging option to the council would be the establishment of a local authority housing company. This is a new model promoted by Communities and Local Government and it's Homes and Communities Agency. The option would require a new procurement process and the ideas are currently being trialled by a number of local authorities. The model is similar to the JVCo proposal in this report but would delay the implementation of the scheme and for example does not place the same emphasis on the overarching regeneration benefits promoted by the EASEL JVCo or the requirement to deliver the neighbourhood masterplans.
- 3.16 The agreement with Bellway is recommended as it provides a developed delivery vehicle, despite the prevailing economic conditions. The company allows regeneration planning to take place and developments to be planned and ready for when market conditions allow construction to commence. It also provides the council with a flexible tool where it can make informed decision on the effectiveness of the JVCo over the long term, can pursue a strategic and comprehensive approach to regeneration and can determine priorities for attracting public sector support and for regeneration spend.
- 3.17 In summary therefore, while there are options available for the council to consider at this stage, the recommendation of this report is that the establishment of the JVCo still offers the council the best route to help deliver its regeneration objectives for the EASEL area.

4 Company Background

- 4.1 This report seeks approval for the establishment of the JVCo and explains the type of company proposed and how the contractual relationships will operate between the council, the JVCo and Bellway.

- 4.2 The JVCo will be a company limited by shares with two shareholders, the council and Bellway. As a private limited company, the JVCo is required to satisfy the requirements of the companies legislation. The shareholders will each hold equal share capital, which in the first instance will be a total of £2 of shares. Although the company will have the power to make distributions of profit to its members or directors, subject to shareholder approval, it is not proposed that the company is run on a profit making basis and no distribution of dividends is planned. It is proposed that operational decisions on behalf of the council in relation to shares, dividends and related company matters are managed through the delegations set out in appendix 3.
- 4.3 The company will not have direct employees. Support for the company directors will be provided mainly by the shareholders including specialist functions such as finance, audit and the company secretary.
- 4.4 The company is a deadlock company and all company decisions, whether by shareholders or directors must therefore be agreed between the council and Bellway. As agreed by Executive Board in April 2007 there will be four company directors. Each shareholder has two directors and may nominate deputies. Executive Board is asked to approve the initial nominations for the council's directors as the Directors of City Development and of Environment and Neighbourhoods. In addition, Executive Board is asked to approve the directors mandate (see appendix 5) for the council's directors and that the council provides the necessary indemnity insurances to allow them to discharge their duties on behalf of the council. There is provision to appoint an independent non voting chair to the board but this is not considered appropriate at this time.
- 4.5 To facilitate the operation of the company in future, Executive Board is asked to approve delegations for the arrangements for future appointments of directors and their deputies as set out in appendix 3.
- 4.6 The joint venture between the council and Bellway is structured on the basis of a Shareholders' Agreement (SHA). For Bellway, this will be Bellway Homes Ltd and Bellway plc and with the benefit of guarantees through the parent company Bellway plc. The SHA incorporates the key company documents required to set up the company (the memorandum and articles of association) and sets out the rights and obligations of the shareholders. The SHA sets out the obligations of the council and Bellway in relation both to the running and funding of the JVCo, and the approval of development proposals (projects) within the EASEL area.
- 4.7 The company will operate on the basis of its business plan. This report seeks Executive Board approval on behalf of the council as shareholder for the initial draft business plan included as Appendix 4. The business plan will be subject to a major review every five years at which point further Executive Board approval of the business case will be sought. Executive Board approval is also sought for the delegations to manage the business plan on behalf of the council to the Chief Regeneration Officer as set out in appendix 3.
- 4.8 The purpose of the joint venture is to deliver regeneration investment in the EASEL area. To do this it will firstly deliver five neighbourhood plans (identifying for example investment priorities and future development opportunities in an area). It is proposed to commence the neighbourhood plans for Killingbeck and Seacroft and for Halton Moor and Osmondthorpe once the company is established. It is proposed that final approval of each neighbourhood plan will be brought to Executive Board. This report seeks approval for the Chief Regeneration Officer to be delegated responsibility to work with the JVCo to develop the neighbourhood plans on behalf of the council.

- 4.9 Once the neighbourhood plans have been approved, the company will bring forward development proposals through a business case process for project approvals. These may include housing, commercial, mixed use or community use developments.
- 4.10 The SHA is for a period of 20 years with reviews every five years. Either shareholder could terminate the agreement at the five year review point having considered whether material progress has been made towards achievement of the objectives of the company, market conditions, the approval of business cases and the actual rate of development achieved by the company for example.
- 4.11 In addition, the SHA terminates if the JVCo becomes insolvent, or if Bellway fails to pay instalments of working capital as required under the SHA. The SHA can also terminate if there is a deadlock between the council and Bellway. Both parties are required to use all reasonable endeavours to resolve disagreements or disputes, and there is an escalation process to respective chief executives or managing directors. However, if this process fails, the SHA can be terminated. If a termination occurs (including where the SHA runs the full 20 years), the JVCo will be placed into voluntary liquidation, and after payment of liabilities JVCo assets will be distributed in proportion to shareholdings.
- 4.12 Generally, disputes between the council and Bellway will have to be referred to an independent expert for a binding determination, but this dispute resolution process will not apply to disputes arising from certain key provisions of the SHA, including termination, agreement of business plans and budgets, and approval of development packages, through the business case approval process.
- 4.13 The SHA provides for certain warranties to be given by Bellway Homes and Bellway plc to the council, and vice versa. These include warranties that there are no claims or proceedings in progress, or threatened, which might have a material adverse effect on performing the SHA, and (in the case of Bellway and Bellway plc) that certain insolvency events have not occurred.
- 4.14 The SHA provides for Bellway plc to guarantee Bellway's obligations under the SHA to the council to the JVCo, and to indemnify the council and the JVCo against all losses, damages etc suffered by the council or the JVCo by reason of any default by Bellway.

5 Phase Plan and Business Case Approval

- 5.1 Regeneration development proposals will be identified and promoted by the JVCo but must receive approval from the respective shareholders before they proceed. The first stage of the process is the identification of priority sites for regeneration which are included in the EASEL phase plan.
- 5.2 The council has identified sixteen sites in the EASEL area which are a priority for regeneration. These are all vacant sites or sites which are being cleared by East North East Homes Ltd under its Decent Homes programme. The phase plan provides a focus for the JVCo for future development opportunities but does not guarantee that the sites will pass to the JVCo or Bellway for development. A detailed explanation of the use of the phase plan is included in appendix 7. Executive Board is asked to approve the sites included in the phase plan which is included as appendix 1.
- 5.3 Due to the long term commitment which Bellway is making to the council, it is proposed that eight of the initial phase plan sites are offered to Bellway upon the

start of the agreement subject to Bellway achieving full business case approval within an appropriate timescale. Approval from Executive Board is requested to the eight sites initially to be offered to Bellway. These sites are detailed in appendix 1.

- 5.4 The SHA enables the council to determine the most appropriate route for disposal or development of all sites in the EASEL area including those in the phase plan. Once it has been approved that a site will pass to the JVCo for it to develop a business case, the council's freedom to determine the disposal options for a site are reduced.
- 5.5 The SHA allows that the JVCo can identify and seek approval from the council to add additional sites to the phase plan. Executive Board is asked to approve the arrangements for the management of the phase plan under delegations as set out in appendix 3.
- 5.6 Sites in the phase plan should be prioritised by the JVCo as development opportunities. The JVCo is required to demonstrate that the sites are viable by developing and seeking approval for a business case for sites. Only once a business case is fully approved will the site pass to Bellway for development. The business case and development process will be subject to the results of the neighbourhood planning process. A detailed explanation of the role of the phase plan is provided in appendix 7.
- 5.7 Executive Board are asked to note the contractual basis of the business case process, to approve its use and agree the arrangements for the management of the business case process on behalf of the council under delegations as set out in appendix 3.

6 Contractual Position

- 6.1 This report confirms that all of the key terms, clauses and obligations in the SHA are agreed between Bellway and the council. This report sets out for Executive Board the substantive legal and commercial issues included in the agreements and seeks Executive Board approval to the SHA and to the establishment of JVCo.
- 6.2 To enable the final legal agreements to be completed Executive Board is requested to approve delegations to the Directors on Environment and Neighbourhoods, City Development and the council's Assistant Chief Executive (Corporate Governance) to allow the SHA to be finalised and executed provided that they are finalised substantially in the form as reported to and approved by Executive Board in this report.

7 Financial issues

- 7.1 The JVCo as a limited company will operate under company legislation and in particular under the requirements of the Companies Acts and of Companies House. In addition, the SHA sets out requirements for the JVCo for audit, budgeting and accounting, budget delegations, and for the dividend policy and distributions mechanism for the company.
- 7.2 The company will comply with legal requirements for companies relating to financial statements and will retain appropriate external auditors in support of the certification of these accounts. The company will prepare accounts in compliance with the generally agreed accounting practice standards (GAAP). Reporting to its board it will use budget and financial management techniques to ensure this is effective.

- 7.3 As part of the bid requirements for this project Bellway has offered to pay an entry premium of £4m. It is proposed that this entry premium is used to finance the working capital of the company and it is estimated that this will provide resources for at least the first five years of the company. Executive Board are asked to approve the use of the entry premium in this way subject to their approving the draft company business plan (appendix 4) and budget (appendix 8).
- 7.4 The company will set an annual budget to deliver its business plan. This budget will pay for the delivery of the neighbourhood plans and for services provided by the shareholders, and others, directly supporting the company. Additional resources to deal with site assembly, business case approvals and planning approvals will be sourced initially from Bellway or the council. It is proposed that a single, multidisciplinary team provided by both shareholders, is established to be co-located within the EASEL area initially in the offices of the area regeneration team. Further details on commercial issues relating to the SHA are included in the confidential appendices 7 and 8.
- 7.5 It is anticipated that the entry premium will provide sufficient working capital for the company to operate for a number of years. Once the entry premium is expended future working capital for the company will be met jointly by the shareholders. Under current market conditions it is not possible to accurately predict when this will occur but at that time the council will be required to determine the most appropriate source of funding to ensure the continued effective operation of the joint venture.

Equity Loan Arrangements

- 7.6 The equity loan scheme which has been delivered at Amberton Park in Gipton has been effective in attracting local people into home ownership and it is proposed that this approach is extended to EASEL phase one sites. The scheme will work on the basis of the council providing purchasers with loans of up to 50% of the value of the property they are buying. There would be no repayments during the life of the loan, instead, the purchaser repays the loan when they sell the property, with the council receiving a percentage of the value of the property.
- 7.7 The EASEL phase one scheme was approved by Plans Panel East on the basis of the current policy on affordable housing. This requires (through the use of section 106 of the Town and Country Planning Act 1990) that 15% of the units are provided as affordable housing. Generally the policy anticipates the delivery of affordable housing via a Registered Social Landlord (RSL).
- 7.8 It is proposed in the case of EASEL phase one scheme that the delivery of affordable housing is facilitated using the conventional route where a number of the units are sold at a discounted rate to an RSL and through an equity loan scheme.
- 7.9 The value of the affordable housing discount has been estimated at £5.228m (based on all the eight phase 1 sites being transferred to Bellway Homes Limited). This is the amount of sales revenues lost in providing affordable housing in accordance with planning policy. It is proposed that a proportion of the units will be sold to an RSL in the normal way and the council will use the balance of the £5.228m as a commuted sum in order to fund the equity loan scheme.
- 7.10 It is proposed that the detailed development of the scheme and eligibility criteria is delegated to the Chief Housing Services Officer. Bellway has contributed to the development of this approach and have indicated their agreement in principle to the equity loan scheme. A report will be required for Plans Panel outlining the approach once agreed by Executive Board.

- 7.11 The Amberton Park and EASEL equity loan scheme have the common objective of delivering affordable housing. The Amberton Park scheme had a total budget of £1.31m which was funded from the land receipt for the site. Currently approximately £0.25m remains unused on the scheme although most of the units on the site are now sold. The underspend could be returned to fund the council's capital programme. However, due to the shared objectives of the schemes and their close geographical location, it is proposed that the residual funds available from the Amberton Park scheme is transferred to the EASEL equity loan scheme. This will help to maintain the momentum for delivering affordable housing in the area, which is in danger of suffering due to the housing market slump and postponement or cancellation of developments.
- 7.12 Executive Board should note that the Council's equity stake will be affected by movement in the housing market. This would mean that since the financial institution used to finance the remainder of the purchase would want a first charge on the property, there is a risk to the council if any sale proceeds are insufficient to discharge this as well as the council's stake. It is difficult to predict with any certainty the pattern of house price fluctuation in the short term. However given the underlying shortage of supply the medium to longer term position is likely to be one of continuing increases in value.

8 EASEL Regeneration Investment Programme

- 8.1 The SHA is drafted so that the council is free to determine the most appropriate use of all of the returns to the council from the developments through the JVCo. However, as investment in the EASEL area is key to achieving the council's objectives the SHA agreement includes a draft investment programme which outlines the potential for the council's commitment to reinvest in its priorities across the EASEL area.
- 8.2 In response to market conditions, the regeneration investment programme included in the SHA is indicative and is scaled to match the resources currently available. The initial regeneration investment programme included in the SHA is attached to this report as appendix 6. The plan has been developed in consultation with service departments and in discussions with Bellway and represents an initial funded regeneration plan for the EASEL area.
- 8.3 Executive Board is requested to approve the regeneration investment programme as part of the SHA and to note that approval of individual schemes in the regeneration investment programme will be subject to the usual delegation and financial approvals as set out in the council's constitution. It is expected that Bellway will propose and promote priority areas for investment to assist in the delivery of comprehensive regeneration.
- 8.4 Individual projects in each of these areas will be subject to appraisal to determine priorities for investment. Early investment in the EASEL area will be assessed for their ability to enhance the long term potential for increased returns to the council from future development opportunities.
- 8.5 A key aspect of regeneration activity will be to address worklessness and low skills in the EASEL communities to enhance the economic well-being of the EASEL area. The SHA (and the phase one development agreement already signed) include commitments to deliver construction apprenticeships and an intention to use local labour where possible. Measures to develop the supply chain locally will include looking at the potential to develop modern methods of construction to support the development programme. This approach is augmented by the development of an

integrated approach to employment and skills between council services and partner agencies.

8.6 The EASEL programme is the council's most significant area based regeneration programme commitment to date. All available resources, including most importantly mainstream funding will be maximised and co-ordinated to achieve the outcomes of the Regeneration Investment Programme; alongside the return to the Council from the development process. The Council is developing responses to challenges in the EASEL area to deliver a 'One Council' approach to the work of its own services building on existing achievements in neighbourhood management and Children's Services. The contributions of partners in the public, private and voluntary sectors are being, and will continue to be deployed through well established partnership working arrangements. External funding opportunities will be maximised through a co-ordinated resource procurement programme aimed at securing investment for the Regeneration programme priorities. The EASEL team and partners have achieved considerable resource procurement success to date. Current external investment streams include:

- Local Enterprise and Growth Initiative: Rise, the construction training and catalyst centre in Seacroft and Shine, the catalyst centre in Harehills
- Safer Stronger Communities Fund: Neighbourhood management, public realm improvements and building family wealth project
- Neighbourhood Renewal Fund: Environmental improvements, Signpost project
- Action For Employment: Tackling worklessness
- Regional Housing Board: Private sector renewal programme in Cross Green and Harehills
- Building Schools for the Future
- LIFT Programme: Osmondthorpe Lane Health Centre

8.7 In addition the EASEL Team are in discussion with the Homes and Communities Agency, to secure their support for infrastructure and site assembly investment; and with Natural England for major investment into the improvement of the Wykebeck Valley Green Corridor.

9 Implications For Council Policy And Governance

9.1 The council promotes high standards of corporate governance and has adopted a framework which sets the minimum governance requirements for significant partnerships. The governance and decision making for the EASEL partnership has been subject to review by the council's Corporate Governance and Audit Committee. The committee was concerned to ensure that there is clarity regarding which decisions will no longer be subject to the council's constitutional arrangements. They asked that this report made it clear what arrangements will be in place to ensure that decisions are taken in an informed, transparent way which is open to the scrutiny of the public and Members.

9.2 At the April 2007 meeting, Executive Board approved the overarching decision making arrangements for the EASEL project (appendix 2). It approved the respective roles of the JVCo and the responsibilities Executive Board reserved to itself. The shareholder agreement incorporates the governance principles established by Executive Board in April 2007 by establishing that a range of issues which are subject to prior approval by each shareholder before a decision can be made by the company board. A summary of the shareholder consents are included

in appendix 3. Wherever decisions are reserved for the consent of the council as a shareholder, the council will be under an obligation to exercise its voting rights “so as to give full effect to” the SHA, and to use “reasonable endeavours” to promote the business and the interests of the JVCo. However, subject to this the council will be able to make these decisions independently through its usual decision-making arrangements.

- 9.3 The shareholder consents mainly ensure that the council, through Executive Board or under delegations, will approve the regeneration plan for the EASEL area and that significant decisions which would normally made under constitutional delegations can be made by the council as normal. These decisions would be subject to the council’s decision registration and scrutiny regime.
- 9.4 The Executive Board is asked to consider the regeneration plan and mandate its directors on the JVCo Board to vote and make decisions consistently. The council directors therefore will act in accordance with the mandate given to them and also within the scope of shareholders consent, and in accordance with the council's wishes.
- 9.5 This report identifies the role of the JVCo and the safeguards incorporated into the agreement to allow decision making to be open and robust. The SHA obliges the shareholders to be open and transparent in the way they report to the company board so for example the minutes from the board of the JVCo will be publically available. The SHA also allow that the council can review and make key decision affecting the regeneration of the EASEL area through its normal constitutional arrangements. The decisions and who will make them are set out in appendix 3 and the report clearly requests the necessary delegations for these arrangements. It is intended to continue to work with the Members of the Corporate Governance and Audit Committee to ensure that the highest standards of corporate governance are adopted by the JVCo.
- 9.6 In April 2007 Executive Board agreed the main terms of reference for an EASEL steering group. This group, with cross party and independent representation was approved to acts as a principal consultee to give an overview of the JVCo and the regeneration investment programme.
- 9.7 The EASEL steering group is proposed to have equal representation from each of the three main political parties and independent representatives from East North East Homes Leeds Ltd and the Homes and Communities Agency.
- 9.8 The EASEL steering group will be consulted on the four key areas of work for the JVCo. These are: the delivery of the five neighbourhood plans; which land is considered for development through the company; what development is proposed; and on the regeneration investment in the area. Their main focus is on reviewing proposals, consultation and community engagement issues, performance review and facilitating the delivery of regeneration across the EASEL area.
- 9.9 Formal consultation at the local level will operate through the Area Committee structures already in place and well established. Area Committees will also have responsibility for the engagement of partners in consultation.
- 9.10 To support the overarching governance arrangements, following detailed consultation with ward Members, it is proposed that, to assist with community engagement in the neighbourhood plans, neighbourhood panels will be set up. Representatives from existing community groups, tenants and residents associations will be invited onto the panels. In addition, ward Members and other leaders in the

community, for example from schools and business, will be sought to contribute to the neighbourhood plans.

- 9.11 The joint venture approach to EASEL will require a fit for purpose, robust, adaptable, accountable and inclusive governance arrangements to ensure that it delivers the ambitious regeneration outcomes set in the EASEL prospectus, through effective partnership working, in which all stakeholders, particularly the communities affected, are fully engaged. The decision making arrangements described in this report and included in the JVCo agreements are all designed to address these requirements by providing open reporting, clear decision making and appropriate opportunities to scrutiny on key decisions.

10 Legal And Resource Implications

- 10.1 The council is relying on the well-being powers in section 2 of the Local Government Act 2000 to enter into the EASEL JVCo. These powers provide that every local authority has the power to do anything which they consider is likely to achieve the promotion or improvement of the economic, or social, or environmental well-being of their area. This power may be exercised in relation to, or for the benefit of the whole or any part of an authority's area, or all or any persons resident or present in that area and in determining whether or how to exercise this power, the council must have regard to its sustainable community strategy, which is the Vision for Leeds.
- 10.2 The well-being powers include the power to incur expenditure, to give financial assistance to any person, to enter into arrangements or agreements with any person, to cooperate with or facilitate or co-ordinate the activities of any person, to exercise on behalf of any person any functions of that person, and to provide staff, goods, services or accommodation to any person. There are certain limits on these powers, in particular an authority is not thereby able to do anything which they are unable to do due to a prohibition, restriction or limitation on their powers which is contained in another statute, whether passed before or after the 2000 Act. In addition, this power does not enable an authority to raise money by precepts, borrowing or otherwise.
- 10.3 There is no comprehensive legal definition of social, economic and environmental well-being, nor of what actions would be taken to constitute the promotion or improvement of well-being. The government's final guidance on the powers, dated 14th May 2001, provides that "it is for the Local Authority itself to decide whether any particular action would promote or improve well-being, taking account of their local circumstances and the wishes and needs of their communities". In addition the courts have confirmed that the scope of the powers given by section 2 should not be narrowly construed, and that authorities are to be given a wide discretion to exercise their powers to promote well-being, and that section 2 should be given a sensible and liberal interpretation, and applied generously.
- 10.4 The government's final guidance suggests that the well-being power is sufficient to "enable Local Authorities to form or participate in companies, trusts, or charities, including joint venture companies, provided that they are satisfied that the formation of, or participation in, a particular company is likely to achieve the promotion or improvement of the economic, social or environmental well-being of the Authority's area". Likewise, entering into the SHA and ancillary agreements in the SHA schedules will fall within the power to "enter into arrangements or agreements with any person". Again, if the practical arrangements for running the JVCo will involve making staff, services or accommodation available to the JVCo or to Bellway this will be covered by the power to "provide staff, goods, services or accommodation to any person".

- 10.5 However, in relation to each aspect of the proposed arrangements, it is essential that Members should consider whether well-being is thereby likely to be improved or promoted, in the manner specified above. In order to assist with this consideration, Members attention is drawn specifically to:
- 10.5.1 the report of the Director of Neighbourhoods & Housing and the Director of Development to Executive Board, dated 4th April 2007. In particular, this report confirmed "[Bellway] will seek to manage the development of approximately 105 hectares (about 260 acres) of Council owned land in the EASEL area. Development on this scale provides the opportunity to make a step-change towards making communities in the area being attractive places where people want to live and work. Through redevelopment in the area, plans could provide for more than 4,500 new homes. There would be a mix of housing provision offering different types and sizes of property. This includes apartments, family homes, starter homes and provision aimed to allow older people to remain in the community. The Council will promote an effective blend of tenure in the area offering competitive opportunities for people to own their own homes while ensuring adequate provision for affordable and social rented accommodation. Bellway is seeking to deliver investment in the area in excess of £1billion through residential, commercial and mixed use developments across the EASEL Area. It is likely that commercial projects would account for 10-20% of the whole package and this would be targeted to attracting additional inward investment to the City, providing new jobs and opportunities for business development and economic growth in the EASEL Area. The Council will continue to facilitate through the regeneration proposals the creation of sustainable mixed communities, providing a range of affordable and traditional housing market opportunities.Given the long term nature of the scheme, the Council will ensure that by continuously checking changes in local housing markets, future developments will be designed to match people's changing aspirations in the area. This will mean that the project continues to further promote the EASEL Area as somewhere people want to live and work by providing the most appropriate mix of tenures to meet demands;" and
- 10.5.2 the report of the Director of Neighbourhoods and Housing to Executive Board, dated 9th February 2007 where it was reported "EASEL is fundamentally a market-driven regeneration programme. Its primary aim is to create a successful housing market where increasing values will realise the financial return needed by the Council and the Joint Venture to fund regeneration investment. Of course the key to market uplift is improvement to the existing state and image of the area..... The Regeneration Plan will be a formal agreement and commitment to regeneration activities to be delivered by the Council and Bellway". Members attention is also drawn to the headline objectives for the EASEL Regeneration Plan set out in the report and the proposed project areas.
- 10.6 The Council's regeneration objectives are reflected in the legal documentation in a number of key ways, as follows:
- 10.6.1 The SHA provides that the business of the JVCo shall be "to procure regeneration and development projects in the EASEL area with a view to securing the economic, social, and environmental well-being of the EASEL area" and also "to work towards delivering the regeneration objectives of the EASEL Regeneration Project as set out in the Plans".
- 10.6.2 The SHA provides that "the parties each agree and commit themselves to achieving the [EASEL Regeneration Project Objectives]"and "to increasing the life opportunities of those living in the EASEL Area".

- 10.6.3 The SHA requires the JVCo Board to consider "community projects, such as infra structure projects, public rail works and services, community facilities and other strategic development sites" for inclusion within the Plans.
- 10.6.4 The SHA sets out the general duties of the JVCo Board in relation to taking forward the EASEL Regeneration Project.
- 10.6.5 The SHA provides for 5 yearly reviews of the SHA by reference to development within the EASEL Area to achieve the regeneration objectives of the EASEL Regeneration Project.
- 10.7 Members should be aware that the courts have found that the powers in section 2 do not authorise an authority to do whatever it considers likely to promote its own economic well-being, and as noted above, these powers could not be used if the council's primary purpose was to raise money. However, it is suggested that the reports referred to above and the fact that the council has gone through a lengthy and comprehensive public procurement process, demonstrate that the council's primary objective is the regeneration of the EASEL area, by the improvement of the economic, social and environmental well-being of those living and working in the EASEL area, and Members are asked specifically to reaffirm this purpose.
- 10.8 It seems unlikely that the disposal of assets, in this case council owned land, could be regarded as raising money, (and so fall outside the well-being powers) as this would seem to require an exercise of powers to tax or to borrow, for which there are separate statutory codes. However, even if the disposal of land could amount to raising money, it seems clear that land disposals can be regarded as the necessary consequence of the council's objectives in these circumstances, rather than amounting to a separate objective or purpose in themselves. In any event, the council has separate and additional powers in sec 32 of the Housing Act 1985, and in sec 123 of the Local Government Act 1972 to dispose of its land-holdings, and plainly its purposes for exercising those powers could legitimately include converting those land-holdings into capital receipts. Indeed, absent reliance upon a general or specific consent from the Secretary of State, under these other powers the council would be obliged legally to obtain the highest value it could for its land. For these reasons it is considered that those aspects of the proposed arrangements relating to the disposal of council land in the EASEL area fall within the well-being powers, or alternatively within the council's other powers mentioned above'.
- 10.9 The information contained in appendices 7 and 8 attached to this report relates to the financial or business affairs of Bellway Homes Ltd, Bellway PLC, and the council. This information is not publicly available from the statutory registers of information kept in respect of certain companies and charities. It is considered that it is not in the public interest to disclose this information at this point in time as this could prejudice the commercial interests of the parties to the SHA. In particular, if Bellway or the Council wished to negotiate terms with other potential developers of a phase or part of a phase, those developers might gain an advantage in those negotiations by knowing the full commercial terms agreed in respect of exclusivity, competition and incentivisation, and how costs are met in respect of the phase approval process.
- 10.10 It is considered that whilst there may be a public interest in disclosure, the council's statutory obligations under sec 123 of the Local Government Act 1972, and under sec 32 of the Housing Act 1985 and the General Housing Consents 2005 to achieve the best consideration that can reasonably be obtained are unaffected by these arrangements, and indeed the phase approval process provides for this to be demonstrated at the initial stage of the process. In addition, much information about the terms of particular land transactions between the parties will be publicly available

from the Land Registry following completion and registration. Consequently it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time. It is therefore considered that this element of the report should be treated as exempt under Rule 10.4.3 of the Access to Information Procedure Rules.

11 Conclusions

- 11.1 Following Executive Board approval to the appointment of Bellway as the council's regeneration development partner in April 2007, terms and plans for the establishment of the partnership company have progressed successfully. Executive Board is therefore asked to consider the issues set out in this report covering the major terms of the company documentation, the conduct of the company and the associated governance arrangements.

12 Recommendations

- 12.1 Executive Board is asked to:
- 12.2 Approve the terms of the SHA for the JVCo as set out in this report and approve the establishment of the JVCo. with Bellway having considered and approved that the primary objective of the EASEL initiative is to secure the economic, social and environmental well-being of the EASEL area and its residents.
- 12.3 Approve the first EASEL phase plan, which shows the sixteen sites considered as priority for development in the EASEL area.
- 12.4 Approve the initial eight sites to developed through the JVCo.
- 12.5 Approve delegation to the Director of City Development to make amendments to the phase plan to ensure the effective operation of the JVCo. as set out in appendix 3.
- 12.6 Approve the proposed delegations to Directors of City Development and Environment and Neighbourhoods and Assistant Chief Executive (Corporate Governance) to conclude and execute the SHA on behalf of the council as set out in this report.
- 12.7 Approve the development, by the JVCo, of the five neighbourhood plans and to delegate to the Chief Regeneration Officer authority to manage the production of the neighbourhood plans with the JVCo. subject to the completed plans being brought to the Executive Board for final approval.
- 12.8 Approve the use of the business case for project development to be operated by the JVCo subject to final approval of a project by Executive Board.
- 12.9 Approve the delegations to the Chief Regeneration Officer and Director of City Development for the development of projects as set out in appendix 3.
- 12.10 Approve as prospective shareholder the initial draft business plan and draft budget for the JVCo. and approve the delegations to officers to manage the JVCo as set out in appendix 3.
- 12.11 Approve the use of entry premium to fund the working capital of the company subject to approval of the JVCo draft business plan and draft budget.
- 12.12 Note the arrangements for providing additional working capital to the company once the entry premium is spent.

- 12.13 Approve the company dividends policy and delegate responsibility on these issues to the Director of Resources as set out in appendix 3.
- 12.14 Approve the development of an equity loan scheme on the first phase of the EASEL development sites using a commuted sum mechanism.
- 12.15 Approve the delegations to the Chief Housing Services Officer on the details of the scheme.
- 12.16 Approve the transfer of the remaining funds from the Amberton Park equity loan scheme to the EASEL equity loan scheme.
- 12.17 Approve the nomination of the council's initial directors to the company as the Directors of City Development and of Environment and Neighbourhoods as unpaid directors subject to their acceptance of office and of the directors mandate.
- 12.18 Approve the director's mandate for the council's directors and the provision by the council of the necessary indemnity insurance for the council's directors.
- 12.19 Approve the arrangements for the appointment of future directors and deputies as set out in appendix 3.

Background Papers

Executive Board report April 2007 "East And South East Leeds (Easel) Regeneration Area – Outcome of Additional Negotiation Period"

Executive Board report February 2007 "East and South East Leeds Regeneration Area"

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Report of the Directors of Environment and Neighbourhoods and City Development

Executive Board

Date: 5th November 2008

Subject: EASEL Joint Venture Partnership

Electoral Wards Affected:

Temple Newsam
Killingbeck and Seacroft
Gipton and Harehills
Burmantofts and Richmond Hill

Ward Members consulted
(referred to in report)

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)

EASEL Phase Plan

Appendix 1

Site No	Site Reference	To JVCo
1	Asket Drive North	
2	Asket Drive South	Y
3	Ex Asket Hill PS (school footprint)	Y
4	Ex Asket Hill PS (playing fields)	Y
5	Central Seacroft East 1	Y
6	Central Seacroft East 2	Y
7	Central Seacroft West 1	
8	Central Seacroft West 2	
9	Halton Moor East	
10	Halton Moor South 1	Y
11	Halton Moor South 2	Y
12	Halton Moor West	
13	Osmondthorpe 1	Y
14	Ex Primrose HS	
15	Ramshead Approach	
16	Ex Whitebridge PS	

EASEL Development Sites

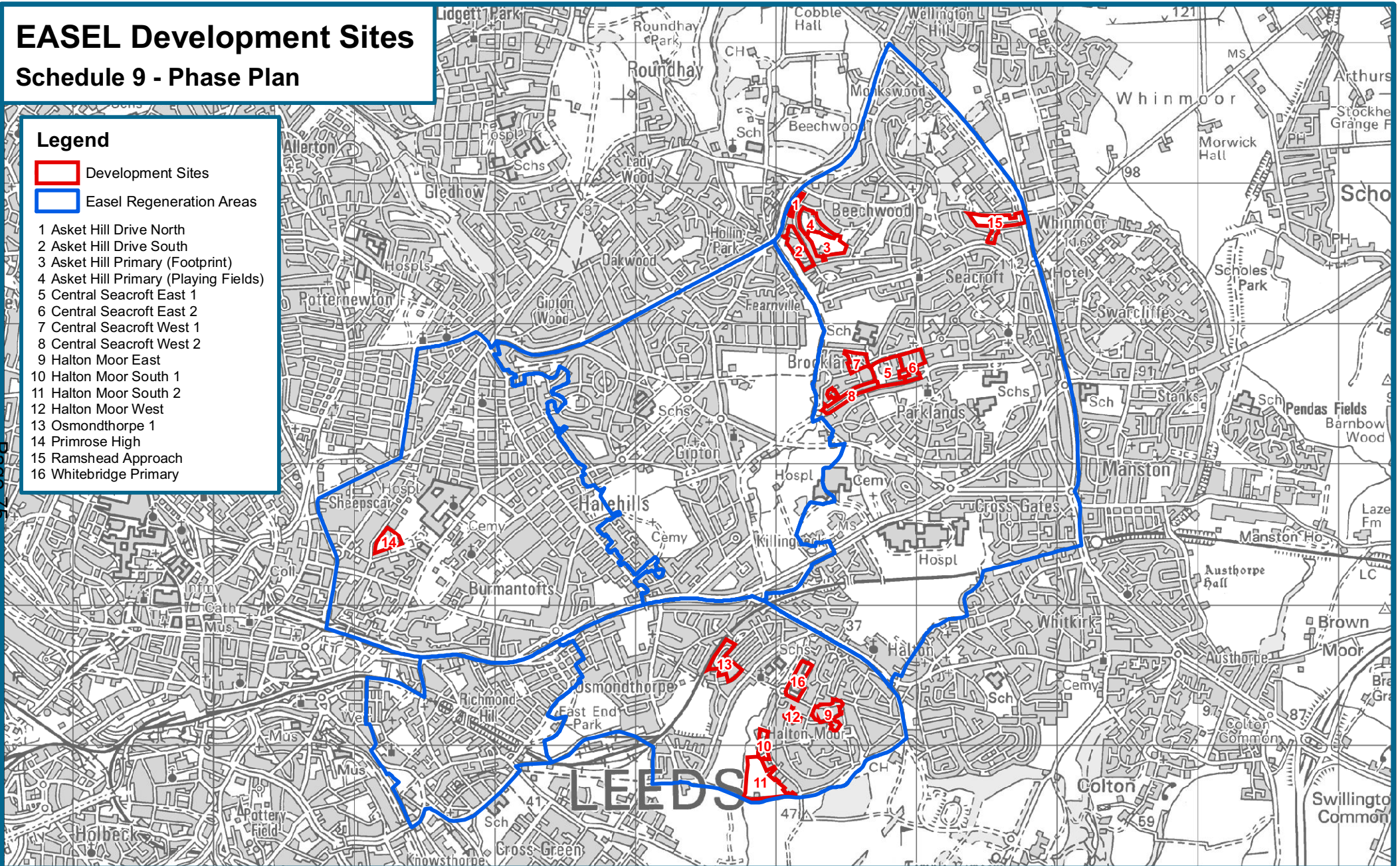
Schedule 9 - Phase Plan

Legend

- Development Sites
- Easel Regeneration Areas

- 1 Asket Hill Drive North
- 2 Asket Hill Drive South
- 3 Asket Hill Primary (Footprint)
- 4 Asket Hill Primary (Playing Fields)
- 5 Central Seacroft East 1
- 6 Central Seacroft East 2
- 7 Central Seacroft West 1
- 8 Central Seacroft West 2
- 9 Halton Moor East
- 10 Halton Moor South 1
- 11 Halton Moor South 2
- 12 Halton Moor West
- 13 Osmondthorpe 1
- 14 Primrose High
- 15 Ramshead Approach
- 16 Whitebridge Primary

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EASEL Governance

Executive Board at its meeting in April 2007 approved the overarching governance arrangements for the EASEL project including those for the partnership company. The Executive Board agreed that issues would be dealt in the following way:

Executive Board	Partnership company
Approval of principal terms of phase one agreement and for the joint venture partnership	Meets minimum of quarterly
Approval of joint venture partnership governance arrangement for the council	Agreeing and operating in accordance with a five year business plan
Approval of the council directors' mandate	Operating in accordance with the EASEL regeneration plan
Approval of the terms and membership of the EASEL steering group	Annual update of the above plans
Approval of EASEL regeneration plan	Comprehensive strategic review of the business plan every 5 years
Comprehensive strategic review of EASEL regeneration plan at least every five years	Strategic investment management and commercial decisions
Receive reports on annual reviews of company business plan	Agreement of development packages for appraisal and delivery
Receive reports on progress on the EASEL regeneration plan	
Receive reports from EASEL steering group	

Substantive changes to these roles would need to be ratified by Executive Board.

EASEL steering group

Executive Board also approved the establishment of an EASEL steering group which would: provide oversight, monitoring and review of the EASEL initiative; receive briefings prior to joint venture company board meetings; receives reports on key projects at development stage; provide an advisory role on emerging issues and provide reports to Executive Board where necessary.

The EASEL steering group will provide monitor and assess proposals to support Executive Board in its areas of responsibility. The EASEL steering group should therefore provide advice and assessment of all key proposals relating to EASEL. Proposals may originate from the council, its key partners and stakeholders, from community representatives or from the partnership company.

The EASEL steering group will also need to be involved in the business of setting the overarching framework for what the council wants to deliver in the EASEL area. This will be done partly through the proposed neighbourhood planning (or masterplanning) programme and partly through the delivering of the investment in the area (by developing sites and through the regeneration spend). The EASEL steering group would then also be responsible for monitoring the performance of the partnership company as it delivers development proposals.

1 Delegations to officers

1.1 This appendix shows how decisions will be made by the council and shows which decisions will be retained by Executive Board and where it is proposed that decisions are delegated to officers to be actioned within the officer delegation scheme.

2 Shareholder consents

2.1 The shareholder agreement uses a mechanism known as shareholder consent to allow decisions which will be made by the JVCo directors, to be considered by the partners in advance. This allows Bellway and the council to consider and refer decisions to wider review, to relevant officers and where necessary to involve Members in the assessment and approval of the proposals.

2.2 The shareholder agreement allows that the following issues will require shareholder consent.

Financial, the Plans and Development Packages	Approved by
The approval of each business plan	Executive Board Delegations to Chief Regeneration Officer to changes required for the efficient conduct of the company subject to substantive changes being reported to Executive Board
The approval of each phase plan	Executive Board Delegations to Director of City Development to manage changes to the phase plan required for the efficient conduct of the company subject to substantive changes being reported to Executive Board
The approval of a proposed phase being considered for development by Bellway	Business cases stage 1 and 2 to be approved under delegation to the Chief Regeneration Officer and Director of City Development subject to their being included in the phase plan and business plan approved by Executive Board Final approval of a business case by Executive Board
The approval of and any change to the company's dividend policy	Executive Board Operation of the dividend policy and minor changes for the efficient conduct of the company delegated to the Director of Resources subject to substantive changes being reported to EB

<p>The declaration and/or payment of any dividends by the company save where such declaration and distribution is made in accordance with the company's dividend policy.</p>	<p>Executive Board Operation of the dividend policy and minor changes for the efficient conduct of the company delegated to the Director of Resources subject to substantive changes being reported to Executive Board</p>
<p>The approval of the budget, and any in financial year changes over £50k in any one amendment and over £250,000 in aggregate in any one Financial Year.</p>	<p>Director of Resources</p>
<p>The increase in any indebtedness of the Company other than in accordance with the Business Plan.</p>	<p>Director of Resources</p>
<p>The commencement by the Company of any new business not being ancillary to or in connection with the Business or making any material change to the nature of the Business.</p>	<p>Executive Board</p>
<p>The Company participating in any activity which is detrimental to and/or incompatible with the Business.</p>	<p>Executive Board</p>
<p>The making of any political or charitable donation.</p>	<p>Chief Regeneration Officer in consultation with the council's Monitoring Officer</p>
<p>The making of any material acquisition or disposal by the Company of or relating to any Intellectual Property Rights other than in accordance with the Business Plan and Budget.</p>	<p>Chief Regeneration Officer</p>
<p>Shares and constitutional matters</p>	
<p>Any amendment to the Memorandum or Articles of the Company.</p>	<p>Executive Board and minor changes for the efficient conduct of the company delegated to the Chief Regeneration Officer subject to substantive changes being reported to EB</p>

Any variation of any rights, including class rights, attaching to any Shares.	Executive Board and minor changes for the efficient conduct of the company delegated to the Director of Resources subject to substantive changes being reported to EB
The repurchase or cancellation by the Company of any shares, or the reduction of the amount (if any) standing to the credit of its share premium account or capital redemption reserve (if any) or any other reserve of the Company.	Director of Resources
The capitalisation of profits or reserves of the Company.	Director of Resources
A change of name of the Company or registered office	Chief Regeneration Officer
A change in the status of the Company from a limited company to a public limited company or from a company limited by shares to any other form of legal entity.	Executive Board
A listing of the Company's share capital.	Director of Resources
Management, control, directors and employees	
The devolution or transfer of management control of the Company to persons outside the Board and, if approved, the terms of such devolution.	Executive Board
The appointment or removal of any non-executive Director and/or Chairman of the Company.	Chief Executive
The making of loans or advances in excess of £5,000 by the Company to any Associate of a Shareholder or the Company other than in the ordinary course	Director of Resources

of business.	
The engagement of (and terms of engagement of) any individual person as a consultant (but excluding for such purposes any firm/professional advisers) or employee whose annual remuneration (including benefits) exceeds £[●] where not in accordance with the Business Plan and Budget.	Director of Resources
Any change to the terms of employment/engagement and/or remuneration of a person referred to in the SHA	Director of Resources
The disposal or transfer of any Shares or assets by the Company to any Shareholder or Associate of a Shareholder.	Director of Resources
Insolvency and related proceedings	
The commencement of any winding-up or dissolution or of the appointment of any liquidator, administrator or administrative receiver of the Company or any of its assets unless it shall have become insolvent, and no Shareholder shall present or cause to be presented or allow any act which would result in the winding up or the presentation of any petition for the winding up of the Company.	Director of Resources

3 Other approval and delegations

Land transactions including issues relating to best consideration	Director of City Development according to the constitutional officer delegations
Neighbourhood plans	Full approval Executive Board

	Development and preparation on behalf of the council to be delegated to the Chief Regeneration Officer
Nomination of directors Nomination of deputies	Executive Board/Chief Executive Directors of City Development and Environment and Neighbourhoods

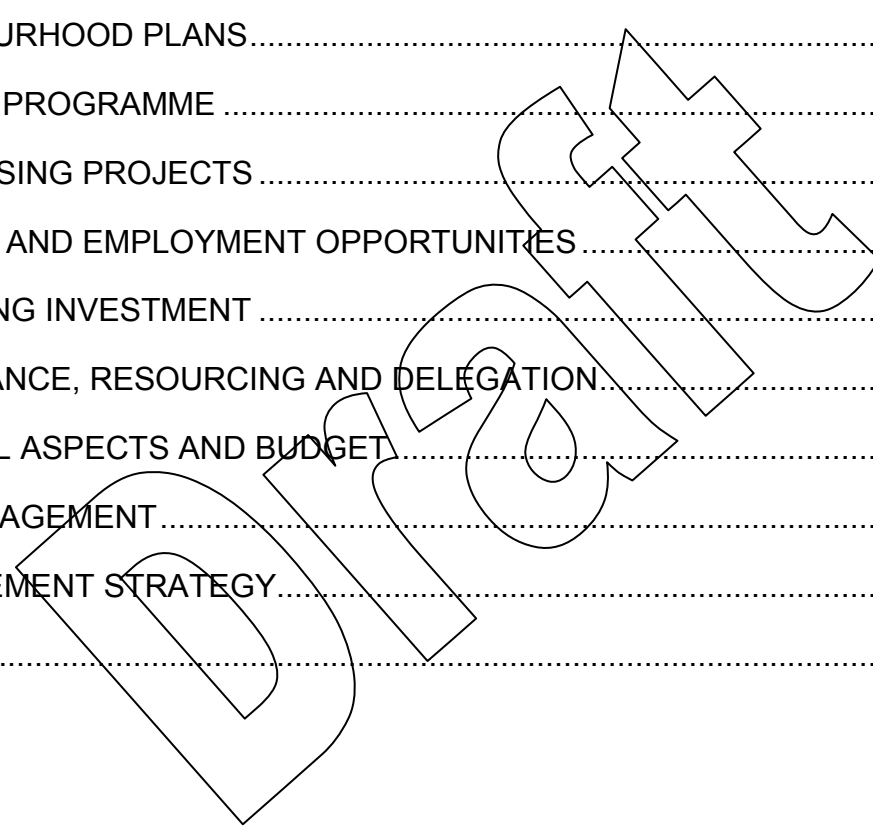


**EASEL JOINT VENTURE COMPANY
OUTLINE BUSINESS PLAN YEARS 1-10**

DRAFT

EASEL JOINT VENTURE COMPANY
OUTLINE BUSINESS PLAN YEARS 1-10

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EASEL JOINT VENTURE COMPANY

OUTLINE BUSINESS PLAN YEARS 1-10

1.0 INTRODUCTION

- 1.1 This is the Years 1-10 Business Plan (Business Plan) for the East and South East Leeds (EASEL) Joint Venture Company (JVCo) whose shareholding is controlled equally by Leeds City Council (LCC) and Bellway plc (Bellway). It seeks to make clear the key objectives of the JVCo, as well as anticipating the project programme, the first annual budget, governance arrangements and management structures which will characterise the early years of its operation.
- 1.2 The key 20 year regeneration objectives for the EASEL area are set out in full at [Appendix A](#). This Business Plan begins with a clear statement of how the company will seek to respond to these longer term objectives within the first period of its operation. It is important for the JVCo to set up an operational framework which will enable it to contribute towards the delivery of long term and lasting social, physical and economic transformation for East and South East Leeds.
- 1.3 This Business Plan will, as a consequence, allow the Board of the JVCo (the Board) to take decisions which are in the long term interests of the local housing market and the community it serves. Nevertheless, EASEL has been long-awaited and this first Business Plan will also seek to make up for lost time engendering a real sense of immediate urgency in those contributing to its delivery.
- 1.4 It is intended that this Business Plan and its attendant budgets and programmes will be reviewed by the Board on an annual basis. This will allow the Board to review performance, consider housing market aspects and to make any adjustments which they jointly agree will be necessary towards the achievement of the 10 year Objectives. The Board will establish a protocol which will assist it in managing the process of annual review.
- 1.5 As at the date of incorporation of the JV company, world markets are in turmoil following the unprecedented credit squeeze in the United States and the resulting banking crisis, therefore it is imperative that business decisions reflect this and a severe decline in the housebuilding sector and availability of housing finance. In the short term and until such time as world markets improve, the budget and business plan will be reviewed on a bi-monthly basis with a view to keeping day to day expenditure to a minimum.

EASEL JOINT VENTURE COMPANY

OUTLINE BUSINESS PLAN YEARS 1-10

2.0 OBJECTIVES

2.1 It is vital for the JVCo to quickly establish a series of key positive relationships which will form a bedrock of support for its proposals. It is also vital that the investment intentions of the company make sense and are legible to local people as the majority of JVCo projects will take place in neighbourhood settings where people will continue to live. Whilst the cumulative intended scale of the EASEL initiative is huge, its effects will be felt at a local level affecting the day to day lives of many residents, businesses and service providers.

2.2 The early objectives are therefore related to the planning phase which will establish in an inclusive manner what is to be done, how it is to be delivered and who will be involved.

2.3 The Board will aim to prepare plans which will secure maximum investment in new homes construction, optimise values generated and seek to secure support for any future clearance.

2.4 The Objectives set out below therefore seek to blend ambition with realism, to allow time and funds to be deployed in building support for a transformation of the housing offer in the EASEL area.

2.5 The key Objectives for years 1-10 therefore are:

- To prepare and keep updated 5 Neighbourhood Plans (NPs) which will have been produced via an inclusive process of meaningful engagement and which will show the land use, social and economic vision for the constituent parts of EASEL. These NPs will:
 - Achieve local community and political involvement, support and approval.
 - Be led by highly regarded firms of urban designers.
 - Be facilitated by local service providers and community groups.
 - Identify and support community networks.
 - Specify a phased programme of housing, mixed use, social and environmental projects which will ensure that a new sense of individual place will be established, integrating all aspects of local community life.
 - Stimulate focussed investment from a wide range of sources into EASEL neighbourhoods.
 - Engage service providers and inform future service needs.
 - In conjunction with the emerging AAP, be recognised as material policy statements for development control purposes.
 - Facilitate planning applications for JVCo and other investment.
 - Establish a shared, certain and supported vision for change at the local level.
- To help facilitate the development of sustainable mixed communities through the delivery of high quality new homes in Seacroft, Halton Moor, Osmondthorpe and Gipton in a series of mixed tenure projects. These projects will:

EASEL JOINT VENTURE COMPANY

OUTLINE BUSINESS PLAN YEARS 1-10

- Optimise sales rates in order to maximise investment.
 - Control sales prices to maximise choice and affordability.
 - Promote the development of a positive image of these neighbourhoods.
 - Offer wide tenure choice in a tenure blind configuration.
 - Increase land values by offering a combination of quality and price which will compare favourably within the wider Leeds housing market.
- To optimise the training and employment opportunities arising from the EASEL house building programme to the particular benefit of local residents. This means:
 - Bellway and other developers maximising job opportunities for local people in all aspects of the development process.
 - Utilising supply chain relationships to spread local benefits.
 - Encouraging the delivery of community based learning facilities and individualised support.
 - Exploring the feasibility of a Modern Methods of Construction (MMC) field factory and the establishment of EASEL as a National Skills Academy for construction.
 - To respect the objectives of the Shareholders to manage working capital in a responsible and market responsive manner, commensurate with the agreed phases of housing development, via an annual budget review process.

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EASEL JOINT VENTURE COMPANY

OUTLINE BUSINESS PLAN YEARS 1-10

3.0 NEIGHBOURHOOD PLANS

- 3.1 A series of 5 Neighbourhood Plans will be commissioned by the JVCo beginning with Seacroft/Killingbeck and Halton Moor/Osmondthorpe. It is then intended to progress to Richmond Hill/Cross Green, Harehills and Gipton.
- 3.2 There is a dual purpose to progressing EASEL in a plan led approach:
- To devise a clear and distinct physical, social and economic vision for each neighbourhood that has community support.
 - To use the plan making process to identify and expand the capacity of local community networks.
- 3.3 Each Plan will take roughly 12 months to mobilise and complete, although it is recognised that each community may vary in terms of the pace at which it prefers to engage in the process. It is intended that all 5 Plans will be completed early in this initial Business Plan period.
- 3.4 The extent to which the joint house building programme might extend beyond cleared land into areas requiring clearance will be established via the Neighbourhood Plans process. The annual Business Plan review process will pick up these outcomes as Neighbourhood Plans reach completion, with attendant revision of JVCo phase plans, budgets and programmes appropriate to any new situation.
- 3.5 The methodology for the Neighbourhood Plans will be in 2 parts:
- Consultant led element: physical land use, social, economic and environmental masterplan vision, programme and delivery.
 - Local community agency element: Community Engagement Plan (CEP).
- 3.6 It is intended that all 5 Plans will respect this combined approach, although the first 2 NPs will be treated as pilots from which lessons will be drawn for later Plans. The delivery of the CEP by a combination of outreach workers, community agency personnel, partner organisations and LCC Officers (rather than by consultants who have no long term stake in the community) is challenging but is designed to ensure that relationships are lasting, consultation is meaningful and capacity is built.
- 3.7 The Board will consider the need for any updating of completed Neighbourhood Plans during the 10 year Business Plan period.

4.0 HOUSING PROGRAMME

4.1 This Business Plan recognises that the core rationale for the establishment of the JVCo is the realisation of a successful housing market in this sector of Leeds. At the heart is a challenge to diversify the mono tenure of the expansive LCC estates of Gipton, Seacroft, Halton Moor and Osmondthorpe by establishing sustainable mixed tenure communities and at the same time to generate investment which can be used in these areas as well as in the terraced zones of Harehills, Richmond Hill and East End Park.

4.2 This Business Plan respects a number of jointly agreed factors which are implicit within the objectives set out above namely:

- That the residential development programme should start on land which is cleared (or about to be cleared) to allow time for confidence to be raised and values to increase. Clearance is expensive and requires community support. Underused open spaces and former school sites will be a critical land resource in this Business Plan period.
- That quality of product is an essential pre-requisite of success in increasing land values.
- That a whole range of measures are necessary to attract in new families, beyond the immediate responsibilities of the JVCo.
- That the shareholders are in a position to control house prices to allow for a new and sustainable market to become established.
- That a carefully managed decant programme will be needed to underpin any future clearance.
- That building local family wealth will be essential if existing residents are to fully participate in and benefit from this process of change.

4.3 The JVCo has already secured detailed planning permission for 743 high quality new homes in Gipton and Seacroft on 8 sites, known as the Phase One sites. The construction start on these projects has played a significant part in increasing the credibility of the EASEL initiative with local people and their representatives. The Phase One sites will also demonstrate:

- The quality of the homes and the surrounding on site open areas (home zones).
- The positive impact of Bellway's considerate constructor scheme.
- Direct training and employment benefits.
- How local schools can participate in the programme.

4.4 The housing programme for years 1-10 beyond the Phase One sites will be informed by the Neighbourhood Plans and be influenced by features of the wider housing market. It will concentrate on sites in North and South Seacroft, Halton Moor and Osmondthorpe where the Arms Length Management Organisation (ALMO) has already cleared, or is currently clearing, unsustainable housing stock to make way for the EASEL programme or where schools have been closed leaving vacant land or where there are areas of underused open space. Plans showing the years 1-10 sites

EASEL JOINT VENTURE COMPANY

OUTLINE BUSINESS PLAN YEARS 1-10

are attached at [Appendix B](#). This shows a total of 16 sites divided into Phase 1 and Phase 2.

4.5 This plan represents an initial portfolio of sites. The Neighbourhood Plans will identify additional areas which can come into future JVCo programmes and as such this plan should be regarded as the starting point for the JVCo.

4.6 The specifics of phasing the housing programme must be hinged around decisions which prevent unhelpful internal sales competition between EASEL projects, as this would otherwise undermine prices and sales rates. Bellway has advised that sales outlets in each of the following locations represent different markets and as such could operate consecutively:

- North Seacroft, orientated around the Wetherby Road, Wykebeck Valley and The Rein.
- South Seacroft, orientated around South Parkway.
- Osmonthorpe and Halton Moor.
- Gipton.

4.7 Judgements of this nature will rely on Bellway's assessment of levels of market demand at any one time as advised to the JVCo Board. The Phase One sites have now established sales outlets in Gipton and South Seacroft. This Business Plan shows how the Phase 2 sites extend the programme into additional neighbourhoods within EASEL.

4.8 It is intended that high quality sales outlets will be set up to operate in each market. They can become the focal point for a programme of projects and initiatives involving local schools to support the curriculum, contribute to the positive image of EASEL and to encourage employment and training place take-up by local young people.

4.9 The initial list of Phase 2 cleared or soon to be cleared sites in this Business Plan is:

4.9.1 North Seacroft

- Asket Garth, Drive, Gardens and Drive (part).
- Former Asket Hill primary school site and part of Kentmere Approach.

4.9.2 Halton Moor

- Sites at Cartmell Drive.

4.9.3 South Seacroft

- Area between South Parkway and Brooklands Avenue.
- Area between South Parkway and Brooklands Drive fronting on the open area at the approach to the ELFLC site.

EASEL JOINT VENTURE COMPANY

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- 4.10 The land area of Phase 1 and 2 comprises approximately 37 hectares which together will deliver an estimated 1850 new homes, of which some 1600 are anticipated to be built in years 1-10 of the JVCo's programme, based on assumptions that the housing market improves beyond the exceptional circumstances of late 2008. Bellway will advise the Board of actual sales rates achieved on a regular basis so that these and other assumptions can be adjusted.
- 4.11 The clearance programme for this combined Phase 1 and Phase 2 area is well advanced and it is estimated that a further 40 LCC tenants and 31 owner occupiers remain to be relocated. The programme attached at [Appendix C](#) has been produced in conjunction with the ALMO and Strategic Landlord function of LCC and is regarded as deliverable, bearing in mind the current rates of re-housing.
- 4.12 Fourteen new house types have been developed by Bellway for the Phase One sites, ranging from 2 bed room flats to 3-4 bed room semi detached homes. This range will be the starting point for consideration of new schemes particularly in Osmondthorpe and Halton Moor where these products are not currently on offer via the Phase One programme. In North Seacroft which is considered to be potentially one of the most attractive parts of the EASEL area, new house types will be devised to capitalise on this opportunity.
- 4.13 Variety of design, particularly with respect to external elevations, will be vital in terms of delivering distinctive local neighbourhoods as well as to maximising values and volume of sales. The housing programme will concentrate on delivering distinctive places with safer streets and play areas, which represent best practice examples of urban design as well as incorporating contemporary architecture. The merits of commissioning an EASEL Design Guide will be considered by the Board during the early years of this Business Plan period which will aim to control the quality of new investment facilitated by the JVCo and others.
- 4.14 Choice in terms of tenure and price will also be a feature of the housing development programme. The Phase One sites provide 2 basic tenure choices; full market sales and discounted shared equity homes. As the JVCo expands its programme, it is intended that other products could be offered potentially including:
- Shared ownership homes offered either by a Registered Social Landlords (RSL) or the Bellway Housing Trust (BHT).
 - New build social housing on behalf of the Council.
 - Sub-market rented housing offered by an RSL or BHT.
- 4.15 It is intended that investment by the JVCo will encourage the delivery of specialist housing for the elderly and other target groups as part of any sub-market rented element. This provision will address an identified local need as well as helping to accelerate the decant programme and encouraging community support for the EASEL programme.
- 4.16 Most homes will be provided on a freehold basis either to owner-occupiers or to managing agencies. However the JVCo will consider the merits of long leasehold

EASEL JOINT VENTURE COMPANY

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structures which do not affect marketability or value in order to create revenue income streams in support of local community initiatives. The Board will consider ways in which financial structures could be introduced into the terms of conveyance for new homes to ensure that maintenance of open spaces, home zones, playgrounds and other landscaped areas are properly maintained in perpetuity. The Board will also explore innovative structures to try to ensure that all residents, irrespective of tenure, share a responsibility for the up-keep of new residential areas.

4.17 The attached programme shows the potential sequencing of schemes which could be delivered utilising this initial list of sites. The anticipated outputs arising from delivery of these schemes are set out below. The Board will look to introduce efficiencies into the process for project appraisal, planning application and construction phases to streamline the process by which an optimal number of new homes can be built in the first 10 years (up to the end of 2019) of JVCo operation, with pace of investment being dictated ultimately by market demand.

Gipton:

Approximate number of new homes sold	440
Brownfield land reclaimed approximately	9 ha
Number of sites	4

South Seacroft:

Approximate number of new homes sold	435
Brownfield land reclaimed approximately	10 ha
Number of sites	4

Halton Moor/Osmondthorpe:

Approximate number of new homes sold	350
Brownfield land reclaimed approximately	7 ha
Number of sites	2

North Seacroft

Number of new homes sold	385
Brownfield land reclaimed approximately	8 ha
Number of sites	3

EASEL JOINT VENTURE COMPANY

OUTLINE BUSINESS PLAN YEARS 1-10

4.18 Sustainable Homes:

- 4.18.1 All new homes to be built will meet the requirements of the Code for Sustainable Homes. The Board recognise the need to plan and agree a process by which EASEL housing schemes progress from Category 3 in 2009 towards the goal of carbon neutral homes by 2016 in line with statutory regulations. This plan will be interpreted in the context of each housing scheme to be appraised, so that the JVCo Board can appreciate the cost/value implications.
- 4.18.2 Two specific initiatives will be pursued which may assist the realisation of carbon neutral homes in EASEL:
- 4.18.3 The potential establishment of a multi-service utility company (MUSCo) will be explored, based around the model under consideration by English Partnerships and Bellway at Barking Riverside. The early feasibility work at Barking could be used as a springboard for East Leeds to enable cost effective consideration of the potential to establish a company who will provide private finance to replace obsolete utility services media and potentially establish a local energy source (e.g. combined heat and power plant using green fuels) in exchange for access to the householder customer base.
- 4.18.4 The potential establishment of a modern methods of construction (MMC) field factory, a production facility which can produce standardised and high quality component parts of new homes. This facility could have the capacity to deliver product to house builder customers beyond the EASEL programme. It would allow for sustainable technologies to be tested and incorporated in a controlled environment. The feasibility study relating to the field factory should include how offsite technologies can support the requirements of the Code for Sustainable Homes (minimum Level 3) and other performance demands set by the JVCo Board and test whether EASEL might provide the basis for a viable MMC facility in Leeds.
- 4.18.5 Beyond these initiatives, the JVCo Board will ensure, via the Neighbourhood Plans process and the EASEL Design Code, that solutions around sustainable drainage and environmentally responsible designs are incorporated at each stage of investment.

EASEL JOINT VENTURE COMPANY

OUTLINE BUSINESS PLAN YEARS 1-10

5.0 NON HOUSING PROJECTS

5.1 The JVCo Shareholder Agreement recognises that the Council may chose to invite Bellway to bid for the delivery of a number of key non-housing projects throughout the first 10 years of operation and beyond. Such projects might include:

- Submarket rented housing provision
- Physical infrastructure such as roads and parks
- Mixed use community hubs

5.2 Additionally and outside this Business Plan, the Council will progress the delivery of a number of key projects in the EASEL area including:

5.2.1 Redevelopment of the East Leeds Family Learning Centre Site

This Council owned property is at the heart of Seacroft and this project could seek to exploit this land resource and its flexible boundaries with adjacent housing areas, to help attract investment from the education sector to establish a learning campus. This could become an inspiring new complex of buildings delivering learning to all age groups from early years, through FE and skills for adult learners, capitalising on its close proximity to the David Young Academy. The potential may exist to incorporate space for new enterprises, as well as for ancillary activities such as café/restaurant and library. Footloose office requirements from Council services could also be targeted for occupation here.

5.2.2 Seacroft Gateway Retail Centre

The Preferred Option of the Draft AAP identifies potential for this centre to be expanded to provide additional retail units and other mixed use activities, subject to an evidence base justifying this approach. The land is in private ownership. The potential in this location might be explored with a view to strengthening physical linkages to the residential areas of Seacroft to the rear of the Tesco store, together with a review of the role of Council owned sites and buildings in this vicinity. The future for the historic village of Seacroft should also be considered and respected.

5.2.3 Arcadia Site and Torres Estate

The Preferred Option of the Draft AAP identifies this area for a comprehensive mixed use development capitalising on the pre-dominant dual ownership of the Arcadia Group and the Council. The scale of this combined land area means that this is an important prospect for significant investment in family homes and space for small businesses close to the rim of the city centre. Ways to secure the development of a relatively high density (but not high rise) urban mixed use quarter in this location might be explored.

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5.2.4 The Wykebeck Valley

The valley is the single feature which has the capacity to link all the remade LCC estates Gipton, Seacroft, Halton Moor and Osmonthorpe. It should be an acclaimed asset and be the structural element which connects a whole series of new spaces throughout the adjacent residential neighbourhoods. It provides a unique opportunity for a new linear park for Leeds incorporating sustainable drainage solutions, social enterprise, education, recreation and sports, spanning both EASEL and the Aire Valley.

5.2.5 Lincoln Green

This Council owned site adjoining the Teaching Hospital at St James' presents a unique economic development prospect for the city of Leeds. The site could exploit co-location benefits for third-arm research and applied technologies that would benefit from proximity with the Teaching Hospital. The scheme could comprise a high density urban scale mixed use development with a core of R&D space for direct occupation by the University, the Trust and sector specific corporates, especially medical appliance companies who are well represented across Yorkshire. A comprehensive scheme might also incorporate a medi-sector incubator, local retail centre (replacement for the existing poor quality Lincoln Green facility) a multi-storey car park, GP walk-in centre, residential accommodation for key workers, health and fitness provision and a new facility for the Ambulance Service. A sensitive approach to decanting the existing residential community will need to be achieved as a pre-requisite.

5.2.6 Great Clothes and Marsh Lane Area

This area is presently in multiple private ownerships with local property developer interest in speculative site assembly. This investment needs to be encouraged to help facilitate the delivery of further consolidation of ownerships so that family homes and new commercial floor space can be delivered, helping to bridge between the EASEL area and the edge of the city centre, as well as improving local shopping provision for the existing residents of East End Park.

EASEL JOINT VENTURE COMPANY

OUTLINE BUSINESS PLAN YEARS 1-10

6.0 TRAINING AND EMPLOYMENT OPPORTUNITIES

6.1 The EASEL area is characterised by schools with relatively low levels of educational attainment and by high levels of unemployment. There are localised areas where a deep-seated culture of worklessness has taken root. Those in employment are in relatively low paid jobs and the skills needed to progress are often lacking. The JVCo has the opportunity to play a significant part in transforming this situation in a variety of ways.

6.2 The JVCo will seek to:

- Provide mixed tenure housing which will inevitably broaden the social mix to help dilute the existing dependency culture, increasing local levels of aspiration.
- Provide a whole range of training and employment opportunities arising out of the EASEL construction programme which can be targeted towards local residents.
- Via the Neighbourhood Plans, will seek to unify the ambitions of service agencies that are active in this sector, improving cooperation and efficiencies.
- Encourage the development of non-housing projects which provide accommodation for companies and agencies who can recruit locally.

6.3 Each individual JVCo project will contain training and employment targets which must be met by the developer and supply chain. A policy of recruiting locally will be pursued, targeting those living locally to each construction project and focusing on post codes in the EASEL area.

6.4 MMC field factory as a training centre specialising in off-site processes.

6.4.1 This local manufacturing capability could provide a 'back-to-work' route for the many unemployed people living in East Leeds, and thus create a more sustainable sense of local community. A major benefit of offsite manufacturing, in common with many labour intensive factory activities, is that the factory processes rarely require high levels of trade skills which are becoming increasingly difficult to resource in number. It is entirely feasible to train unskilled operatives in basic factory skills and produce acceptable offsite products relatively quickly. There is clearly a compelling need to create higher levels skills and expertise to improve average incomes within the EASEL communities and this desire is not inconsistent with offsite manufacturing. The basic production skills required in most offsite factories could form the basis to launch careers and apprenticeships in a range of highly regarded construction trade skills including plumbing, electrical installations, joinery, tiling, plastering and general finishing trades. Thus offsite factories could be viewed as part of an employment and training continuum for the local community, providing a structured opportunity to reinforce the work ethic and bring people back into the income generating, local economy. Whilst all of these potential benefits are clear, the Board recognise that delivery of the MMC field factory will be reliant on a compelling business plan and the identification of willing third party investors.

EASEL JOINT VENTURE COMPANY

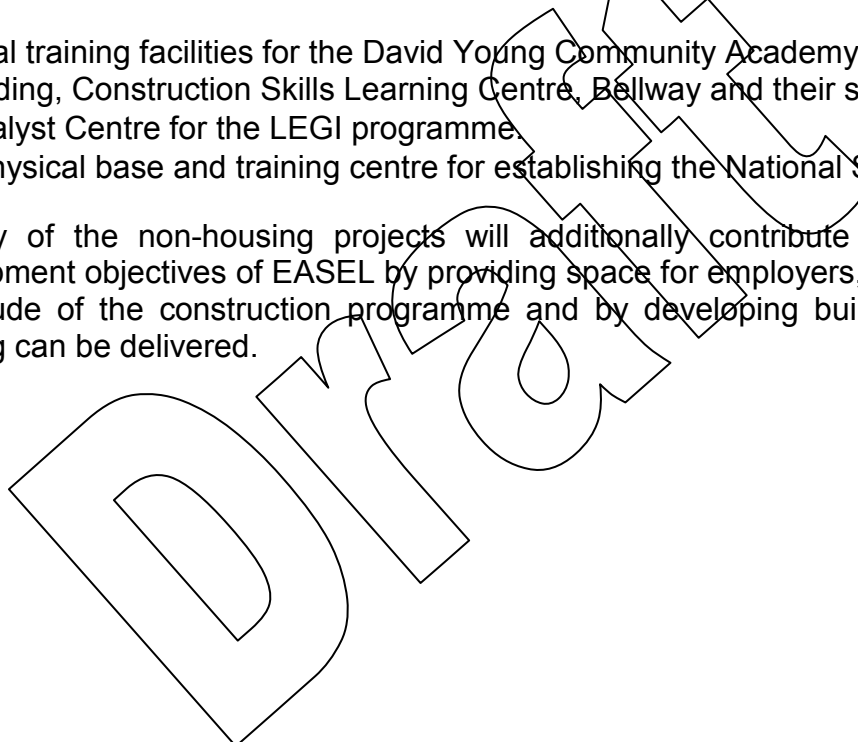
OUTLINE BUSINESS PLAN YEARS 1-10

6.4.2 EASEL as a National Skills Academy for construction ensuring that all construction projects are delivered alongside a workforce development plan:

The feasibility of this approach will be developed alongside Construction Skills, the Sector Skills Council for construction in the UK. This approach will help plan, establish and support project based learning centres on all major construction projects in the EASEL programme. This will mean that all on site operatives irrespective of trade or skills level will be offered the opportunity to progress, helping to develop a training culture throughout the supply chain. It will also enable the monitoring of all EASEL training achievements. As a first stage in this process, a local training facility and enterprise catalyst centre, has already been established in Seacroft to provide:

- Local training facilities for the David Young Community Academy, Leeds College of Building, Construction Skills Learning Centre, Bellway and their sub-contractors.
- Catalyst Centre for the LEGI programme
- A physical base and training centre for establishing the National Skills Academy.

6.5 Delivery of the non-housing projects will additionally contribute to the economic development objectives of EASEL by providing space for employers, by expanding the magnitude of the construction programme and by developing buildings from which learning can be delivered.



EASEL JOINT VENTURE COMPANY

OUTLINE BUSINESS PLAN YEARS 1-10

7.0 MAXIMISING INVESTMENT

7.1 It is the intention of the Council to dedicate its land receipts and developer contributions accumulated in the EASEL area into a regeneration programme devised and managed by its Regeneration Team East Area Office which will:

- Support the realisation of the EASEL Objectives.
- Fill gaps left after mainstream funds have been exploited.

7.2 It is the Council's intention to fund a Regeneration Plan which it will review annually and which will complement the activities of the JVCo Board.

7.3 In the first years of operation, the projects which will call on this funding are likely to be those emanating from the Neighbourhood Plans.

7.4 The extent of funds flowing into the Regeneration Plan will inevitably depend on the scale and throughput of the approved house building programme, as well as other property development schemes secured by the Council outside the operation of this JVCo. It is intended that annual reviews of this Business Plan will equip the Council with reliable estimates of funding which could be dedicated to the EASEL Regeneration Programme for the coming 12 months and this programme will arise out of actual funds available as well as forecasted incomes.

7.5 The preparation of the Neighbourhood Plans will provide the key opportunity to secure additional investment into EASEL beyond those funds directly raised via the JV programme itself. All service departments of LCC will be consulted during the preparation of these Plans and the Council could take this opportunity to align Council policies and budgets.

7.6 This Business Plan highlights a series of EASEL projects which have a role to play in attracting investment from a range of third party sources. Obvious sources include the LSC, Regional Housing Board, the new Homes and Communities Agency, Yorkshire Forward and third party property developers and institutions.

EASEL JOINT VENTURE COMPANY

OUTLINE BUSINESS PLAN YEARS 1-10

8.0 GOVERNANCE, RESOURCING AND DELEGATION

8.1 The Shareholders will establish a Board who may have powers and authority delegated to it from the Shareholders.

8.1.1 The Council's representatives on the Board may have been given delegated authority to make decisions on the following matters on the Council's behalf:

- Whether or not the Council will pursue a CPO.
- Approval of a JVCo Business Plan.
- Entering into a Project Agreement for disposal of land to Bellway.

8.1.2 Bellway's representatives on the Board may have been given delegated authority to make decisions on the following matters on Bellway's behalf:

- Approval of a JVCo Business Plan.
- Entering into a Project Agreement for the purchase of land from the Council.

8.2 Otherwise, it is intended that the Board will monitor and report progress on the delivery of a Business Plan to the Shareholders.

8.3 The Shareholders intend that once a Business Plan has been approved by them, the Board will have the necessary delegated authority to:

- Alter the sequence and timing of individual site draw down in accordance with reviews of the JVCo's development programme.
- Set budgets for working capital which reflect the resource requirements of the JVCo's programme, provided they are within the limits for spend approved by the Shareholders.
- Adjust the resource base to ensure best fit with the programme.
- Make external consultant appointments to support agreed activities.

8.4 The Board will delegate or nominate an Operations Group to undertake specific tasks on its behalf. The Operations Group will comprise appropriate members of the Shareholders staff who have a technical expertise relevant to the delivery of projects within the Business Plan. The Operations Group will:

- Monitor the preparation of and act as client for the EASEL Neighbourhood Plans.
- Day to day implementation, administration and responsibility for the JVCo Business Plan.
- Managing and implementing the staged project appraisal procedure.
- Discussing and implementing any minor changes to the agreed Business Plan – which do not have any material financial or operational impact on either of the Shareholders.
- Reporting to the Board.
- Preparing Business Plan, budget and programme reviews.

EASEL JOINT VENTURE COMPANY

OUTLINE BUSINESS PLAN YEARS 1-10

- 8.5 Membership of the Operations Group will be flexible and responsive to the particular challenges of the Business Plan.
- 8.6 As the momentum of JVCo business builds, the Board will give consideration to the establishment of a wider resource base within the Operations Group (or sub groups) suited to deal with the intended scale of the JVCo programme. These resources may cover the following key aspects:
- Valuation of properties for acquisition and site assembly.
 - Re-housing and decant programme.
 - Conveyancing and Planning Agreements.
 - Construction cost scrutiny.
 - Development control.
 - Design.
- 8.7 It will be important for resources directed via the Operations Group to be distinct from the resources deployed by the Council in fulfilling its statutory functions, especially in relation to S123 and matters relating to the Local Planning Authority.
- 8.8 The Operations Group will have the ability to draw in consultant support where this is necessary, subject to Board approval.
- 8.9 Resourcing will need to be kept under review by the Board.

EASEL JOINT VENTURE COMPANY

OUTLINE BUSINESS PLAN YEARS 1-10

9.0 FINANCIAL ASPECTS AND BUDGET

- 9.1 A years 1-3 budget is attached at [Appendix D](#). It shows a draft proposal for spend which will need to be reviewed by the Board in order to agree the draw down of working capital to be provided by Bellway. Decisions as to the commencement of this budget period and the nature of annual reviews will particularly take account of conditions in the housing market.
- 9.2 A JVCo financial model has been prepared for the 20 year partnership period during the procurement phase. This is a fully functional model which shows the extent of anticipated investment by Bellway in the housing programme, together with other key investment in infrastructure and regeneration programmes. There is a separate financial model relating to the Phase One sites programme.
- 9.3 This historic work, together with the information emanating from the Phase One programme will be used to produce a workable financial model geared to the management requirements of the Shareholders and JVCo Board. A revised version of this model will be produced on completion of the first Neighbourhood Plan.
- 9.4 This bespoke functional financial model will be a key management tool for the Board and the Operations Group in terms of monitoring the delivery of this and subsequent Business Plans.
- 9.5 The key financial factors within this model will be incorporated into this Business Plan at its first annual review. At that stage it will be possible to incorporate cash flow forecasts, timing of land payments, estimates of S106 sums and total investment by Bellway in the development programme. This information will assist the Council in devising its regeneration programme for the EASEL area reflecting local needs and priorities highlighted during the Neighbourhood Plans process, which are not otherwise met by mainstream LCC budgets.

10.0 RISK MANAGEMENT

- 10.1 A risk management approach will be operated by the company and appropriate risk analysis and control of risk will be conducted to inform decision making by the Board. A main risk register will be developed and will be used by the Board and Operations Group when assessing proposals for individual sites or projects. It will be used by the Board to inform general actions, behaviours and strategies to try to minimise risks which could adversely affect the delivery of this Business Plan.
- 10.2 The Board expect to consider additional strategies which could be incorporated into the day to day operation of the JVCo which will reduce exposure to risk.

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EASEL JOINT VENTURE COMPANY

OUTLINE BUSINESS PLAN YEARS 1-10

11.0 PROCUREMENT STRATEGY

- 11.1 The JVCo Board intends that open competition should apply when goods and services are procured to assist the delivery of its Business Plans. The Board will require the Operations Group to respect the following procedure which is aimed to ensure both value for money and quality of service.
- 11.1.2 A Brief will be prepared and agreed within the Operations Group for approval by the Board.
- 11.1.3 The Operations Group will advise on an appropriate budget estimate for the works or services.
- 11.1.4 The Board will decide whether funds from working capital or from other sources can be allocated for this purpose.
- 11.1.5 Evaluation criteria will be devised and competitive bids sought from at least 3 suitably qualified firms or organisations. If Bellway nominate a party for an exclusive appointment from within the Bellway EASEL bid team, evidence of market testing both price and quality of service must be provided to the Board's satisfaction.
- 11.1.6 Wherever possible a firm timescale and fixed maximum fee or price must be obtained for the works or services contained in the Brief. The Board must approve any departure from this approach.
- 11.1.7 The Board will decide how best to organise the contractual basis of appointments.

EASEL JOINT VENTURE COMPANY

OUTLINE BUSINESS PLAN YEARS 1-10

APPENDIX A EASEL 20 YEAR REGENERATION OBJECTIVES

EAST AND SOUTH EAST LEEDS (EASEL) REGENERATION PROJECT OBJECTIVES

Fundamental Objectives

- To create sustainable mixed use communities in the EASEL area.
- To make the EASEL area a place that people want to live and work and to tackle existing deprivation and overcome the negative perceptions of the EASEL area.

Detailed Objectives

- To create affordable, attractive and high quality mixed tenure housing.
- To increase housing choice for existing residents and attract new higher income residents to achieve a diverse and sustainable housing market.
- To invest in new and existing assets to transform the image and attractiveness of the area, realising the potential of its high quality green spaces.
- To create lively busy centres for new neighbourhoods with good schools and local services.
- To address the underlying social and economic problems of the area focusing on improving attainment and skills, reducing crime and promoting employment and enterprise.
- To capitalise on existing public and private sector investment opportunities in schools, hospitals and the neighbouring Aire Valley.
- The following regeneration objectives are designed to help achieve the overall aim of the EASEL regeneration project:

- Housing
H1: To create new mixed tenure neighbourhoods.
- Economy
EC1: To create new mixed income neighbourhoods.
- Access and Connectivity
AC1: To ensure there is ease of movement within and to and from the EASEL area.
- Environment
En1: To create a distinct character and sense of identity for the EASEL area and its constituent neighbourhoods that is safe.
- Engagement and Involvement
E1: To increase aspirations and choice for people living in the EASEL area.
- Investment

In1: To target investment in new and existing assets within the area to transform the image and attraction of the EASEL area.

**EASEL JOINT VENTURE COMPANY
OUTLINE BUSINESS PLAN YEARS 1-10**

APPENDIX B

[refers to Executive Board report Appendix 1 Phase Plan]

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EASEL JOINT VENTURE COMPANY
OUTLINE BUSINESS PLAN YEARS 1-10

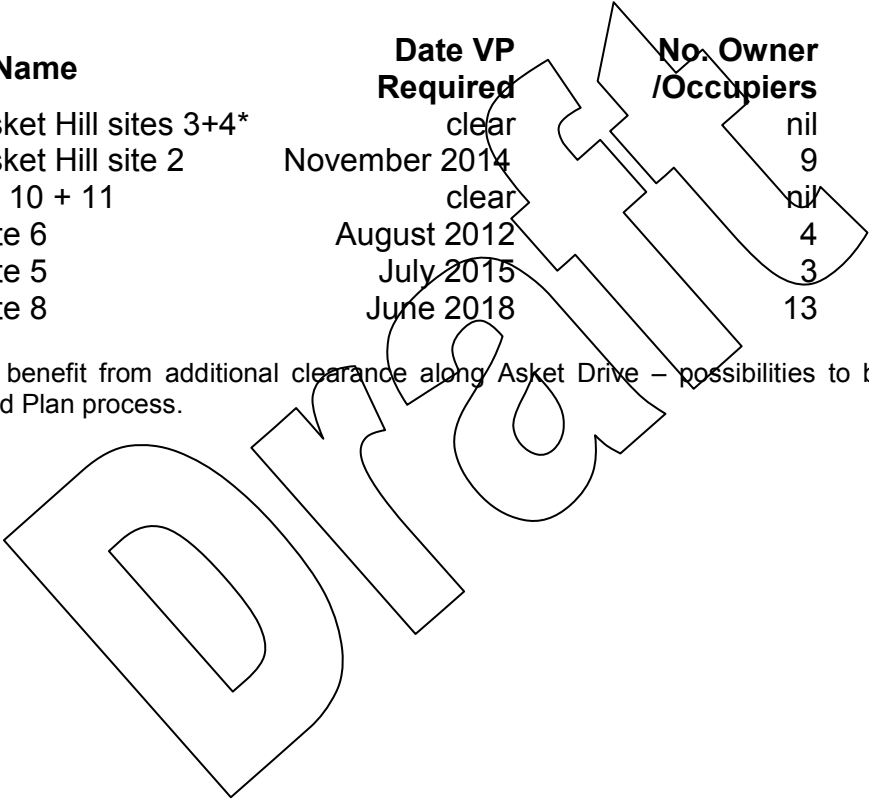
APPENDIX C CLEARANCE PROGRAMME YEARS 1-10

The years 1-10 programme indicates the dates by which vacant possession must have been achieved for projects to progress in line with the Business Plan. The Almo advise that their current activities match this programme or indeed are ahead of it. In detail, the Almo clearance programme is:

Clearances already approved and in progress:

Site Name	Date VP Required	No. Owner /Occupiers	No LCC Tenants
North Seacroft Asket Hill sites 3+4*	clear	nil	nil
North Seacroft Asket Hill site 2	November 2014	9	5
Halton Moor sites 10 + 11	clear	nil	nil
South Seacroft site 6	August 2012	4	5
South Seacroft site 5	July 2015	3	4
South Seacroft site 8	June 2018	13	22

* project would benefit from additional clearance along Asket Drive – possibilities to be tested as part of Neighbourhood Plan process.



**EASEL JOINT VENTURE COMPANY
OUTLINE BUSINESS PLAN YEARS 1-10**

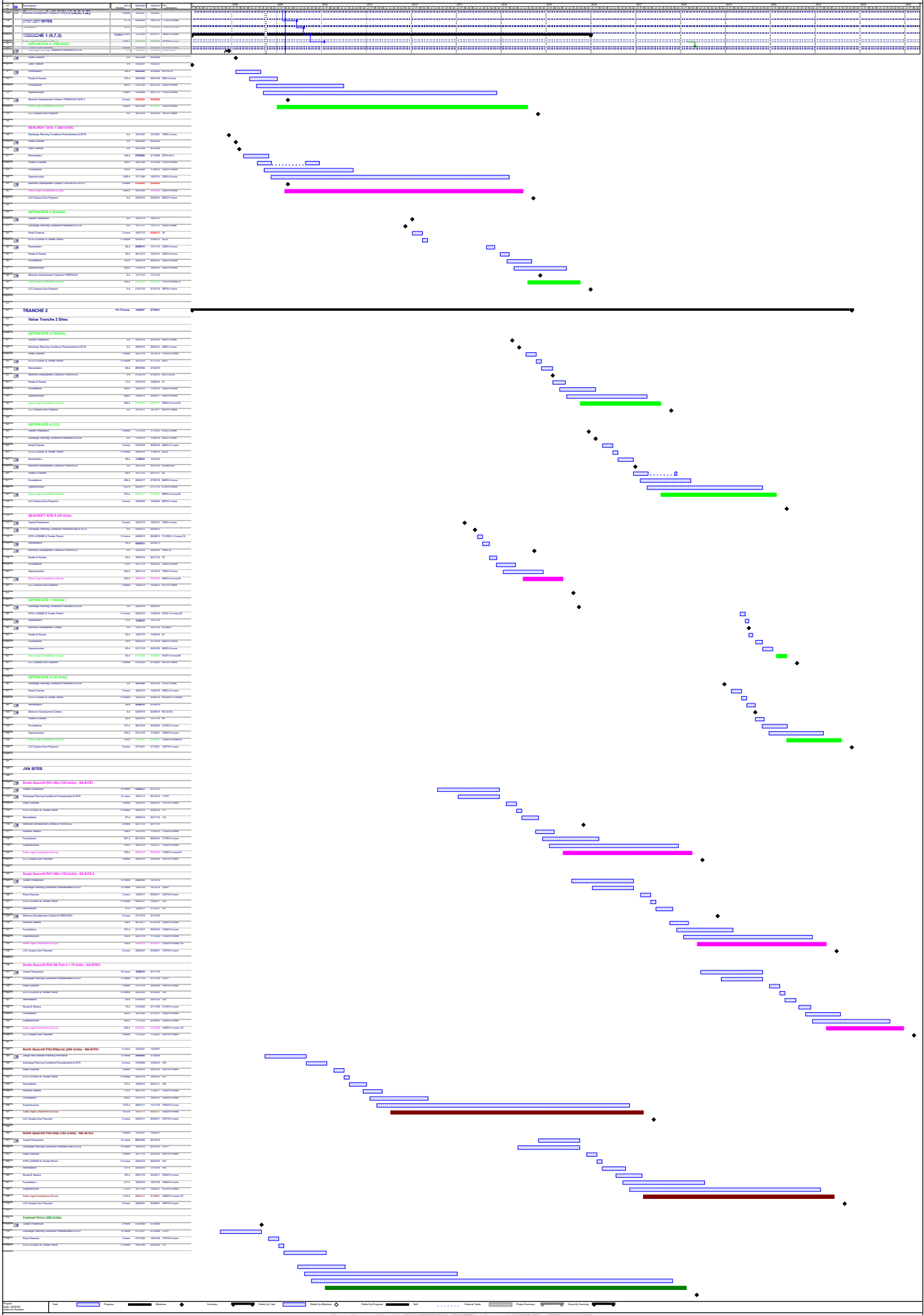
APPENDIX D YEARS 1-3 BUDGET

[Refers to confidential appendix 7 to the Executive Board Report]

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EASEL Programme
PHASE 1 8No SDA Sites (5, 7, 4) (3, 6, 8, 1, 2)
PHASE 2 8No JVA Sites
27/09/08



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EASEL
8N0 SDA = PHASE-1 SITES
+
8No JVA = PHASE-2 SITES

PHASE 1 SITES

	SDA SITES			Durations in Working Days				
	Area	Units	Sales pa	Sales Duration days MSPProject	Foundations	Roads & Sewers	Remediation	
	ha	a	b	c	e	f	g	
				(a/b)x12x4x5	(a x 2.5) + 14	(a x 3/4) + 14	(a x 2/3) + 14	
	Traunch 1							
PHASE1 - G SITE1	5	3.879	198	35	1358	509	163	146
PHASE1 - SS SITE1	7	3.972	202	35	1385	519	166	149
PHASE1 - G SITE2	4	0.959	51	40	306	142	52	48
	Traunch 2							
PHASE1 - G SITE3	3	1.833	78	40	468	209	73	66
PHASE1 - G SITE4	6	2.156	112	40	672	294	98	89
PHASE1 - SS SITE2	8	0.964	39	40	234	112	43	40
PHASE1 - G SITE5	1	0.278	10	40	60	39	22	21
PHASE1 - G SITE6	2	1.028	53	40	318	147	54	49

15.069	743	4801
50/ha		

PHASE 2 SITES

	JVA SITES			Durations in Working Days				
	Area	Units	Sales pa	Sales Duration days MSPProject	Foundations	Roads & Sewers	Remediation	
	ha	a	b	c	e	f	g	
				(a/b)x12x4x5	(a x 2.5) + 14	(a x 3/4) + 14	(a x 2/3) + 14	
PHASE2 - SS- SITE1	Ph1 SSa	2.5	125	40	750	327	108	97
PHASE2 - SS- SITE2	Ph1 SSb	2.5	125	40	750	327	108	97
PHASE2 - SS- SITE3	Ph2 SS Part b	1.5	75	40	450	202	70	64
PHASE2 - NS- SITE1	Ph3 Ns(a+b)	2.7+2.2	245	40	1470	627	198	177
PHASE2 - NS- SITE2	Ph2 NSa	3.7	185	40	1110	477	153	137
PHASE2 - HM- SITE2	Cartmell Drive	7	350	40	2100	889	277	247

22.1	1105	6630
50/ha		

GIPTON	10.133	502
SOUTH SEACROFT	11.436	566
NORTH SEACROFT	8.6	430
HALTON MOOR	7	350

37.169	1848
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dated 15th September 2008

Draft

Leeds City Council

Directors' Mandate – EASEL Regeneration Project

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draft 1 dated 15th September 2008

1

1 Introduction

- 1.1 You have been appointed at the nomination of Leeds City Council to be a Director on the board of the EASEL Regeneration Company (the **Company**).
- 1.2 With a view to guide your conduct as a director of the Company we set out below, the General (Part A) and Specific (Part B) directors' mandate for the Company.
- 1.3 This briefing paper acts as an introductory briefing guide for newly appointed directors and sets out the core duties of a director as provided in the Companies Act 2006 (the **Act**), and the common law. It may be necessary for the Company to arrange training for newly appointed directors to ensure that they are familiar with their powers and duties in their role as directors.

PART A – GENERAL MANDATE

- 1.1 The Act contains a new duty on company directors which is far more wide-ranging and onerous than the previous duty. The Act incorporates for the first time a statutory statement of directors' duties and this operates alongside the existing common law rules.
- 1.2 At common law the following directors' duties exist:
- a duty to exercise skill and care,
 - b duty to act in good faith and in the best interests of the company,
 - c duty to act within the powers conferred by the company's memorandum and articles of association and to exercise powers for proper purposes,
 - d duty to avoid conflicting interests and conflicting duties, and
 - e duty to not make a secret profit.

2 The general duties under the Act

The general duties set out in the Act are detailed in paragraph 2.1 to 2.7 below. Directors will have to comply with the duties set out at paragraphs 2.1-2.4 and 2.6-2.7 from 1 October 2007. The duty to avoid conflicts of interest set out at 2.5 below, will not apply until 1 October 2008 but should be applied, in any event, as good practice.

2.1 Duty to act within powers

- 2.1.1 A director must act in accordance with the company's constitution and must only exercise his powers for their proper purpose. The 2006 Act defines a company's constitution, for the purposes of the general duties, as the company's Articles and Memorandum of Association and directors will need to review the company's constitution in order to ensure that decisions are taken in accordance with them.

2.2 Duty to promote the success of the Company

- 2.2.1 A director must act in the way he considers, in good faith, would be most likely to promote the success of the company for the benefit of its members as a whole.

- 2.2.2 In fulfilling this duty, a director must have regard to (amongst other matters):
- a the likely consequences of any decision in the long term,
 - b the interests of the company's employees,
 - c the need to foster the company's business relationships with suppliers, customer and others,
 - d the impact of the company's operations on the community and the environment,
 - e the desirability of the company maintaining a reputation for high standards of business conduct, and
 - f the need to act fairly as between the members of the company.
- 2.2.3 In having regard to the factors listed in paragraph 2.2.2 above, the general duty to exercise reasonable care and skill when acting as a director will apply.
- 2.2.4 The meaning of "success for the benefit of the company's members as a whole" is unclear. Department of Trade and Industry (**DTI**) guidance states that "success" in this context will usually mean "long-term increase in value" for commercial companies. The DTI has also said that the decision as to what will promote the success of the company, and what constitutes such success, is one for the director's judgement taken in good faith. It is for the director to evaluate business decisions utilising his judgement exercised in good faith.
- 2.2.5 The Act recognises that the duty to promote the success of the company will be overridden in an insolvency situation by the interests of the creditors of the company.
- 2.3 **Duty to exercise independent judgment**
- 2.3.1 A director must act independently and without undue influence from third parties. This duty is not infringed by a director acting in accordance with an agreement entered into by the company that restricts the future exercise of the directors' discretion or in a way authorised by the company's constitution. The duty also does not prevent the directors from exercising a power to delegate as granted by the company's constitution.
- 2.4 **Duty to exercise reasonable care, skill and diligence**
- 2.4.1 A director must exercise the care, skill and diligence which would be exercised by a reasonably diligent person with both the general knowledge, skill and experience that may be reasonably expected of a person carrying out the functions carried out by the director in relation to the company combined with the general knowledge, skill and experience that the director actually has.
- 2.4.2 In applying the test, regard must be had to the functions of the particular director, including his specific responsibilities, as well as the circumstances of the company. This means that directors will have different levels of responsibility dependent on their experience and other such matters.

2.5 **Duty to avoid conflicts of interest**

- 2.5.1 A director must avoid situations in which he has or could have a direct or indirect interest that conflicts with or may conflict with the company's interests. This applies in particular to the exploitation of property, information or opportunity by the director (whether or not the company could take advantage of the property, information or opportunity).
- 2.5.2 This duty does not apply to a conflict of interest arising in relation to a transaction or arrangement with the company, which should instead be declared (see paragraph 2.7 below).
- 2.5.3 The duty is not infringed if the situation cannot reasonably be regarded as likely to give rise to a conflict of interest, or if the matter in question is authorised by the directors. Board authorisation is only effective if the required quorum is met without counting the director in question or any other interested director and if the conflicted directors have not participated in the taking of the decision or if the decision would have been made without the participation of the conflicted directors.

2.6 **Duty not to accept benefits from third parties**

- 2.6.1 Directors must not accept any benefit (including a bribe) from a third party which is conferred because of his being a director or his doing or not doing anything as a director. This duty is not infringed if the acceptance of the benefit cannot reasonably be regarded as likely to give rise to a conflict of interest. Benefits granted by the company, its holding company or subsidiaries and benefits given by the director's service contract are excluded.
- 2.6.2 This duty has been categorised separately from the general duty to avoid conflicts of interest, so that a director obtaining a benefit from a third party can only be authorised to accept a benefit by the members of the company, rather than by the board.

2.7 **Duty to declare interest in a proposed transaction or arrangement**

- 2.7.1 A company's constitution will set out whether it is acceptable to enter into contracts where a director of the company has an interest. If the company's constitution allows a contract then the directors must confirm that the contract entered into is one which is both required by the company for the supply of goods or services and the nature and level of consideration provided for the same is reasonable in relation to its value.
- 2.7.2 The director must declare to the other directors the nature and extent of any interest, direct or indirect in a proposed transaction or arrangement with the company.
- 2.7.3 The declaration of interest must take place prior to the commencement of the company meeting and the director must withdraw from the meeting when the relevant item is being discussed by the board. The director must not participate in the meeting for the purposes of quorum or indeed, when the voting of the board takes place.
- 2.7.4 A director need not be a party to the transactions for the duty to apply, for example the firm of which the director is a partner is a party to the contract with the company.

2.7.5 Under common law, no declaration of interest is required where the director is not aware of his interest or where the director is not aware of the transaction or arrangement in question – for these purposes directors are treated as being aware of matters of which they ought reasonably to be aware.

3 **Additional points to note**

3.1 The duties as set out in the Act are owed by the directors to the company. Accordingly, it will be the company who will have an action against the directors for breach of any of the duties. However, please note that the Act introduces a new statutory derivative action (similar to the existing common law action) permitting shareholders to bring an action against a director on behalf of the company.

3.2 The Act includes other provisions imposing a "duty" on directors, such as the duty to deliver accounts and reports to the Registrar.

3.3 Companies may provide more onerous duties in their articles but the articles may not dilute the statutory duties except to the extent expressly allowed by the Act.

3.4 More than one of the general duties may apply in any given case. The cumulative effect of the duties means that where more than one duty applies, the directors must comply with each applicable duty, and the duties must be read in this context. For example, the duty to promote the success of the company will not authorise the director to breach his duty to act within his powers, even if he considers that it would be most likely to promote the success of the company. As well as complying with all the duties, the directors must continue to comply with all other applicable laws. The duties do not require or authorise a director to breach any other prohibition or requirement imposed on him by law.

PART B - SPECIFIC MANDATE – (EASEL Regeneration Company)

1 **Shareholders Agreement**

1.1 Directors should make themselves aware of the provisions of the Shareholders Agreement executed on behalf of the Council. Directors' specific attention is drawn to the following sections:

- a. The business and aims and objectives of the joint venture (see clause [•] and Schedule [•])
- b. The obligations of shareholders (see clause [•])
- c. The shareholder consent matters (Schedule [•])
- d. The project approval procedure (see clause [•])
- e. The deadlock provisions (see clause [•])
- f. The Memorandum and Articles of Association (Schedule [•] and [•] of the Shareholders Agreement)

2 Council appointee

- 2.1 The Council directors' must always act and respect their status as "Council appointees" and should not act independently of an instruction or a requirement communicated to you by the Council through its authorised representatives.

3 Decision making

- 3.1 In the unlikely event that a director of the Company is also a member of the Council planning committee, or sub-committee or working group dealing with the Council's local development framework you should not compromise your position as a director on the Company by being part of an adjudication of a planning application dealing with a project approved by the project approval procedure of the Company, and should otherwise take all steps reasonably possible to ensure that you comply with the Council's standing orders.
- 3.2 You should refrain from discussing that planning application, being involved in a debate upon the adjudication of that application, or otherwise taking part in a planning committee decision which influences the approval of that project.

4 Shareholder Consent Matters

- 4.1 You will, as a director of the Company, take all reasonable steps to ensure that you do not act or decide upon a matter before the Company, which conflicts with the need to ensure the Shareholder Consent Matters are preserved.
- 4.2 You will not vote to approve the variation and amendment to the Shareholder Consent Matters which at all times cannot be decided upon in a board meeting unless they have full consent of the Council as the shareholder in the Company, and unless you were given an express mandate on behalf of the Council varying the Shareholder Consent Matters you will not vote for a proposal to do so, or in connection with a project which is consistent with those Shareholder Consent Matters, or otherwise waive the Shareholder Consent Matters.
- 4.3 If you have any doubts as to any action you are required to take or matter you are required to vote on as board director, you should take legal advice independently or in the first instance for clarification from the legal adviser to the Council in relation to your position as a Council officer if appropriate.

5 Insurance

- 5.1 The Council has agreed to indemnify you and take out insurance, in respect of your duties as a director of the Company and you should make yourself familiar with these requirements and the provision of that cover and any conditions attached to it.
- 5.2 Generally, however, you will not act in order to prejudice that insurance by acting unreasonably, negligently or recklessly so as to incur liability on behalf of the Council. Should you do so you may qualify the extent of the indemnity which the Council has given to you in terms of you accepting this office and therefore reasonable conduct should be maintained at all times.

6 Term of appointment as director

6.1 The Council has the right at any time to remove you from this office at its absolute discretion, where it is no longer in the interests of the Council for you to act as a board director or in the case of the director being an officer employed by the Council that employment has ceased for whatever reason.

7 Alternate Directors

7.1 The appointment, or their replacement, of an alternate director, as set out in clause [•] of the Shareholders Agreement can only take place with the approval of the Council.

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Appendix 6

Priority	LCC - s106 funded programme	£m	Joint Venture Company	£m	Bellway	£m	Complimentary programmes	£m (indicative)
Quality of Place remodelling of terraced areas streetscene & amenities greenspace	Greenspace improvements	1.30	Neighbourhood plans JVCo set up contribution	4.00			Housing Decency (ALMO) 2008/9 Clearance & remodelling Harehills & Cross Green terraced housing (RHB) Intensive Neighbourhood Management (NRF 2008/10) Play provision (lottery)	33.00 4.80 0.85 0.42
	School provision	1.90					Additional targeted funding for EASEL schools (primary and secondary) 2008/9 Children's Centres north & south Gipton (LCC)	5.19 0.30
	Affordable Housing	5.20			Housebuilding programme	77.00	Halton Moor new build housing (William Sutton Trust) Gipton Equity Share (ALMO)	6.30 1.30
Affordable & Social Housing new housing	Public Transport contribution	0.30			Construction employment & apprenticeships		Job Centre Plus (ESF programme) Leeds Ahead (LEGI) Enterprise Island challenge (LEGI) Care 4 All (LSC) Building Family Wealth (NRF/OBJ2 until March 08) Access to Employment (Obj2) Gipton Access Point (SSCF cap) Shine Enterprise Centre (Camberwell/LEGI/ERDF) Rise (Seacroft) Training & Catalyst Centre (LEGI) Youth Employment Network	1.50 0.30 0.09 0.50 0.04 0.60 0.06 5.50 1.79 0.20
	Local transport infrastructure	0.20						
	Travel plan	0.30						
New Neighbourhoods neighbourhood centres							Osmondthorpe Health Centre (PCT/LIFT)	6.70
		9.20		4.00		77.00		69.43

The Complimentary programmes column shows the range of key activities undertaken by the Council and key partners in support of the EASEL area. Costs are indicative and intended to illustrate the level of investment taking place.

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Leeds
CITY COUNCIL

Originator: Andy Beattie

Tel: 24 76141

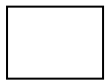
Report of : The Director of Environment and Neighbourhoods

Report to : Executive Board

Date : 5th November 2008

Subject : A Strategy for improving Leeds Private Sector Housing

Electoral Wards Affected: All



Ward Members consulted
(referred to in report)

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

1. Leeds has recently concluded two important pieces of research into housing issues, which will be of considerable value in setting future strategic direction and investment plans. The Leeds Private Sector House Condition Survey provides considerable detail on the state of the owner-occupied and private rented housing stock and the key aspects to be addressed in terms of housing deficiencies. A complementary report on back-to-back housing explores what role such housing may have in future in meeting local housing demand and how it can be improved so as to be 'fit for purpose'.
2. This report summarises the current policies, action and funding arrangements to tackle problems in the sector and puts forward the proposal for meaningful discussions to be commenced with the new national body – The Homes and Communities Agency – on options for addressing the investment needs in private sector housing.

1.0 Purpose Of This Report

- 1.1 The purpose of this report is to brief Members of Executive Board on future challenges for private sector housing in Leeds and set out future investment and regeneration proposals. The report draws on the findings of recent research into back-to-back housing and the most recent Leeds Private Sector House Condition Survey. The report makes recommendations to tackle both short and long term priorities.

2.0 Background Information

- 2.1 The majority of the Leeds housing stock, approximately 77% (247,840), is privately owned, of which 64% is owner-occupied and 13% is privately rented. Much of this stock is in a reasonable condition, providing decent homes for people in vibrant neighbourhoods where they have chosen to live. However, there are also a significant number of houses in poor condition or containing serious hazards, such as excess cold and risk of falls, which can have an adverse effect on health, and significant numbers which are non-decent due to poor thermal efficiency and inefficient heating systems. There are notable distinctions which can be seen between different areas of the city, and it is no coincidence that inner urban areas with older housing and significant numbers of back-to-backs present the greater proportions of poor housing with substantial investment needs.
- 2.2 The private rented sector in Leeds is made up of a number of different markets – new build such as in the city centre, traditional student housing concentrated in North West Leeds, and traditional single and multiply-occupied older housing in inner urban areas around the city. Proportionally, this sector has the worst housing conditions, which reflects the picture nationally, and because of the numbers involved this represents a major challenge for the city in the years ahead.
- 2.3 Copies of the recent Leeds Private Sector House Condition Survey and research report – ‘The Challenge of Back-to-Back Housing’ – are available at (see heading - Background papers). A summary of the key findings, however, is contained below.

3.0 Leeds Private Sector Stock Condition Survey – Key Findings

- 3.1 There are 248,000 privately owned properties in Leeds. Clearly it was not practical or feasible to survey them all and therefore the stock condition survey used a sample of 2,200 properties drawn at random from across the City. This number provides the necessary confidence limits.
- 3.2 One of the limitations of a sample survey is that the results are only representative at a city wide level. It is not usually possible to provide information even at ward level, which means they can't be used for targeting resources on a geographical basis. However, recognising this limitation, the Building Research Establishment have developed a mathematical model based on the Census, English House Condition Survey (EHCS) and local data to predict housing conditions down to lower layer Super Output Area (SOA) level. The reported figures are estimates based on a mid point within a range or confidence interval.
- 3.3 The survey brief was developed around former Office of the Deputy Prime Minister (ODPM) best practice guidance which subsequently determined the format of the survey form. There was full external & internal inspection of the building fabric of

each property, the provision of amenities and heating systems was recorded as well as socio economic information about the household.

- 3.4 There was a special focus on back to backs, energy efficiency & the potential demand for adaptations work. Regarding the former, surveyors distributed a questionnaire exploring liveability issues in back to backs to support a bespoke piece of work commissioned from re'new.

4.0 Main Issues

- 4.1 The following are the key headlines stemming from the report:
- 4.2 There are significant numbers of private sector stock that are non decent and have Category 1 hazards (e.g. excess cold, risk of falls and fire). 34,300 or 13.8% of private sector dwellings have a category 1 hazard, whilst 81,800 or 33% fail the decent homes standard.
- 4.3 Previously under PSA7, the government set the target that 70% of vulnerable people should be living in decent homes by 2010. Authorities are still expected to demonstrate they are working to increase decency in the private sector stock, in accordance with the Department of Communities and Local Government (DCLG) Departmental Strategic Objectives. Currently in Leeds, 62.4% of vulnerable people occupy decent homes, which, whilst short of the target, does compare favourably with other large urban authorities. To achieve the PSA 7 target, another 3,880 dwellings would need to be made decent by 2010.
- 4.4 Poor thermal insulation and inefficient heating are the major cause of category 1 hazards (excess cold) and non decent properties (inadequate thermal comfort) , followed by falls and fire safety. 62.9% of dwellings (51,400) fail the decent homes standard on thermal comfort, whilst 61.6% of category 1 hazards are due to excess cold. To put this in perspective, the next most common category 1 hazard is falls (of all types) at 35.4%, followed by fire at 8.5%. All other categories of hazard and failures of the decent homes standard only occur at relatively low level.
- 4.5 The private rented sector, which comprises 41,660 dwellings and makes up 13% of the stock, is the tenure with proportionally the worse housing, although in absolute terms the greatest number of poor houses are in the owner occupied sector. Approximately 44%(18,330) of the private rented sector dwellings are non decent compared to 22% of ALMO stock and 31% (63,915) of owner occupied stock. Nationally, it is a similar picture, with 41% of the private rented sector stock being non decent, compared to 25% of owner occupied stock. One of the main reasons for this is that 56% of private rented sector stock is pre 1919 compared to 20% of owner occupied stock. Such older properties frequently have poor thermal insulation and are difficult to treat, have poor internal arrangement giving rise to fire safety hazards and increased risk of falls due to steeper stairs.
- 4.6 Geographically, the poorest housing is located in the following 3 areas: City & South Central, Burmantofts & Richmond Hill, Gipton & Harehills. It is no coincidence that these are inner urban areas with older housing and significant numbers of back to back properties.
- 4.7 There are estimated to be 31,000 private sector households with at least one person who considers themselves to be disabled or having a long term illness. The greatest demand is for stair lifts and bathroom adaptations. The total cost of providing

adaptations of all types - to all who believe they need them, is in the region of £33 million. After means testing is taken into account, meeting this demand would require council expenditure in the region of £14 million.

5.0 Back to Back Housing

- 5.1 The research on back to backs provides the first comprehensive study to be completed on this property type. The report provides detailed information on the location and condition of the properties across the city. Below is a brief summary of the key findings.
- 5.2 There are 19,500 back to back terraced homes in Leeds in a mixture of types, sizes and locations. They were predominantly built before 1919 but back to backs were built up to 1937, despite being made illegal in 1909. Back to back houses do not exist outside West Yorkshire, excepting a handful in Birmingham now owned by the National Trust.
- 5.3 Back to backs in Leeds vary in condition and popularity. The vast majority, regardless of location, however, cannot comply with the Decent Homes Standard or the Home Health and Safety Rating due to lack of thermal comfort, presence of category 1 hazards, especially lack of fire safety and disrepair. A significant number of these, also regardless of location, are occupied by vulnerable residents, especially older people.
- 5.4 The key findings of the survey in relation to back-to-back housing were as follows:
- 5.4.1 73% of back-to-back properties in the private sector failed to meet the decent homes standard.
- 5.4.2 45% of surveyed properties suffered from excess cold.
- 5.4.3 36% of properties were considered to represent a high risk of occupants falling on stairs.
- 5.5 Over 12,000 (62%) of back to backs are located in inner urban areas, often with high levels of deprivation, in very high density and very poor environmental conditions. Over 40% of all back to backs are in areas that have long been regeneration target areas (Harehills, Beeston Hill, Holbeck, Cross Green and East End Park).
- 5.6 Many back to backs have been bought over recent years by speculative investors seeking to capitalise on capital growth in Leeds, while many others are also owned by long standing but low quality private landlords. With private rented housing prone to higher levels of turnover, this is adding to the 'churning' and instability in inner urban areas and the lack of a settled and cohesive community.
- 5.7 The presence of high concentrations of poor quality back to backs in a very poor environment, combined with escalating prices, has reduced demand for back to backs from the first time buyers who would be their natural purchasers.
- 5.8 Although back to backs are no longer the popular starter homes they were, there is every indication that there could be demand for back to backs if they were in better condition and in a more pleasant environment. Moreover, 38% of back to backs are in suburban or outer areas, and provide entry level housing in areas with buoyant demand. These are popular with first time buyers and starter households moving

from flats. They are also home to longstanding and older residents - some owners and some tenants.

- 5.9 Despite some of the inherent design problems, the variations in conditions mean that there can be no one single solution. The Back to Back study for the first time places Leeds in a position in which we can take a measured and long term view of the necessary interventions which are required, ranging from low cost improvements in viable areas, through significant refurbishment in others, to demolition.
- 5.10 The 12,000 inner urban back to backs need considerable investment to address hazards and risks that render them incapable of meeting the Decent Homes Standard, significantly refurbish them externally and internally and comprehensively improve the quality of the environment in which they are located. In the longer term, more radical re-modeling may be required to restore sustainable demand.
- 5.11 The 7,000 back to backs in suburban or outer areas do not need such levels of investment. Many will be improved by owners and landlords. However, financial assistance will be needed to assist low income owner occupiers to remove the hazards inherent in them.
- 5.12 The strategy estimates that over £520 million would be needed to invest in back to back housing across the city, with £382 million of that sum required to address areas where poor properties and environmental conditions are concentrated.

6.0 Action to Tackle the Challenge

- 6.1 The private housing sector enables many households to achieve a goal of owning their own home. The sector also contributes to wider economic development by providing quality, affordable housing for people who work or wish to work in the Leeds area. Specifically, the private rented sector supports labour mobility for people who may wish to work on short-term contracts, provides greater choice of housing accommodation and supports the largest overall student population in the country. There is a recognition that the challenge to address housing need within the city will significantly be met by making best use of existing housing stock.
- 6.2 In recent years, Leeds has pursued a range of initiatives to address poor conditions, combining a range of assistance packages, including advice and financial assistance based on a test of resources for home owners, and specific strategies for the private rented sector. Other related and contributory activities include the Council's 'Affordable Warmth Strategy' and, more recently, the development of affordable housing proposals.

Investment

A total amount of £24.3m, made up of Housing Market Renewal and Single Regional Housing Pot, was made available to Leeds for the period 2006-2008 via the Regional Housing Board .

- 6.3 The 2006/8 programme has facilitated the following interventions:
1. The acquisition of 153, and the demolition of 15, pre 1919 private sector homes. The majority of these properties being type 2 street lined back to back properties of a poor standard and in poor environmental surroundings. The sites once cleared of private and public sector stock will be redeveloped to provide

potentially over 200, new high quality, affordable homes in an improved external environment via the Leeds Affordable Housing Strategic Partnership.

2. The improvement of 152 Private Sector homes through group repair schemes in Beeston Hill and Burley Lodge. Group Repair schemes offer the opportunity to owners to take part in a scheme of 'enveloping' works to improve the external fabric of the building and thus extend the life of the property by 30 years.
3. The improvement of a further 1498 private sector homes via the delivery of loans and grants including, warm front grants, equity release loans, asbestos decontamination grants and the Home Maintenance Scheme, which assists elderly vulnerable home owners with small but essential works to enable them to continue to live independently. £2m was provided via loans and grants to vulnerable households for owner occupied properties to be brought up to decency

6.4 During 2008/9, work is continuing on ongoing acquisition and demolition schemes and further phases of group repair are underway in Beeston Hill and Burley Lodge. During the first two quarters of 2008/9 expenditure of £4m has achieved the following outputs:

- The acquisition of 27 privately owned properties
- The demolition of 12 privately owned properties
- The improvement of 124 private sector homes through group repair
- The improvement of 192 properties through the assistance to vulnerable households programme.

6.5 In total, in the region of 2,000 residents previously living in substandard housing were assisted in some way through proactive financial assistance and support over the last three years.

6.6 In 07/08, 800 disabled residents and their families were assisted through an investment of £8.6m made available through Disabled Facilities Grants, furthering their ability to live independently and at home. Fuel poverty and excess cold in private sector homes has been addressed locally through warm front grants to 392 households, providing over £360k in 2007/08 alone

Proposals for the next two years of the programme include:

- Phase 6 Group Repair Beeston Hill which will aim to improve the external fabric of between 40 and 50 private properties.
- Further phases of acquisition and demolition in Beeston Hill and Holbeck, resulting in the acquisition of 105 private sector homes and the demolition of 218 (including some already acquired during 2006/8).
- The commencement of Group Repair in Cross Green to improve the exterior fabric of approximately 65 private sector homes, which will complement and add value and sustainability to the new housing development on the site cleared by acquisition and demolition.

- A facelift scheme for Shepherds Lane, Harehills to give a more uniform, improved external appearance and street scene, including boundary walls/railings etc to over 250 privately owned properties.
- The continuation of a programme of assistance to vulnerable households to improve a further 830 private properties .

6.7 A further £18M is projected to support Disabled Facilities Grants, and further funding will be secured through various external funding streams such as Warm Front and the Regional Loans Scheme, making a total financial programme of approximately £45M over a 3-year period.

Support and Enforcement

6.8 To complement direct investment, the Council's Private Sector Housing Strategy advocates a mix of enforcement, assistance and collaboration. Examples of the work undertaken, together with future planned activity, are set out below.

6.9 Tailored energy efficiency advice was provided to 1,200 households and subsequent surveys showed the vast majority followed that advice and made improvements to their homes themselves. In the private rented sector, which experiences some of the worst Standard Assessment Procedure (SAP) ratings and fuel poverty levels in the city, a system is in place for the warm front contractor to notify the Council of landlords apparently blocking grant aid available to their tenants, reinforced by the introduction of a strong enforcement policy to address landlords showing any reluctance to assist tenants in this regard.

6.10 Further proactive work in the private rented sector is achieved through the Leeds Landlords Accreditation Scheme (LLAS) which requires good physical and amenity standards and good tenant / landlord relationships and management. The number of bed spaces covered by this scheme has increased significantly in the last 3 years to 16,500 through renewed efforts to promote the scheme amongst tenants and landlords alike. Accreditation schemes enjoy strong support nationally and help to drive up standards in the private rented sector. A recent health impact assessment conducted in Leeds provided compelling evidence of the added value of our scheme to tenants living in accredited properties.

6.11 An average 3,000 requests for service in the private rented sector are resolved each year. The majority of these relate to excess cold but all complaints result in full property inspections, allowing category one hazards to be eliminated in addition to remedying the original subject of the complaint.

6.12 As an example of the work undertaken to address category 1 hazards, 150 addresses have recently been discovered with bedrooms in basements where the means of escape from fire presents a real risk to tenants. Through formal and informal liaison with relevant landlords action will be taken to eliminate this hazard.

6.13 Overall targets on enforcement levels have been increased by 50% in 08/09 on previous years.

6.14 The following actions are planned in the next year. Over 2,500 Houses in Multiple Occupation (HMOs) have now been licensed. The late production of national fire safety standards is impacting on the inspection programme, however 120 of the highest priority properties will be inspected by end December. Following this phase,

the rate of inspection will be increased and will cover back to back properties, assuming the agreement of fire safety standards by then. All 1,740 HMOs identified as requiring an inspection will be completed in a four year programme, determined according to risk. The inspections of HMOs will of course eradicate all category 1 hazards from the premises inspected.

- 6.15 A final meeting with CLG will be held in November following representation by the Residential Landlord Association objecting to the introduction of selective licensing in Leeds. Dependent on the outcome of these talks and further deliberation by CLG, it is hoped that selective licensing will be introduced in Cross Green / East End Park before the end of 08/09. This will allow additional controls on ASB and housing standards and behaviour in and around 450 privately rented properties in the area.
- 6.16 The number of bed spaces covered by the Landlords Accreditation scheme will be increased to 20,000 by 2010. A managing agents and tenants referring scheme is currently under development for implementation by end 09/10. If successful, this would bring 80% of bed spaces in the private rented sector in Leeds within accreditation.

7.0 Future Strategy

- 7.1 Although the above actions and investment represent a substantial initiative by the Council, it does not meet the scale of the challenge. The Leeds Private Sector House Condition Survey estimates that the level of investment needed to bring all private housing in Leeds up to decency is approximately £250M and the level of support needed for disabled private sector residents is £14M, making a total in excess of £264M based on 2007/08 costs and current housing needs. A more ambitious programme to tackle the quality of back to back housing has been put at over half a billion.
- 7.2 The Council can be effective in tackling relatively low cost specific hazards, such as excess cold and falls but cannot provide the longer term benefits of comprehensive improvement on anything but a minor scale without significant government assistance. Clearly, there is a substantial shortfall of capital and it will be necessary to work with a wide range of partner agencies and financial providers to identify how this investment gap can be filled if the Council is to make real progress in eradicating local private sector housing problems.
- 7.3 Current Governmental priority is being given to the building of new homes, with less emphasis being placed on refurbishing existing homes in order provide more sustainable housing opportunities to meet needs and requirements. However, with the housing market downturn and the credit crunch severely restricting new development programmes, and with a large proportion of Housing Corporation funding for the next 3 years unallocated, there is a strong case to seek more public funding to finance the significant investment needed.
- 7.4 In the short to medium term it is proposed:
- i) Discussions take place immediately with the new Homes and Communities Agency. Its Chief Executive, Sir Bob Kerlake has indicated publically that the refurbishment of existing housing is as important a priority as building new homes. The Council will robustly make the case for increased public funding to support substantial refurbishment programmes for back to backs. It will be strongly argued that back to backs are a 'special case' and can contribute significantly to meeting housing growth targets by providing

sustainable housing for the small households that are expected to increase over the coming years.

- ii) The case is made to protect and increase the Single Regional Housing Pot funding for private sector housing improvement and environmental improvement to complement the refurbishment that will be continued to be controlled through Communities and Local Government Department.
- iii) The Council and its partners lobby for a substantial reduction in the rate of VAT on housing refurbishment

7.5 With increased public funding a programme of improvement should be initiated as suggested in the Strategy for Back to Back Housing. Based on assessments by Council officers of capacity to deliver both on the part of Council officers and the construction industry) the Council would seek over the next 5 years.

Viable areas,

- Access to £2.34 million of loan finance through the Regional Equity Loans scheme for vulnerable and low income homeowners among the 6,760 owners of back to backs in suburban and outer areas to remove hazards and risks from their homes.

Regeneration areas:

- £2.3 million a year to remove risks and hazards in 5,390 back to backs to make compliant with the decent homes standard
- £3.3 million a year for a programme of group repair to 1,000 homes with incentives to owners or landlords to take up loans to undertake internal improvements
- £1.2 million a year for 'Facelift' external improvement to 600 properties with incentives to owners or landlords to take up loans to undertake internal improvements for environmental improvements to benefit 120 properties

7.6 Over the following five years group repair and facelift improvements would be accelerated and property acquisition, clearance and redevelopment programme developed. A long term plan for fifteen to twenty years is required to improve and reshape parts of the city, which we would seek to elaborate with the Homes and Communities Agency.

8.0 Legal And Resource Implications

8.1 Leeds City Council, as a Local Housing Authority (LHA), has statutory duties which were introduced, renewed or amended by the Housing Act 2004. The overarching duty is for the LHA to regularly review all housing conditions and decide what subsequent action is required. This includes taking appropriate enforcement action where houses exhibit certain categories of hazard affecting health and safety, improving conditions in HMOs and licensing them where appropriate, abating overcrowding, providing assistance to improve conditions through loans and grants, ensuring empty properties are brought back into use and, if appropriate, taking area action through declaring renewal areas.

8.2 As referred to in this report, and more fully in the Leeds House Condition Survey 2007, there is a significant level of investment needed to address unsatisfactory conditions in the private sector housing stock in Leeds. Whilst much of this expenditure could reasonably be expected to be met from owners' own resources, for example through private landlords' business plans for privately rented accommodation, or from personal savings or private loan arrangements, substantial additional financial support from the public purse will also be needed to assist the most vulnerable residents with insufficient resources to address their housing problems, to enable the Council and partners to achieve their strategic ambitions.

9.0 Conclusions

9.1 The Leeds Private Sector House Condition Survey provides detailed and invaluable information on the current condition of private sector housing in Leeds, providing the evidence base to set priorities for future action and investment. The complementary report – 'The Challenge of Back-to-Back Housing' – provides a particular focus on a design form almost unique to this locality, in terms of concentration and numbers, with an unusual construction which makes them more prone to hazards such as fire, falls on the stairs and excess cold, as well as associated problems such as limited or no private external space or amenity.

9.2 Previous programmes of area renewal and investment have brought about improvements to some private houses, benefiting owner-occupiers and private tenants directly and communities generally, but the scale of activity is small in the context of unmet housing need identified in the above surveys. To make a real and lasting difference to private housing, and contribute in so doing to the wider regeneration of whole communities, will require a far greater level of focused activity and investment.

9.3 The establishment of the new national Homes and Communities Agency, and the proposals for closer alignment of relevant national and regional policies and strategies, provides an opportunity to open meaningful discussions on a way forward with a wide range of partners.

10.0 Recommendations

10.1 Members of Executive Board are asked to:

- note the findings of the report and the actions undertaken by the Council to improve the private rented sector stock;
- to call for a further report on an urgent action to tackle poor quality private housing;
- request a detailed submission to be made to the Homes and Communities Agency setting out a costed programme of investment over the next five years;
- to report back on the outcome of discussions as part of a comprehensive plan to improve private sector housing in Leeds, with a focus on back to backs.

BACKGROUND PAPERS

The Challenge of Back to Back Housing www.leadhousingpartnership.co.uk
Private Sector House Condition Survey copy available from Mark.dolman@leeds.gov.uk

Report of the Chief Executive of Education Leeds

Report to Executive Board

Date: 5th November 2008

Subject: Deputation to Council 2nd September 2008– The need of Local Schools and Communities for sports facilities in the Hyde Park Area

Electoral Wards Affected:

Hyde Park & Woodhouse

Ward Members consulted
(referred to in report)

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

1 Purpose of the report

- 1.1 Representatives of Local Hyde Park Residents were granted a deputation to the Council on 2nd September 2008. The deputation was in relation to the need of Local schools and communities for extra sports facilities in the Hyde Park Area.

2 Background

- 2.1 The Education (School Premises) Regulations 1999 (SPR's) sets out guidelines for playing fields at maintained schools. When these SPR's were introduced in 1999 it was considered impractical to require local authorities to provide additional playing fields for those schools that fell below the minimum requirement.

3 Recommendations

Executive Board is asked to note:

- 3.1 The concerns expressed in the deputation and Education Leeds' response.

1 Purpose of the Report

- 1.1 Representatives of Local Hyde Park Residents were granted a deputation to the Council on 2nd September 2008. The deputation was in relation to the need of Local schools and communities for extra sports facilities in the Hyde Park Area.

2 Background

- 2.1 The Education (School Premises) Regulations 1999 (SPR's) sets out guidelines for playing fields at maintained schools. When these SPR's were introduced in 1999 it was considered impractical to require local authorities to provide additional playing fields for those schools that fell below the minimum requirement.

3 The Issue

- 3.1 The deputation raised concerns about obesity and lack of exercise in the local population, especially among children and young people, with serious implications for their future health, and the lack of sports facilities.

4 Education Leeds Response

- 4.1 It is acknowledged that the schools detailed in the deputation do not meet the minimum guidance, although there are discrepancies in the areas stated in the petition and also in the background information. For example, two of the schools, at Springbank and Rosebank have new artificial playing spaces and these count as double spaces when accounting against the guidelines.
- 4.2 It is also important to acknowledge that many of these local schools make use of off site provision to assist them in their PE curriculum and for team game usage. Quarry Mount school has an agreement with the City of Leeds High school which allows use of their sports pitches when requested. Rosebank school has used fields off site and in fact all these local schools are able, by agreement, to make use of off site facilities in the ownership of the City Council. Some schools choose to make use of these facilities and some schools do not. In terms of team games many schools which do not have playing pitches on their own site manage to deliver matches by playing them away.
- 4.3 Education Leeds seeks also to support local schools in making the best use of their school sites, including all play areas. There is a great emphasis, through the Healthy Play agenda on laying out new Zone Parks in primary schools which provide new opportunities of learning through play. When it has been possible to supplement schools play spaces, as in the case of Rosebank school where Education Leeds managed to close off a local thoroughfare and turn into top quality additional play space, Education Leeds has been proactive. To further support our schools there is a nationally funded staff infrastructure and support mechanism for PE and school sport – the “Schools Sports Partnership” – and we will encourage all schools to get involved in this scheme.
- 4.4 With regard to the Olympic aspirations of our young people Education Leeds piloted a project last summer involving 30 primary schools, all of whom received fixed funding allocations. This was deemed as a great success and it is hoped to offer this to all schools next summer. The Council is committed to support the Olympic aspirations of the City and Education Leeds is fully signed up to this work which is being directed by the Council strategically.
- 4.5 However, the reality of many of these schools sites is that they cannot be expanded and that there is very limited opportunity to rebuild schools on local sites that do offer the chance to meet SPR's.

5. Planning & Economic Policy Response

- 5.1** In considering the possible acquisition of the protected playing pitches for use by local Primary Schools, the views of Education Leeds have been obtained. The comments received are essentially sympathetic, in that the points made by the schools are valid in themselves as they have little greenspace of their own. However, the absence of playing fields does not of itself constitute a breach of any regulation or legislation. Whilst Education Leeds would welcome the provision of greenspaces for both school and community use, it is acknowledged that finding the funds to buy the land from their resources is likely to be a problem. There is no identified funding vested with Education Leeds to support the costs of purchasing this land. An additional concern of Education Leeds is that, as the fields are not linked to any of the local Primary Schools, there are likely to be implications in both the management and maintenance of the fields to make them suitable for school use, including health and safety matters.

We are clearly still negotiating with Leeds Girls High School (LGHS) with the intention of retaining at least Ford House Gardens to form a new public park and, if successful, this would be available for the wider community. It wouldn't however, resolve concerns about distance from the schools and health & safety matters for children's play.

6. Recommendations

Executive Board is asked to note:

- 6.1** The concerns expressed in the deputation and the response.

Background Papers:

The Education (School Premises) Regulations 1999

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Love Mayor, Members of Council,

There is increasing concern about obesity and lack of exercise in our population, especially among children and young people, with ominous implications for their future health.

Before the recent Olympics the Secretary of State for Sport wrote to local authorities about "a new vision" for sport, to "increase opportunities for all people to participate."

Leeds City Council has announced that it will spend millions of pounds, refurbishing sports centres.

Yet our inner-city area is woefully short of sports fields where future Olympic champions could be developing their talents, and all children could be keeping healthy and happy, both in and out of school hours.

Some figures show how serious the situation is.

Within 1.5 miles of Hyde Park Corner are five primary schools and one high school, with many pupils from homes without gardens, from families who, for reasons such as economic hardship or lack of transport, find it difficult to take their children to sports activities.

The Education (School Premises) Regulations of 1999 lay down minimum requirements for school playing pitch provision. You will be shocked to hear how far short of these requirements our local schools fall.

City of Leeds High should have 35,000 sq.m. It has just over 13,000 sq.m.

Spring Bank and Shire Oak Primary schools should have 5,000 sq.m. each. Spring Bank has just over 1,500, Shire Oak has just under 2,000 sq.m. That's a total shortfall of more than 6,500 sq.m. (I should point out that the space which these two schools have is grassy play area, not actual sports pitches.)

But the most shocking figures are for the three primary schools where the majority of pupils qualify for free school meals, generally an indicator of social and economic deprivation.

Brudenell, Rosetank and Quarry Mount have no playing field space, nought square metres, although Brudenell and Rosetank should each have 5,000 sq.m and Quarry Mount should have 2,500.

Instead, all sports activities take place on hard-surface playgrounds, adjacent to roads and traffic.

To summarise, these schools need 40,846 square metres more playing field space, according to legal requirements.

The Primary School headteachers wrote some time ago to the Executive Board, explaining their problems in trying to provide adequate sports activities for their pupils.

At Shire Oak and Spring Bank, rugby and cricket coaching have to share space with PE classes. Track and field athletics activities cannot be developed.

At Quarry Mount, all sports have to take place in the school hall or on the sloping concrete playground — not conditions likely to produce marathon runners or high-jump champions.

Similarly at Brudenell and Rosetank where the range of sports activities is severely limited, where rugby tackling cannot be taught and running is not feasible, to give two examples. Incidentally, the only grass area close to Rosetank is generally unsafe for children to use, due to dog faeces and weed sprayers.

And yet the teachers of these schools desperately want their pupils to have the best chances for health and sporting success.

Our area is the second worst in Leeds for open green-space provision.

We are lucky to have Woodhouse Moor — which we value as a natural green space for all. But it is the most intensively-used park in Leeds, especially when the universities, with over 50,000 students, are in session, so it can in no way be regarded as part of the sports provision for schools.

Because of Headingley and Hyde Park's lack of playing fields the UDP in 2001 gave NG protected status to the remaining playing fields, although since then, development has actually happened at the former Leeds Boys' Grammar School site and at the former Spring Bank Teachers' Centre.

Yet any evening around the terraced streets of our area you can see children kicking footballs around because they have nowhere else to play.

We ask, therefore, that you, the Council, do all in your power to bring the playing pitch provision for local schools up to the standards laid down by the Education (School Premises) Regulations, for the sake of our children's health and future.

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Originator: Sally Threlfall

Tel:24 74334

Report of the Acting Chief Officer Early Years and Integrated Youth Support Service

Executive Board Date: 5th November 2008

**Subject: Inclusion and Early Support: Hawthorn Centre deputation to council
September 2008**

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

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

1. This report provides Executive Board with a response to the deputation submitted to Council on 8th September 2008 regarding Hawthorn Family Support Centre. A copy of the deputation is provided at appendix 1.
2. The report seeks to assure Executive Board that the Children’s Trust have been responsive to the wishes and needs of all parents in developing commissioning arrangements, that the contract awarded for the delivery of Inclusion and Early Support Services will demonstrate good outcomes and meet those needs and that the services such as those delivered at the Hawthorn Centre will continue under the new contract. In doing this the report provides:
 - information and evidence around the process used to commission high quality, value for money, services for Inclusion and Early Support through the Children’s Trust arrangements for Children Leeds.
 - details of the involvement of the Hawthorn Centre in that process.
 - Information about how the specification for the provider has a clear focus on services that ensure disabled children and their families receive targeted, high quality support.
3. The report recommends the Executive Board accepts this response to the deputation in explaining commissioning activity undertaken for Inclusion and Early Support Services and the ambitions that this will both continue to meet the needs of disabled children and their families in Leeds and also help develop the future quality of that support.

1.0 Purpose of this Report

1.1 The purpose of this report is to provide Executive Board with:

- A response to the Deputation submitted to Council on 8th September 2008 in relation to Hawthorn Family Support Centre (see appendix 1), in doing so it includes:
- Information and assurance about the robust procedures used by the Children's Trust to commission preventative services for Inclusion and Early Support
- Assurance about the range of services that will be co-ordinated through the new contract and the role the Hawthorn Centre will continue to play as a partner and provider

2.0 Background Information

2.1 Leeds Sure Start Partnership, formerly Leeds Early Years Partnership, have commissioned services for the parents of children with additional needs since 1998. We have worked with providers and parents to determine need, aligned that to the requirements of Government guidance, frameworks and funding and sought to commission a range of provision through a competitive annual partnership process. Sure Start funding had commissioned four major areas of work for early support and inclusion:

- family support services for children aged 0 to 2, transition to early education services and portage
- Early Years Special Educational Needs Co-ordinators (SENCO's) for all sectors
- Leeds Inclusion Support Service providing individual support for pre school children to attend the early education setting of their parents choice
- out of school and holiday play schemes for children and young people with special needs

2.2 The Sure Start Partnership expects all partners to consult with and provide advocacy both for their organisation and their service users as part of their membership. In this way the work of the Sure Start Partnership is grounded and informed by the needs of service users and the expert knowledge of service providers.

2.3 Children Leeds has a Commissioning Strategy. The Integrated Strategic Commissioning Board (ISCB) represents the commissioning arm of the Children's Trust in Leeds and was established in 2006. In June 2007 the ISCB tasked the current partnerships commissioning services for children using external grant funding, including the Sure Start Partnership, with the development of more robust commissioning processes. These processes should be compact compliant with the voluntary sector, offer good value for public money and provide all sectors with the benefit of a three yearly Comprehensive Spending Review. All partners and providers were informed in June 2007 by the Sure Start Partnership Manager that the annual process noted above in 2.1 would be replaced in April 2008 by open procurement through the developing Children's Trust arrangements.

- 2.4 In September 2007 the Sure Start Partnership, the Leeds Children's Fund Executive, the Youth Work Partnership, and Connexions amalgamated their partnerships to form one Joint Preventative Partnership (JPP) for children aged 0 to 19 and their families. The JPP was given authority to establish a Joint Preventative Commissioning Panel (JPCP) and proceed to commission all early intervention and support services for children and young people aged 0 to 19 and their families for 2008 - 11 based on the Universal Offer and priorities identified in the Children and Young People's Plan (CYPP).
- 2.5 The Children's Trust required JPCP in September 2007 to comply with the Children Leeds Commissioning Strategy and employ an open and transparent process starting with contracts valued over £100k and using Leeds City Council Corporate procurement processes. This is in line with Government guidance, recently strengthened as a result of the Children's Plan. All contracts exceeding £100k per annum would be commissioned from April 2008 using a PQQ and open market testing. Contracts less than £100k per annum would be subject to PQQ and competitive Project Proposal Forms. This process has been ongoing since September 2007.
- 2.6 The JPCP approved a proposal to develop a single contract specification to support families with children with special needs and disabilities. The specification was worked on by all partners and providers. All partners agreed to consult within their organisations and with their service users and feed back views about what was needed into the specification. A wide range of comments were received and incorporated. The specification matched the aspirations of the CYPP in Leeds and what was required of the Sure Start Partnership by Government targets and outcomes. The single contract specification encouraged providers working together in loose consortia or developing sub contract arrangements to deliver early intervention inclusion services for the city as a partnership.
- 2.7 The contract held by Hawthorn Centre to deliver family support for transitions and portage exceeded £100k. They submitted a successful pre-procurement quality questionnaire and were invited to tender for the delivery of services. The Hawthorn Trustees considered carefully their position and chose not to submit a tender. Subsequently, parent users of the Hawthorn Centre submitted a deputation to Council raising concerns that the services they consider central to their well-being may be at risk and seeking reassurance that that same type of support will be available through any new arrangements.

3.0 Main Issues

3.1 The Hawthorn Centre

- 3.1.1 The Hawthorn Centre has been an active Sure Start partner since 1998, ably representing the views of parents using their services and delivering services from the centre. They have been commissioned to deliver family support services for parents with disabled children under the age of two, including portage, through external General Sure Start government grant funding since 2002. Hawthorn and the Trustees have been supported by the Sure Start Partnership with quality assurance issues, registration issues and business support. The current contract will run until December 1st 2008.

- 3.1.2 Hawthorn Centre were informed of the changes to the commissioning process in spring 2007 and supported and encouraged by officers to tender for the contract singly or as part of a partnership consortia. The voluntary sector group who secured the contract approached Hawthorn to establish loose consortia for the tender. Hawthorn chose not to tender as part of that partnership.
- 3.1.3 The Hawthorn Centre must have considered their future carefully, and the financial implications of their decision, when choosing not to tender for the contract either singly or as part of a loose consortia. This will have involved consultation with their service users. The Trustees believe that they best serve parents of children with disabilities in their own distinctive way. We respect that choice and accept it represents the views of parents using the Hawthorn Centre.
- 3.1.4 Hawthorn has been given many opportunities to integrate more closely with the children's centre programme either with the two closest children's centres at Richmond Hill or Osmondthorpe or specifically with the 6 SILC Children's Centres. They have chosen not to do that. We respect that choice and accept that it represents the views of parents with disabled young children under the age of two.

3.2 **The Inclusion and Early Support Contract**

- 3.2.1 In August 2007 the Inclusion Standing Group considered what early support and inclusion services were required and how those services might be best delivered. Hawthorn Centre is an active member of the Inclusion Standing group. They were part of the recommendation to the JPCP to procure one Inclusion and Early Support contract. The Hawthorn Centre identified no issues or challenges for their organisation or parent and child users as part of this consultation and specification development process.
- 3.2.2 The specification is clear that providing effective family support, working with children, young people and parents to plan services and gather opinions and views, is a key component of taking the inclusion service forward. Through a 'One Point of Contact System' parents of children with special needs will be provided with simplified, clearer support, information and advice services. The successful contract holder will administer all funds relating to inclusion, revenue and capital, and ensure that services are in place when and where they are needed. This will involve sub contracting work.
- 3.2.3 The specification is also clear that the provider must help ensure that the family support needs of those with disabled children are met through close partnership with the various lead professionals working with the children (for example teachers, social workers and children's centre staff) to provide the training, mentoring and challenge to do this. This will include working with parents themselves, identifying appropriate Family Group Activities, facilitating additional groups where required and, through initiatives such as the common assessment framework, ensuring the support provided is increasingly tailored to the particular needs of individual children and their families.
- 3.2.4 As such, the specification both recognises the existing support in place and needed by children and their families and also identifies opportunities to strengthen this by improving the way we target and help parents and lead professionals in the future.

- 3.2.5 The Pre School Learning Alliance (PSLA) won the contract to deliver early support and inclusion services. This is a well respected voluntary sector group and partner. The Children's Trust will ensure appropriate services for families with children with complex needs through this contract. The co-ordination of support services for families with disabled children from birth including portage, support and counseling will be a monitored part of the contract.
- 3.2.6 The Hawthorn Centre has already been approached by the PSLA to continue to deliver particular services under a service level agreement. The Hawthorn Centre represents just one organisation that delivers support to parents with disabled children in the first few years of their lives. The PSLA will work across all of these groups to ensure that parents have excellent services and choices.

4.0 Implications For Council Policy And Governance

- 4.1 The JPP was tasked by ISCB to consider how the elements of the universal offer that provides early intervention and preventative services can be commissioned jointly through partnership approaches. Early support and inclusion services for all children with additional needs including support to their parents lie within this authority. The new services will be available to all children and young people with special needs and their families and are embedded in the Children and Young People's Plan. Successful delivery of outcomes from services commissioned in this way will impact upon the inspection of Children's Services and the Council

5.0 Legal And Resource Implications

- 5.1 The Corporate Procurement Unit has supported the implementation of the processes and protocols which have enabled a consistent and transparent commissioning process to be applied to the procurement of Inclusion and Early Support services. The contract report showed that the successful tender demonstrated both high quality and value for money. Legal and Democratic services have supported the development of all forms, contracts and protocols and will support any challenges to decisions legitimately made by the Children's Trust arrangements through work undertaken by the JPCP. There has, as yet, been no challenge to the outcome of the commissioning process.

6.0 Conclusions

- 6.1 This report has addressed the issues raised in the deputation to Council about Hawthorn Family Centre by demonstrating the work done and ongoing with the Hawthorn Centre in developing and now implementing the contract awarded for the delivery of Inclusion and Early Support Services, and showing how the needs of parents will continue to be met. In doing so it has highlighted that:
- 6.2 The procurement process entered into by the JPCP to commission services for early support and inclusion was robust, fair and transparent. It has not been challenged at any point in the process.
- 6.3 The Sure Start Partnership will continue working with Hawthorn Centre as partners in the delivery of services. Their work with families is respected. The Sure Start

Partnership truly appreciates the value of the services Hawthorn have provided to families soon after birth and the commitment those families then have towards the services they have received. The JPCP will monitor the contract closely to ensure that the needs of the parents ably represented by the deputation to Council in September are met. The PSLA have already begun working with Hawthorn and other providers to secure services for families.

6.4 The Partnership accept that Hawthorn has made choices not to tender to deliver services on behalf of the Children's Trust and that they will have done so after consultation with their parent users. The Hawthorn Centre has a stated preference for working as a charity and on donation or grants to worthy causes basis. The Children's Trust arrangements in Leeds have no large grant programme and the Trust arrangements do not operate as grant giving. All services are openly commissioned against outcomes as recommended by Government guidance.

6.5 The JPCP, acting for the Children's Trust, has also had to make difficult decisions based on the key priorities in the CYPP, value for money and service needs analysis. The JPCP are confident that the new contract will offer more services and good value for public money. Their aspiration remains for excellence in service provision, choice for parents and a personalised approach.

7.0 Recommendations

7.1 Executive Board is recommended to

- Accept the report of the Acting Chief Officer for Early Years and Integrated Youth Support Services
- Accept that in responding to the deputation, this report has shown how Hawthorn have had the opportunity to be involved throughout the commissioning process and how as a result of that process, services will continue to be provided that meet the needs of disabled children and their families and look to further develop the quality of that support in the future.

Background Papers

- Deputation submitted to Council on 8th September 2008 regarding Hawthorn Family Support Centre – see Appendix 1
- Report to the Integrated Strategic Commissioning Board (06.09.07): Commissioning of Preventative Services for Children and Young People aged 0 to 19 and their Families by the Joint Preventative Commissioning Panel
- Children Leeds Commissioning Strategy 2006 (reviewed annually each year)
- Government Guidance on Joint Planning and Commissioning: see the Every Child Matters website
<http://www.everychildmatters.gov.uk/strategy/planningandcommissioning/guidance/>

**Deputation to the Council regarding
Hawthorn Family Support Centre**

Samantha Grundy – Acting Chair and Parent

10th September 2008



www.leedsmencap.org.uk

Leeds Mencap, Londesboro Terrace, East End Park, Leeds, LS9 9NE

Registered Charity Number 1091809

My Name is Samantha Grundy and I am Acting Chair of the Trustees for Leeds Mencap.

I moved to Leeds in 1991 to work for Leeds City Council and met my husband at work. Our Son Daniel was born in 2001.

Much to our surprised he weighed only 4lb's and was rushed straight to intensive care. We both took one look at him and were bowled over with love.

The Doctor told us that he might not make it through the night and ... that he had a genetic disorder which meant that he was disabled.



He made it through to the next day and the next but then they discovered that he had a hole in his heart. Later still... and more bad news as they discovered that he had suffered major brain damage and would have additional learning and physical disabilities to cope with.

The days past and Daniel grew stronger. At 6 months he under went a 10 hour heart operation and finally we all arrived home



The hospital had taught us how to nurse Daniel but we were now left at home with a tiny baby who was too weak to support his head or lift his arms. We faced a future of having a child who could not talk, walk, eat, drink or use the toilet. We loved Daniel so much but the future did look a bit bleak.

We also discovered that some of the public and some of our friends had a major problem with accepting people with a disability. Luckily it was at this point we discovered the Hawthorn Family Support Centre.

Hawthorn is a centre for families with young children who are disabled. We found families going through experiences just like ours. We were able to make a network of new friends, other parents and carers who I can still call on at anytime, benefits and rights advice and most importantly the staff taught us how to play with Daniel...



how to encourage him, learn with him and recognise when he had made progress, they gave us back our little boy, he was not a patient to them but simply a kid. The Staff had the skills and understanding to guide us through this difficult time.

Hawthorn is only one of the projects which run out of Leeds Mencap's building but as the biggest day time user the finances of the whole centre are currently underpinned by Hawthorn's grant. I must stress however that our overheads are incredibly low and in our opinion we offer excellent value for money.

On a weekly basis over 170 families, citywide use the centre – over 140 children visited this summer

I want to thank Leeds City Council for their support of Hawthorn and Leeds Mencap. For over 40 years you have funded the project. I think we should all be proud of this support.

- The council have not commissioned a Hawthorn style project and the existing grant will end in November.
- We were not consulted on the details of the specification.
- We were surprised that a Hawthorn style of family support was not included in the package.
- We considered bidding but felt that the proposed services did not meet the needs of our parents, carers and children
- The requested services were not backed with adequate financial resources.

Leeds needs an early support project. We know from our families the importance of this support. We know how much stress is placed on families

when they have a child with a disability. Support at this key stage in life gives the families a solid foundation on which to build, giving long-term stability. This early support can not be provided for in the children's centres simply due to numbers involved to form cohesive parent support groups and the need for highly specialist experienced staff. (We are not criticising the Children's centres in anyway by saying this.)

8 out 10 families with a child with a disability admit to being at breaking point*.

Each child with a disability who ends in care will cost social services £100 – £200,000 per year. How many families have been kept together through your support of Hawthorn for those 40 years.

The loss of the grant for Hawthorn has forced us to look long and hard at the service we provide. It is an opportunity for us to forge new partnerships and take a fresh look at what we do. We have already undergone a transformation, we now have a chief exec with a business background, we have a successful fundraising team, for every pound received in the form of a grant we raise a pound from donations... so now we have to raise double this amount.

Leeds Mencap only runs projects that the people we support want and need. We only do this where there are no other services. If we fail to ride out this storm and have to close, over 400 families will lose desperately needed services.

So what are we asking for? We understand the need for change and fully support the development of services in Leeds and the move to commissioning of services; however the needs of the families we work with has not changed. We are driving towards a long-term sustainable funding partnership but this has been made more difficult by only being given 5 months notice... BUT the most important thing is that you commission a Hawthorn style of project offering parent support. If we don't run it, no problem. The important thing is that the work continues and family support is available.



I am very lucky that I have a partner who can support me both financially and emotionally. But this experience has very nearly broken me and my family. Hawthorns was the most important help we received.

How difficult is it then for single parents, those without a secure income, those families with more than one child and even more than one child with a disability and how much more difficult will it be without a Hawthorn Family Support to help?

Thank you for your time.

**National Mencap's Breaking Point Campaign*

Report of the Director of City Development

Report to Executive Board

Date: 5 November 2008

Subject: Rfid New Technology in Libraries - Phases 3 and 4

Capital Scheme Number 14885

Electoral Wards Affected:

City Wide

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

The purpose of this report is to seek approval to complete the installation programme of Radio Frequency Identification (RFID) technology in libraries requiring £1.2 million investment funded from the Strategic Development Fund. Completing the programme will enable self service within libraries allowing them to open for longer hours at reduced cost and free up staff time to focus on supporting children, families and older people within the communities in which they are based. The full year savings arising from phases 3 and 4 amount to £393k per annum and these will be used to offset against the annual maintenance costs and efficiency savings built into the base budget.

1.0 Purpose of this Report

1.1 The purpose of this report is to:

- request an injection of £1,249,950 into the 2008/9 Capital Programme funded by the Strategic Development Fund.
- Request authority to spend £1,249,950.

2.0 Background Information

2.1 RFID are electronic objects embedded in library stock (books, DVDs, CDs etc) which generate information over radio waves that allows the automatic identification of the

lending stock. The RFID solution uses tags that are passive and transmit information when in close proximity of a reader or exit gate. The tags transmit this information back to an antenna on the reader/exit gate and this is translated into machine readable form for TALIS (Library Management System). Some of the key benefits are:

- Self service – users able to check out their own materials without the need to queue at counters.
- Staff are freed up to spend more time assisting customers and promoting services with a reduction in staffing costs.
- Libraries will be able to open for longer hours without increased staffing levels.
- Improved staff morale through less routine counter work.
- Security – reduction in stock loss due to theft.

2.2 The Executive Board on the 8 October approved allocation of the £100 million included within the Capital Programme for the Strategic Development Fund. The purpose of the fund is to provide additional capital resources, funded through unsupported borrowing, for projects that lead to service delivery improvements, spend to save efficiency, and for investment in strategic infrastructure projects. It is recommended that this Rfid project is resourced from this fund, and specifically from an allocation designed for investment in projects that work towards delivering specific outcomes.

3.0 Main Issues

3.1 Design Proposals / Scheme Description

3.1.1 RFID is a technology which will allow libraries to operate in a more efficient manner. Each item is electronically tagged so that customers can check out their own materials without the need to queue at counters. The tag is deactivated once the item is checked out, otherwise the security system alarm will be activated. Having all stock tagged in this way will lead to a reduction in stock loss due to theft.

3.1.2 To implement RFID technology within each library, this requires the installation of RFID kiosks, return bins, security gates, IT software and hand held scanners. Detailed costs for phases 3 and 4 are provided at appendix 1 to this report. Phase 3 will install RFID technology in 11 libraries and phase 4 in 17 libraries. RFID will enable a reduction in staffing requirements through a reduced number of staff being required for routine repetitive tasks of issue and discharge. Once phases 3 and 4 are implemented the annual savings in a full year are estimated to be £393k per annum. The service plans to generate these savings through the natural turnover of staff. These savings will be used to offset the annual maintenance costs and the efficiency savings built into the service's base budget, leaving a neutral effect in revenue.

3.1.3 Libraries provide services to all types of groups across the city, opening evenings and weekends for customer convenience. Implementing the outstanding RFID programme would free up staff time to focus on supporting lifelong learning with children, families, job seekers and older people within the communities in which they are based.

3.1.4 The encouraging results from phases 1 and 2 are that RFID has led to increased customer satisfaction, has allowed us to increase opening hours without increasing costs and will help us to improve our performance in the culture block for CPA.

- 3.1.5 RFID supports the Customer First and transforming services agenda which fits in with many developments in the private sector that our customers are experiencing (eg self service in retail outlets) and helps to maintain Leeds' image of a modern and high performing local authority.
- 3.1.6 RFID is in the Annual Library Plan. Wherever possible, implementation of RFID is linked to the building refurbishment and asset management plans.

3.2 Consultations

- 3.2.1 Phase 1 of the RFID programme consisted of a pilot installation at Morley and Central libraries. The business case for the pilot was submitted to and approved by the ICT management Board on 22 September 2006. Approval of £253k was given for the pilot scheme from the ICT Development Programme on the understanding that if the pilot proved successful, a full business case would be brought back to the ICT Management Board to extend RFID implementation to other libraries.
- 3.2.2 A report on the pilot and recommendations for further rollout of RFID were submitted to the ICT Management Board on 29 June 2007. This report stated that the pilot was procured using an existing ICT Framework contract but that the next phase of the project would be procured using a restricted tender process through OJEC in order to demonstrate Best Value. However, there were two sites which needed the solution before the tender exercise could be completed. These sites were Beeston and Holt Park (one was a relocation and one a new building). As a result, approval was given for £145k for phase 2 whilst tenders were sought for the remaining programme.
- 3.2.3 Feedback from the pilot installations has been positive – around 80% of items at Morley are being issued and discharged using the self service technology. A programme is in place for consultation around opening hours with local people. At Beeston library, 95% of items are being issued and discharged using self service and the library has increased opening hours from 43.5 hours per week to 46 hours.

3.3 Programme

- 3.3.1 As stated in the preceding section, a framework contract procured through OJEC is already in place for this work. Phases 1 and 2 were funded from the ICT Development Programme. In a bid to generate the efficiencies as soon as possible, work has started on phase 3 and is being charged to revenue pending finding a permanent funding solution in capital. Phase 3 is due to be completed in March 2009 and phase 4 in March 2010.

4.0 Implications for Council Policy and Governance

4.1 Compliance with Council Policies

4.1.1 Health and Safety

In accordance with Council's corporate Health and Safety Policy Leeds Library and Information Service will take all reasonable steps to provide safe and healthy conditions for employees and customers and deliver services in a safe manner.

4.1.2 Customer Care

In accordance with Leeds City Council's Corporate Plan customers in these libraries will receive excellent services which are efficient and effective and meet their needs.

4.2 Council Constitution

4.2.1 This report is subject to the call in of decisions.

5.0 Legal and Resource Implications

5.1 Scheme Design Estimate

5.1.2 The estimated capital costs of phases 3 and 4 are £1,249,950 – a full breakdown of these costs is provided at Appendix 1. There will be revenue maintenance costs of £91,240 per annum and these will be covered from the revenue efficiencies which the two phases will generate.

5.1.3 Capital Funding and Cash Flow

Previous total Authority to Spend on this scheme	TOTAL £000's	TO MARCH 2008 £000's	FORECAST				
			2008/09 £000's	2009/10 £000's	2010/11 £000's	2011/12 £000's	2012 on £000's
LAND (1)	0.0						
CONSTRUCTION (3)	0.0						
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	0.0						
OTHER COSTS (7)	0.0						
TOTALS	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2008 £000's	FORECAST				
			2008/09 £000's	2009/10 £000's	2010/11 £000's	2011/12 £000's	2012 on £000's
LAND (1)	0.0						
CONSTRUCTION (3)	0.0						
FURN & EQPT (5)	1250.0		677.0	573.0	0.0		
DESIGN FEES (6)	0.0						
OTHER COSTS (7)	0.0						
TOTALS	1250.0	0.0	677.0	573.0	0.0	0.0	0.0

Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2008 £000's	FORECAST				
			2008/09 £000's	2009/10 £000's	2010/11 £000's	2011/12 £000's	2012 on £000's
Unsupported Borrowing	1250.0		677.0	573.0			
Total Funding	1250.0	0.0	677.0	573.0	0.0	0.0	0.0
Balance / Shortfall =	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Parent Scheme Number : 14885
Title : RFID Phases 3 and 4

6.0 Revenue Effects

6.1 There will be revenue maintenance costs of £91,240 per annum and these will be covered from the revenue efficiencies (£393k per annum in a full year) which the two phases will generate. The balance will be used to offset the efficiency savings built into the service's base budget, leaving a neutral effect in revenue.

7.0 Recommendations

7.1 Executive Board is requested to:

- Authorise the injection of £1,249,950 into the 2008/9 Capital Programme funded by the Strategic Development Fund.
- Authorise scheme expenditure of £1,249,950.

Background Papers

There are no background papers to accompany this report.

Appendix 1

Phase	Tag, AV safes & detachers costs	Hardware costs	Software costs	Installation costs	Building related costs	Equipment costs	Estimated Capital costs inc 5% Contingency	Maintenance costs
Phase 3 (2008/9)					11 sites			
Horsforth	£5,578	£33,970	£2,850	£1,600	£5,000	£48,998	£51,448	£3,637
Halton	£2,473	£30,975	£2,850	£1,200	£5,000	£42,498	£44,623	£3,338
Otley	£8,384	£36,965	£2,850	£1,600	£5,000	£54,799	£57,539	£3,937
Farsley	£1,771	£21,730	£1,650	£1,200	£5,000	£31,351	£32,918	£2,293
Moor Allerton	£14,145	£92,180	£6,800	£2,000	£10,000	£125,125	£131,382	£9,853
Crossgates	£4,530	£36,965	£2,850	£1,600	£7,500	£53,445	£56,118	£3,937
Pudsey	£5,643	£34,819	£2,850	£1,600	£7,500	£52,412	£55,033	£3,637
Wetherby	£4,664	£33,970	£2,850	£1,000	£5,000	£47,484	£49,859	£3,637
Rothwell	£3,798	£33,970	£2,850	£1,000	£5,000	£46,618	£48,949	£3,637
Headingley	£9,575	£66,960	£4,850	£2,000	£7,500	£90,885	£95,430	£7,136
Armley	£3,731	£35,475	£2,850	£1,600	£7,500	£51,156	£53,714	£3,788
Phase 3 total	£64,293	£457,979	£36,100	£16,400	£70,000	£644,772	£677,010	£48,828
Phase 4 (2009/10)					17 sites			
Garforth	£5,227	£38,470	£2,850	£2,250	£0	£48,797	£51,236	£4,087
Guiseley	£2,799	£28,230	£1,950	£2,250	£10,000	£45,229	£47,490	£3,018
Chapel Allerton	£3,530	£33,970	£2,850	£2,250	£5,000	£47,600	£49,980	£3,637
Compton Road	£4,026	£30,975	£2,850	£2,250	£0	£40,101	£42,106	£3,338
Seacroft	£2,462	£33,225	£2,850	£1,000	£5,000	£44,537	£46,764	£3,563
Oakwood	£3,219	£30,225	£2,400	£1,000	£5,000	£41,844	£43,936	£3,218
Dewsbury Road	£1,753	£16,740	£1,200	£800	£4,000	£24,493	£25,718	£1,794
Bramley	£2,510	£27,980	£2,850	£1,600	£5,000	£39,940	£41,936	£3,038
Kippax	£2,016	£16,740	£1,200	£1,000	£4,000	£24,956	£26,204	£1,794
Rawdon	£2,466	£16,740	£1,200	£1,000	£4,000	£25,406	£26,676	£1,794
Middleton	£1,487	£21,735	£2,100	£1,000	£4,000	£30,322	£31,838	£2,339
Calverley	£2,192	£16,740	£1,200	£1,000	£4,000	£25,132	£26,389	£1,794
Boston Spa	£1,180	£16,740	£1,200	£1,000	£4,000	£24,120	£25,326	£1,794
Chapelton	£993	£16,740	£1,200	£1,000	£0	£19,933	£20,930	£1,794
Kirkstall	£891	£33,740	£2,450	£2,250	£0	£39,331	£41,297	£3,619
Ardsley & Tingley	£977	£16,740	£1,200	£1,000	£4,000	£23,917	£25,113	£1,794
Yeadon	£3,190	£30,975	£2,850	£2,000	£5,000	£44,015	£46,216	£3,338
Phase 4 total	£37,727	£395,730	£31,550	£22,650	£58,000	£545,657	£572,940	£42,413
Total Ph 3 & 4	£102,020	£853,709	£67,650	£39,050	£128,000	£1,190,429	£1,249,950	£91,241



Originator: John Lennon

Tel: 2478702

Report of the Director of Adult Social Services

Executive Board

Date: 5th November 2008

Subject: Older People's Day Services: Service Improvement Plan

Electoral Wards Affected:

Burmantofts and Richmond Hill
Calverley and Farsley
Crossgates and Whinmoor
Horsforth

Ward Members consulted
(referred to in report)

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

1. In July 2008 Executive Board agreed a report about the future of day services for older people and this set out a vision which is to enable older people to pursue day opportunities in line with their preferences and to be able to make the same choices as other people in the community. The care needs of older people should not be a barrier to this.
2. The report also explained how Adult Social Care will contribute to this vision, working with partners to ensure a wide range of day activities and the provision of support services able to cater for the changing needs of older people. A future service model for Adult Social Care's own day service was presented, as was development work already being undertaken and initial proposals for how the service could be delivered across the city.
3. In presenting a full picture of the current position with regard to Adult Social Care's current network of day centres the July '08 report indicated concern about the situation at Richmond Hill and about Farfield, Penda's Way and the Willows (parts of the Peripatetic Unit) because of low occupancy and the quality of the premises. It was proposed that day services should no longer be provided at those sites. It was recommended that there should be consultation with service users and their carers to seek their views and explore whether satisfactory alternative day service arrangements could be worked out and agreed. This report provides information

about the outcome of that consultation and recommends that the original proposal not to provide day services on those sites should be confirmed.

4. This report also provides a brief overview of pilot work being undertaken in the West, South and inner East which is developing the service model in more operational detail. There is also an update about the process of developing locality plans which will set how the new service model will be delivered. Consultation on these locality proposals will take place in January-February 2009. Once finalised these plans will form the basis of the roll-out of the new service model in 2009.

1.0 Purpose Of This Report

- 1.1 Executive Board agreed a report relating to day services for older people in July this year. The purpose of this report is to provide an update on work which has been undertaken to implement the recommendations contained in the earlier report. The recommendations related to the proposal that day services should no longer be provided at Richmond Hill Day Centre or at the Willows, Farfield and Penda's Way which form part of the Peripatetic Unit. The report asked for permission to consult with service users and their carers about this proposal.
- 1.2 This report also provides an update on other work which is ongoing in relation to the pilots and developing locality plans which will set out how the service model will be delivered city wide.

2.0 Background Information

- 2.1 In July 2008 Executive Board agreed a report about the future of day services for older people which set out a vision which is to enable older people to be supported in pursuing day opportunities in line with their choices and preferences and in ways which are socially inclusive and promote independence. This overall approach will require much greater emphasis on working out more personalised arrangements with service users than is the case currently.
- 2.2 The report set out proposals for delivering this vision. It highlighted the need for a continuum of provision to ensure a wide range of appropriate day opportunities for older people able to cater for changing care needs. It highlighted service developments already taking place. It also presented a service model for Adult Social Care's day service which needs to be more personalised and flexible and to support service users in making the best of their abilities and in developing a rewarding plan around their day activities (See Appendices 1 and 2). The report indicated that in developing this approach there will be less emphasis on traditional building based service delivery.
- 2.3 Reference was made to pilot work being undertaken in the West, South and inner East which is developing the service model in more operational detail. An outline of how the new service model could be delivered across the city was also set out, giving the proposed roles of different centres. It was indicated that consultation on these locality proposals will take place in January – February 2009. This timing takes account of other planned consultation being undertaken by Adult Social Care. Once finalised these plans will form the basis of the roll-out of the new service model in 2009.
- 2.4 With regard to the future of individual centres the report also highlighted the position with regard to Richmond Hill Day Centre and parts of the Peripatetic Unit which are all affected by a combination of low occupancy and limited facilities.
- 2.5 The Peripatetic Unit provides service at
- Farfield, Farsley, Leeds 28 on Wednesday and Friday.
The Willows, Horsforth, Leeds 18 on Monday
Penda's Way, Crossgates, Leeds 15 on Tuesday.
Civic Hall, Otley on Thursday.

- 2.6 The report proposed that day services at Richmond Hill, Farfield, Penda's Way and the Willows should be re provided . It was recommended that there should be consultation with service users and their carers to seek their views and explore whether satisfactory alternative day service arrangements could be worked out, taking account of individual circumstances, preferences and friendship groups.
- 2.7 The earlier report set out an overview of the building base of the service which showed that there will be twenty centres after the proposed changes have been implemented.
- 2.8 A phased approach to change was described in which the main aim of Phase 1 is planning and undertaking the full implementation of the new service model city wide. In Phase 2 ongoing work will be required to keep pace with the personalisation agenda which is likely to have further significant implications for the overall size and shape of the service.
- 2.9 Prior to the July '08 Executive Board report being submitted there was consultation with elected members for the wards where Richmond Hill, the Willows, Farfield and Pendas Way are located. Those members have also received an update about the outcome of the consultation.
- 3.0 Outcome of consultation relating to Richmond Hill and the Peripatetic Unit. (See Appendix 3.)**
- 3.1. In line with the approach indicated in the earlier report, consultation with service users and carers affected by the proposed changes began once the report had been agreed.
- 3.2. There have been group and individual meetings with the service users directly affected. Carers have also been contacted and involved in the process as appropriate. Overall service users understand why change is needed and are accepting of the proposals.
- 3.3. Service users have been engaged in the process of working out what the preferred alternative to their current day service arrangement would be if the changes go ahead. There have been discussions with service users about their interests in relation to day activities and about different ways in which these could be supported. Service users have chosen to continue to receive a comparable service in another Adult Social Care centre. This represents minimum disruption and the option which readily fits with their existing care arrangements and routines. However, this does not prevent service users from making different choices in the future about how they receive their day time support.
- 3.4. Remaining with existing friendship groups is a priority for most service users and working out how these can be kept together has been a key part of the process. Service users have also been assisted to make visits other centres to help them settle on a preferred alternative.
- 3.5. Appendix 3 which summarises the preferred alternative arrangements which have been worked out with service users. Plans for the transfer of service users are within the capacity of the receiving centres and have been discussed and agreed with the managers of those centres.

4.0 Reinvestment to improve day opportunities for older people.

- 4.1. The July '08 Executive Board report made it clear that spare capacity in the day centre sector should be seen as an opportunity to unlock resources which can be used to develop services more in accord with older people's wishes. The July '08 Executive Board report identified relevant priority areas:
- Further enhancement of capacity in the voluntary sector to meet the needs of older people with more straightforward needs. For example, Adult Social Care's support for the development of the Neighbourhood Networks is widely recognised and this approach has attracted national attention.
 - The promotion of self directed support. One feature of this is the increasing take up of Direct Payments by older people. In the seventeen months from the end of March '07 to August this year, the number of older people in Leeds receiving a Direct Payment has more than quadrupled from 77 to 359. It is envisaged that this trend will continue as the pace of personalisation increases.
 - Investment in Adult Social Care's day service where this will contribute to providing a higher quality service and help to deliver key features of the future model.
- 4.2. It is projected that ceasing to provide traditional day services at Richmond Hill and the three parts of the Peripatetic Unit affected by these changes will release £300k for reinvestment in the next financial year. This funding will therefore be reinvested in line with the priorities set out in paragraph 4.1 in ways which will further enhance choice and flexibility in relation to day opportunities for older people.
- 4.3. A key feature of this will be investment in the geographical areas which have previously received a service from Richmond Hill Day Centre and those parts of the Peripatetic Unit affected by the changes. This will be an opportunity to address local identified needs.
- 4.4. The purpose of the reinvestment plan is to achieve positive outcomes for older people, for example:
- Improved sense of self esteem resulting from positive social contact with peers.
 - Better physical functioning from gentle exercise.
 - Benefits from making healthy life choices e.g. making it easier for older people to have a healthy diet.
 - Enhanced sense of well being from a varied and satisfying range of activities.
 - Improved alertness and orientation from appropriate stimulation and group activity.
- 4.9 With particular regard to the building at Richmond Hill this will be declared surplus to requirements and handed to City Development to allow negotiations to be undertaken regarding the future use of the site, during which process there will be further consultation with local ward members.

5.0 Progress with pilots

- 5.1. The different elements of the new day service model are summarised in Appendices 1 and 2. The pilots, which are at different stages of development, are working to

develop the possibilities and operational detail of the service model. The main features of their work programmes are briefly summarised below.

5.2. South pilot:

- Development of enablement service in this area. This service started in September this year.
- Service developments at other South centres so that the enablement approach is maintained for people who use the day centres as a longer term support.

5.3. West North West pilot:

- Development of enablement service at Radcliffe Lane. This service is now well established and over seventy service users have benefited from it. The pattern which is emerging is that approximately two thirds of service users respond to the approach, making significant progress in relation to the outcomes which have been agreed with them as the focus of their individual programme. Typically improvements are in areas such as mobility, management of personal care, confidence and social alertness and interaction.
- Work to foster closer links with key PCT staff around the management of long term conditions.
- With the benefit of service user feedback from pilot work, development of an appropriate model for independent reviews as part of new service arrangements.
- Provision of outreach service at in the West North West alongside building based services.

5.4. East 'whole system' pilot:

The initiative in inner East will introduce all elements of the service model in a coordinated way. There has been thorough planning for this and close working with partners. This will go live early in 2009, once the changes at Richmond Hill and Pendas Way have been completed.

- Introduction of the enablement service for this area.
- Creation of dedicated days for a dementia service.
- Development of the specialist service (physical frailty and long term conditions).
- Use of an existing centre as a site where initial work can be done to test out aspects of the resource centre function while exploring longer term options with partners.

6.0 Locality planning

- 6.1. Building on the work of the pilots, the July '08 Executive Board report set out how existing groups of centres could work together to deliver the new service model in the different parts of Leeds.
- 6.2. These proposals will be the subject of a city wide consultation process over January - February 2009.
- 6.3. Area Steering Groups aligned with the three Council areas and led by key managers in the service will have a role in developing the detail of the locality plans and coordinating implementation in the light of local factors, opportunities and findings from the consultation.

6.4. In line with the July '08 Executive Board report, locality plans will set out arrangements for delivering:

- The enablement service.
- An appropriate balance between the two parts of the specialist service – dementia and physical frailty / long term conditions.
- First stage development of an outreach service. Social Care Reform Grant funding has been earmarked for this development.
- Assessment of options in relation to the development of the Resource Centre function with partners.

7.0 Main issues

7.1 Adult Social Care faces a considerable challenge in relation to the modernisation of its older people's day service because it must manage the change from a traditional building based service to one which provides a more flexible, personalised service and is better able to deliver positive outcomes for service users. It is doing this by implementing a new service model which has key features such as an enablement service and staff providing outreach support to service users in different settings.

7.2 At the same time it is essential to maintain continuity of service to current users who value the service and rely on it as part of their care and support arrangements.

7.3 Adult Social Care is committed to an overall approach to day opportunities which emphasises older people being able to pursue activities in line with their preferences and receiving the flexible support they need to be able to do this. In order to achieve this Adult Social Care will continue to develop this approach with partners both in the Council and in other sectors.

7.4 Self Directed Support arrangements, which include Direct Payments now and Individual Budgets in the near future, offer an opportunity to make more rapid progress and to make it possible for increasing numbers of older people to have more personalised arrangements in relation to their day activities. The work to develop and reshape Adult Social Care's day service will need to continue to keep in step with these major changes and key issues such as the capacity needed to deliver the different aspects of the service model will have to be kept under review. There has been a downward trend in occupancy in the day service over a period of years and it is envisaged that this will continue or accelerate. National evidence shows that as personalisation progresses fewer people remain within statutory services once they are given greater choice.

8.0 Implications For Council Policy And Governance

8.1 In previous reports in February '07 and July '08 Members have agreed the overall approach to day opportunities for older people, the future service model for Adult Social Care's day service and recommendations relating to individual day centres. All the work currently being undertaken in relation to modernising Adult Social Care's day service is consistent with the approvals already given.

8.2 The overall approach being taken fits well with the current Leeds Strategic Plan. For example the change process aims to:

- enable older people to be involved in physical exercise and cultural events;

- improve older people's access to services and their level of involvement in their communities;
- create opportunities which maximise the potential of older people and their overall well being.

This will support the achievement of Strategic Outcomes in the Strategic Plan, particularly: Culture, Health and Wellbeing, Thriving Places and Harmonious Communities.

9.0 Legal and Resource Implications

- 9.1 The proposal that day services will no longer be provided at Richmond Hill, Farfield, the Willows and Pendas Way releases revenue resources of £300k (whole year effect). Reinvestment will be used to improve day opportunities for older people in other ways.
- 9.2 The Richmond Hill Day Centre building will become surplus to requirements and the site will be disposed of together with the adjoining Butterfield Manor site (which is already vacant) through normal Corporate asset management arrangements. It is anticipated that this could be as early as November 2008.
- 9.3 The asset management related aspirations of the wider day services project is to develop modern, attractive, multi-purpose Resource Centres and this will be progressed in the near future via Corporate arrangements with an emphasis on identifying settings which are well integrated with relevant mainstream services and which will facilitate close working with partners.
- 9.4 There could potentially be opportunities to invest in existing community assets where capacity exists, if it is in the right location and it would complement existing usage. This would have the advantage of improving the utilisation of existing assets and investing in better facilities for the community as a whole. In some cases new provision may need to be considered as part of the options appraisal process: this may be alongside planned regeneration projects, PFI schemes or partner developments .

10.0 Conclusions

- 10.1 There has been consultation and discussion about alternative service options with service users at Richmond Hill, the Willows, Farfield and Pendas Way. It has been possible to work out satisfactory alternative arrangements with all service users which ensure the continuity of their day service, taking particular account of wishes in relation to friendship groups.
- 10.2 It is therefore recommended that the proposal made in the previous Executive Board report that day services are no longer provided on these sites is confirmed.
- 10.3 Reinvestment of the £300k released by this reshaping of the service will be used to promote day opportunities for older people both city wide and in the areas directly affected by the changes.
- 10.4 Pilots in West, South and inner East are continuing to develop the service model in more operational detail and to provide valuable service user feedback. Maintaining momentum with this work is a key priority.

10.5 Plans are being made for consultation to take place across the city in January and February 2009 about outline proposals which set out how the new service model will be delivered in different localities.

10.6 Subject to local consultation and more detailed work on implementation plans the new service model will be rolled out city wide in 2009, when further progress reports will be submitted to Members.

11.0 Recommendations

Members are asked to:

11.1 Note the work which has been done to implement the recommendations of the July'08 Executive Board report relating to Richmond Hill Day Centre, Farfield, the Willows and Pendas Way and agree the proposal with regard to day services no longer being provided on those sites.

11.2 Note the related commitment to reinvest in older people's services.

11.3 Note the progress being made to develop locality plans to deliver the new service model through pilots, consultation and other detailed work.

11.4 Receive further reports in 2009 as the change process progresses.

Background documents referred to in this report:

Appendices

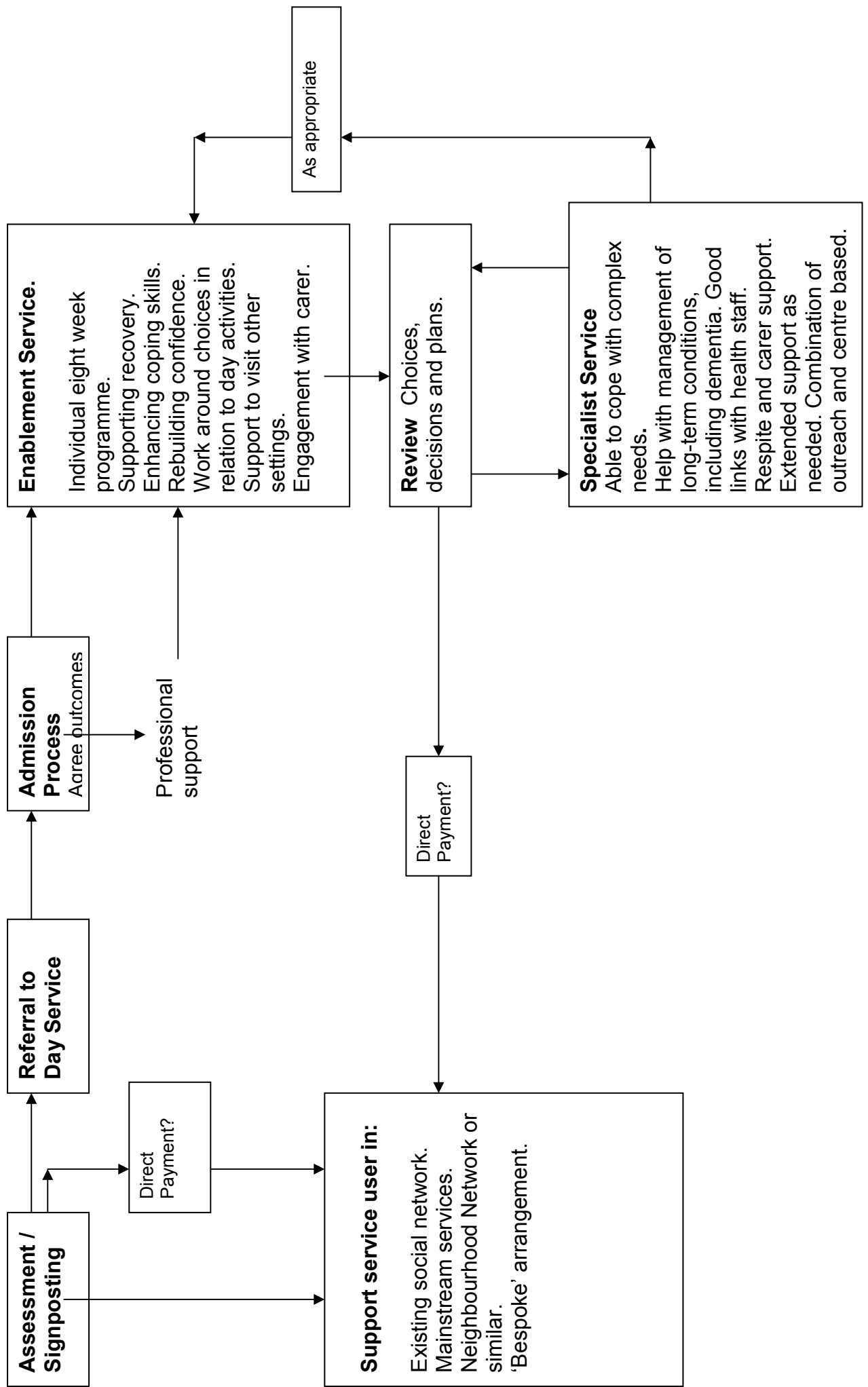
1. Older People's Day Opportunities: the overall approach
2. Older People's Day Service Pathway
3. Outcome of consultation with service users and carers at Richmond Hill, Farfield, the Willows and Pendas Way: summary of preferred alternative day service arrangements.

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Appendix 1. Older People's Day Opportunities: the overall approach

Service	Type of activity	Aims / Outcomes	Potential Partnerships
1. Individual choice	Supporting service users in using mainstream services such as libraries and leisure centres. Enable users to remain part of their own friendship groups and keep up with their interests. Use of Direct Payments and Personal Budgets/ volunteers to support this.	Access to the same opportunities as other members of the community. Enhancing choice and flexibility.	Voluntary Sector. Other Council services.
2. Community based	Involvement of service users in local opportunities, particularly Neighbourhood Networks. Provides companionship but also contributes to health and well being. For example, through gentle exercise and dance. Opportunities to learn new skills for example using a computer.	Engagement in activities catering for needs and interests of older people. Stimulating mix of activities.	Voluntary Sector. Environment and Neighbourhoods.
3. Day Service: Resource Centre and Recovery and Enablement Service	Collaboration with partners to provide a variety of information and preventative services under one roof. Use of centre base for work with service user and for going out into different situations. Individual, time limited programme to support recovery and enable the older person to be as independent as possible. Rebuild confidence after a difficult time. Help user to develop skills and maximise coping ability. Support carers.	Achieving optimum degree of independence. Support to access satisfying day opportunities.	Voluntary Sector. PCT Leeds Partnership Foundation Trust Council services
4. Day Service: Specialist – physical frailty and long term conditions	More intensive personal support. Use of centre base and outreach. With input from health professionals assist service user in managing their health problems. Respite and Carer support.	Achieve optimum management of long term conditions. Support to access satisfying day opportunities.	PCT Hospitals
5. Day Service: Specialist – dementia	Dedicated specialist provision for older people with dementia Respite and Carer support	Achieve optimum management of dementia. Support to access satisfying day opportunities.	Leeds Partnership Foundation Trust

Appendix 2 Older People's Day Service Pathway



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APPENDIX 3 - outcomes of consultation re: alternative provision

	CURRENT PROVISION
Richmond Hill	no of service users
Total number of service users	29
number attending on Monday	15
number attending on Tuesday	12
number attending on Wednesday	9
number attending on Friday	20

ALTERNATIVE PROVISION PROPOSED & AGREED WITH SERVICE USER			
Wykebeck	Lincolnfield	Doreen Hamilton	Naburn Court
5	8	1	1
6	5	1	
0	9	0	
4	11	4	1

	CURRENT PROVISION
FARFIELD	no of service users
Total number of service users	18
number attending on Wednesday	18
number attending on Friday	13

ALTERNATIVE PROVISION PROPOSED & AGREED WITH SERVICE USER			
Queenswood drive	Calverland	Radcliffe lane	Bramley lawn
2	1	12	3
2	0	0	11

	CURRENT PROVISION
The Willows	no of service users
Total number of service users	23

ALTERNATIVE PROVISION PROPOSED & AGREED WITH SERVICE USER	
Queenswood drive	Calverland
13	10

	CURRENT PROVISION
Pendas Way	no of service users
Total number of service users	10

ALTERNATIVE PROVISION PROPOSED & AGREED WITH SERVICE USER	
Wykebeck	
10	

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Report of the Director of Adult Social Services

Executive Board

Date: 5 November 2008

Subject: The Mental Capacity Act 2005

Electoral Wards Affected:

All

Ward Members consulted (referred to in report)

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

The Mental Capacity Act is a wide ranging piece of legislation potentially affecting the lives of many thousands of citizens in Leeds. It's main provisions, covered in greater detail in this report, are aimed at protecting the interests of the most vulnerable people in our community, people who, for a great variety of reasons, are judged to lack the mental capacity to make significant decisions in relation to their own life and circumstances.

Although the provisions of the Act were laid out in 2005, such were the technical challenges associated with it's implementation that the timetable for its introduction (published In December 2006) spanned 3 phases: April and then October 2007 with the final phase, dealing with the 'Deprivation of Liberty' requirements, commencing in November 2008. All the provisions of the Act will be applicable from April 2009.

The Act and it's associated guidance placed responsibilities on Local Authorities to lead the process, supported by a comprehensive 'Code of Practice' published in April 2007. The lead Government Department for Implementation was Department of Constitutional Affairs (now Ministry of Justice) supported by Department of Health.

In December 2006 The Local Authority were required to undertake two principal tasks, firstly to procure an Independent Advocacy service by April 2007 utilising ring-fenced monies and secondly to immediately establish a Local Implementation Network (LIN) comprising all the principal organisations most likely to be affected by the provisions of the Act (NHS Leeds {formerly Leeds PCT}; Acute Trust; Partnership Foundation Trust; Advocacy provider; LCC Legal Services and the Police) . The role of the LIN Board has been to co-ordinate the implementation of the Act, to oversee the expenditure of the grant monies which have been provided to support its implementation, to ensure the procurement and availability of Advocates for those people lacking capacity, to ensure awareness of the provisions

of the Act are raised amongst the wider public and staff and to secure the availability of general and specialist training for those responsible for the day to day requirements associated with the Act's provisions. This report also deals with the work undertaken by the Leeds LIN.

1.0 Purpose of Report

- 1.1 The purpose of this report is to advise Members of the Executive Board with regard to the implications associated with the implementation in Leeds of the Mental Capacity Act 2005. This report also outlines the requirements of the Deprivation of Liberty Safeguards (DoLS) which are incorporated into the Mental Capacity Act but which also feature prominently in the implementation of the Mental Health Act 2007 (the requirements of which are the subject of a companion report).
- 1.2 The report deals with the principal requirements of the Act, highlighting how it will potentially affect people in a variety of circumstances. The report deals with the implications for staff within the main statutory organisations, including Adult Social Care, and describes the co-ordination arrangements that have been established to oversee the implementation of each element and fulfil the statutory reporting and monitoring associated with that.

2.0 Background

- 2.1 The Mental Capacity Act is a wide ranging piece of legislation potentially affecting the lives of many thousands of citizens in Leeds. It's main provisions are aimed at protecting the interests of the most vulnerable people in our community, people who, for a great variety of reasons, are judged to lack the mental capacity to make significant decisions in relation to their own life and circumstances. The Act has potential implications for many adults and some children, it is estimated that, at any one time, up to 2 million people in England and Wales lack mental capacity to make decisions for themselves by virtue of, for example, dementia; learning disabilities; mental health problems; stroke and brain injuries. The Act therefore applies to all those aged 18+, and has provisions relating to Young People aged 16+ in specific circumstances.
- 2.2 The Mental Capacity Act therefore provides a welcome, statutory framework to empower, support and protect people aged 16+ who may not be able to make all their own decisions all the time. It provides a legal framework for good practice and current common law principles. It deals with the assessment of a person's capacity and any acts of care by those looking after or working with those who lack capacity. The Act also provides additional rights in relation to making advance plans concerning medical treatment and control over an individuals financial affairs.
- 2.3 The Act sets duties on Local Authorities to ensure the provision of Independent Advocates for people determined to lack capacity, to ensure the appropriate training of staff to undertake specialist roles associated with the determination of capacity and to ensure that staff are available to protect the interests of those deemed to lack capacity.
- 2.4 As part of the provisions of the Mental Capacity Act (and incorporated into the provisions of the Mental Health Act 2007) Deprivation of Liberty Safeguards are introduced. The Safeguards are designed to prevent arbitrary decisions that deprive

vulnerable people of their liberty by providing processes of application, assessment, authorisation and review when it is necessary to deprive a person of their liberty, and providing them with representation and rights of review.

- 2.4 In Leeds the co-ordination of the implementation of the Act, it's associated requirements and statutory reporting of progress towards full implementation has been ongoing since December 2006 with the establishment of a Local Implementation Network Board chaired by the Chief Officer – Social Care Commissioning and containing representatives of each of the main statutory organisations in the City. The specific work of the LIN Board is highlighted later in this report.
- 2.5 The LIN Board has also overseen the expenditure of grant monies provided to support those elements of the Act set out at paragraph 1.3, a short summary of the overall grant provided 2006 – 2010 is set out in section 5 of this report.

3.0 Main Issues

3.1 The Act is based on 5 key principles which are:

- ◇ A presumption of capacity.
- ◇ Right of individuals to make their own decisions.
- ◇ Right not to be treated as lacking capacity merely because of unwise or eccentric decisions.
- ◇ Need to ascertain what is in the best interests of the individual.
- ◇ Least restrictive intervention.

3.2 The main provisions of the Act introduced since 2007 are set out below.

- ◇ **Independent Mental Capacity Advocacy (IMCA)** Service to be operational. – this is a legally defined role in the Act to support a person who lacks capacity, has no-one to support them and there is a major health or residential care decision to make – but also can be appointed if either the perpetrator or victim in a Safeguarding investigation lacks capacity. Additional powers to instruct IMCA's in Adult Protection cases and reviews of accommodation. The first annual report of the Leeds IMCA service is attached as Appendix 1.
- ◇ Two new **Criminal Offences** are introduced of ill treatment or wilful neglect of a person without capacity carrying up to five years imprisonment if found guilty.
- ◇ **Capacity Defined**, the Act sets out the criteria for assessment, and codifies existing Common Law it also sets out a clear decision specific test. Under the new regulations no one can be labelled as 'incapable' just because s/he has a particular condition, nor can lack of capacity be established just through reference to age, appearance, or any condition or behaviour which may lead to others making unjustified assumptions.
- ◇ **Best Interest Checklist**. The Act provides a checklist that decision makers must work through in deciding what is in the person's best interests and how to decide this
- ◇ **Acts in Connection with Care/Treatment** ('Section 5 acts') For the first time there is law to protect carers, healthcare and social care staff from liability when acting in connection with care or treatment for those who lack capacity under Section 5 – but only if they follow the guiding principles of the Act, believe that the person lacks capacity to give permission for the action and act in the person's Best Interests.

- ◇ **Lasting Powers of Attorney** (L.P.A's) appointed in advance by someone if s/he should lose capacity - able to make health and welfare decisions as well as property and affairs if authorised.
- ◇ **A new Court of Protection.** the new Court will have jurisdiction relating to the whole Act so its remit includes social care and health decisions when appropriate. this structure replaces current receivership and deputies are able to make welfare, financial and most health decisions as authorised by the Court.
- ◇ **A new Public Guardian.** - who will supervise Court of Protection deputies and powers of attorney, and work with all agencies in relation to any concerns with these roles.
- ◇ **Court Appointed Deputies** (replace receivership's this structure replaces current receivership and deputies are able to make welfare, financial and most health decisions as authorised by the Court.
- ◇ **Advance Decisions** (formerly know as Advance Directives or Living Wills) there will be statutory rules with safeguards and strict formalities, so that people can make an advance decision about refusing medical treatment.
- ◇ **Research Issues.** very clear guidelines that protect the person who lacks capacity.

3.3 In relation to the **Deprivation of Liberty Safeguards**, the safeguards create two new legal entities, **Managing Authority** (Care Homes/Hospitals) who provide care and must request authorisation to deprive the liberty of an individual who may be deemed to lack capacity. **Supervising Bodies** who must organise assessments and issue authorisations if assessments require them to do so. Leeds Adult Social Services will undertake both functions which will require appropriate processes, governance, management and operational arrangements to be put into place to assure the independence of decision making.

3.4 Supervising Bodies (SB) must arrange for assessments to be carried out, one of these assessments (a Mental Health assessment) must be carried out by a registered medical practitioner, the others by a 'Best Interest Assessor' (BIA). In discharging their responsibilities as a SB Local Authorities (who will chiefly be the source of Best Interest Assessors) and Primary Care Trusts (the source of registered medical practitioners) must ensure sufficient assessors are available, ensure the assessors have the skills, qualifications and training to provide the role; appoint the assessors, ensure the assessors have the relevant skills and experience required for that assessment (for example in relation to the needs of people with Learning Disability/Older People/ People with Mental Health needs) and ensure there is no conflict of role.

4.0 Implementation in Leeds

4.1 Leeds successfully procured the IMCA service in advance of the required commencement date in April 2007, the first annual report of the successful provider is available to Members, this sets out the significant amount and quality of work that that has been undertaken since the commencement of this service. In contrast to many other Authorities, the method of procurement and specification used for the IMCA service in Leeds has lead to a relatively small group of advocates developing highly developed skills in this very specialist area. This has proved to be a very sustainable and cost effective model to date, in other Authorities in contrast, have experienced significant waste and quality issues associated with this service.

- 4.2 On behalf of the LIN, the Local Authority hosts a training officer with specific responsibility for implementing the training and awareness raising plan around the wider partnership. In addition to this two sub groups have been established reflecting the importance of planning and delivering training and communication, they are co-ordinating the significant task of raising awareness and communicating to the wider workforce, some of whom have specific specialist roles to play in relation to Public Guardianship and Receivership.
- 4.3 Finally, a wider stakeholder event was held in February to raise awareness of MCA among existing and potential service recipients and their carers. However, it is important to note that the extensive activity undertaken thus far has reached only a small proportion of wider public (and potential beneficiaries) of the MCA. The LIN recognises the importance of continuing to take all opportunities to raise awareness of the Act among all the communities of Leeds, to improve access to information and advice.
- 4.4 The further requirements associated with Deprivation of Liberty Safeguards to provide advanced training for specialist professional staff are now the chief focus of the work of the board and it's sub-groups, negotiations are underway with the main academic institutions in the City to ensure that the necessary courses of professional study and qualification are available for Leeds professionals and for those in the wider region.
- 4.5 All indications from the Department of Health (which has monitored the implementation of the Act) following the provision of update reports from this Authority, are that the arrangements that have been put into place in Leeds are robust and effective and that our planning in relation to the implementation of the Act and use of resources to support it has been to a high standard.

5.0 Financial Implications

5.1 Specific Grant funding has been made available to both the Local Authority and Health community in Leeds since 2006 to support the introduction of the new legislation and all its statutory requirements, the grant has three specific elements, the first element is for Authorities to use in relation to the procurement of the IMCA service, the second in relation to ensuring the training needs of staff are addressed and the third recognises the overall management costs of introducing this scale of legislation.

5.2 The grant amounts are:

2006/07	£94,000
2007/08	£212,000
2008/09	£344,000
2009/10	£433,000
2010/11	£416,000

5.3 In addition, within the annual budget of the Leeds PCT, £103,000 has been made available over the two years 2007 – 2009 to support the specific implications for the wider health community.

5.4 The expenditure of the two funding streams has been co-ordinated by the LIN Board to ensure that the maximum benefit is derived and that the potential for duplication is eliminated.

6.0 Legal Implications

6.1 The legal implications are set out in Section 3 of this report.

7.0 Conclusions

7.1 The provisions of the Mental Capacity Act should be regarded as establishing a welcome set of safeguards and balances designed to protect the rights and interests of a range of vulnerable people who may be deemed to lack capacity and who may have no other appropriate person to act on their behalf. The Act applies to those most essential elements of everyday life, health, accommodation, personal finance and liberty. By reaching into all those elements of the lives, the Act requires that awareness of its provisions should be raised, not only among statutory organisations and professional groups but across the general public and into all the communities of our City.

7.2 Although all the statutory provisions of the Act will be fully effective in April next year and arrangements are already in place within the statutory partners, including Adult Social Care for the effective management of those arrangements, it is likely to be some time before all the provisions contained in the Act attain widespread public understanding.

7.3 Finally, although there is an association between the provisions of the Mental Capacity Act and those of the Mental Health Act 2007, the two are distinct pieces of legislation, the latter having a much narrower focus on the needs of people with mental health needs, the former having potential applicability to any citizen.

8.0 Recommendation

8.1 Members are invited to consider the content of this report, to note the key features of the Act highlighted in it, to note the progress made to date in it's full implementation and the plans which are being progressed to raise greater awareness among the public of it's provisions and implications.

8.2 Members are also invited to note the content of the annual report of the Articulate Advocacy service which sets out the work of the specialist Mental Capacity Advocates, providing an important insight into the range of issues and the challenges faced by individuals lacking capacity.

Background Documents

Articulate Advocacy Annual Report
Mental Capacity Act 2005
Mental Health Act 2007

Leeds Independent Mental Capacity Advocacy Service

(LIMCAs)

Annual Report 2007-08

ARTICULATE
ADVOCACY **cic**

Mental Capacity and advocacy

WHAT happens to any of us when we are too ill to make decisions for ourselves? What happens if we don't have any family or friends who could help health and social care professionals decide what is best for us?

As people live longer, families break up, and we move around as we try to find work or develop our careers, more of us find ourselves on our own at times of emergency or trauma.

The Mental Capacity Act 2005 set out to provide safeguards for people in such circumstances - by clarifying what we mean by "mental capacity" (when and how we are able to take decisions and communicate our wishes to others) and then make sure that there was someone else - an independent "advocate" on hand - to find out more about our lives, how and where we live and not only establish our interests, but work with health and social care workers to ensure that we get looked after as well as possible.

These Independent Mental Capacity Advocates - IMCAs - are trained individuals usually employed by charities or similar agencies working outside the National Health Service and social services. They work within carefully set guidelines and have to provide comprehensive reports about what they do. They work alongside doctors, nurses, social workers, those running nursing and care homes, to make sure that any decisions about, say, medical treatment and where we live are thoroughly thought through.

IMCAs get called in if someone without a family or friends has dementia, learning disabilities or cognitive impairment and at set times in the decision-making process too.

The Leeds Independent Mental Capacity Advocacy service (LIMCAs) is run by a community interest company called Articulate Advocacy under contract from the NHS and Leeds City Council. This is their first annual report.

Food for thought

Clive Walsh was in his 20s when he had a motorcycle accident that left him brain damaged and in a wheelchair. Two decades on, Clive – whose parents had both died – choked.

Despite being disabled, Clive knew what he wanted until the choking accident. Being without oxygen for 20 minutes caused further brain damage and Clive went into a persistent vegetative state.

Doctors thought Clive didn't have long to live, so they decided to turn off his life support system – but Clive breathed on.

That's when an IMCA, an Independent Mental Capacity Advocate, became involved. The advocate found out from Clive's long-term carers that they

felt Clive was aware of some of what was happening around him.

The advocate took part in discussions about how Clive could be fed. The doctors didn't want to put a tube into Clive's stomach, because of the infection risks.

The IMCA later reported that the operation did go ahead – on the condition that Clive would only be given antibiotics if an infection appeared. He would also be checked after two days to see if it was in his best interest for the treatment to go on.

And, thinking that Clive would live on, the advocate was ready to become involved in helping with decisions about where he would live.

Getting started in Leeds

Leeds Advocacy put in a bid for the new Leeds Independent Mental Capacity Advocacy service - LIMCAs - commissioned to start work on 1st April 2007 in accordance with the legislative timetable for the Mental Capacity Act 2005.

Although, it had been planned to submit a bid that would require the employment of full-time staff with the requisite amount of management and administrative support; when the tender specification was announced, it required the service to be commissioned on a per-hour formula. After some recalculations, the final proposal was based on a team of 15 IMCAs, with two managers and administrative support to cover the anticipated demand.



Thus, on 1st April, the three IMCAs and one manager who had been trained began work from Leeds Advocacy's main office. The first referral forms were issued, based on the requirements of the Department of Health national IMCA service database.

Service contract

In late December 2006, a bid was submitted and - after negotiation - was accepted in January 2007. The service contract was for one year with the option of a further 12-month extension. Leeds Advocacy was appointed as the principal contractor with sub-contractors if necessary.

Preliminary timings were tight because enough IMCA hours had to be available to meet the predicted demands from 1st April 2007. Finding training places was difficult.

Consequently, because of delays in training sufficient IMCAs as a result of the national demand, the Leeds' commissioning body accepted that the service would initially be provided by a few IMCAs who could meet the demand until others received training.

By June 2007, all 15 IMCAs had been trained and many service routines developed. Much thought went into the design of the template for the IMCA reports; consequently, they have met most situations and the needs of recipient decision-makers.

In January 2008, the commissioning body notified Leeds Advocacy that they intended to extend the contract for the further 12 months.

Subsequently, the management structure was reviewed and a social enterprise company - Articulate Advocacy cic - established to manage the LIMCA service in the future. Operations were transferred in the weeks immediately after that.

Uptake and demographics

By 31st March, 175 inquiries had been received, of which about 130 had become formal referrals, involving about 100 individuals, in line with expectations that some service users would incur multiple decision-making interventions.

The 2006 pilot project run by the University of Cambridge¹ forecast that approximately 36 per cent of service users would be people with learning disabilities while 32 per cent would be people with dementia. The remaining 32 per cent would be people with mental health issues, brain injuries, autism, cognitive impairment² and so on.



Over the 2007-08 year in Leeds, the majority of referrals by far (based on primary diagnostic identifiers) - at approximately 50 per cent - related to people with dementia; 17 per cent had learning disabilities, 16 per cent had mental health problems, 15 per cent had cognitive impairment, 2 per cent had autism.

In Leeds, most of those referrals - approximately 68 per cent - related to decisions concerning change of accommodation, 13 per cent to serious medical treatment, while 10 per cent related to care reviews, 3 per cent concerned adult protection and the remaining 6 per cent representing other topics.

Data summary

PILOT PROJECT PROJECTIONS

People with learning disabilities	36%
People with dementia	32%
Other causes	32%

CAUSES OF INCAPACITY

(Leeds 2007-08)

People with dementia	50%
People with learning disabilities	17%
People with mental health problems	16%
People with cognitive impairment	15%
People with autism	2%

REFERAL REASONS

(Leeds 2007-08)

Accommodation	68%
Serious medical treatment	13%
Care reviews	10%
Adult protection	3%
Other concerns	6%

Personnel

Independent Mental Capacity Advocates in Leeds represent many different and diverse backgrounds, but all were experienced advocates before taking on this role.

They genuinely feel that the work is of great importance in protecting and assisting some of society's most vulnerable individuals.

Despite some initial turnover, in-house staffing has now settled and it is anticipated that fruitful exchanges of experiences, information and ideas will take place at regular team meetings.

Referral trends

Uncertainty remains regarding the “appropriate to consult” status of friends or relatives of service users, both in connection with the Code of Practice and in protection issues locally - because a formal policy does not become available until a major review of Leeds’ local procedures and practices is complete in summer 2008.

As care reviews should be initiated six weeks after a service user has moved accommodation, the referral data would indicate that this does not appear to be happening automatically.

Also, the few referrals received from parts of Leeds’ black and minority ethnic communities appear disproportionate in relation to demographics. The MCA Stakeholder Board is investigating the local position. (The 2006 pilot project analysed by the University of Cambridge³ identified only two Asian referrals, one a Bangladeshi and the other an Indian, among 157 initial clients, of whom 118 were white British.)

Examination of the first year’s data has also revealed that no referrals were received from primary care physicians, the police service, the probation or prison services. Improving the profile of the LIMCAs service throughout the criminal - and civil - justice system is considered a priority for the 2008-09 contract year.

Fewer referrals from managers of independently managed or owned care and nursing homes were received than the demographic data regarding residents would have suggested. Where referrals regarding such residents have been received, they resulted from social care or medical interventions. Consideration should be given to improving the promotion of the LIMCAs service to such managers and proprietors, possibly with the provision of appropriate training regarding

the current legislative requirements and the involvement of IMCAs.

By the half-year, in September 2007, service demand had not however met the forecasts because fewer social care staff and medical staff had received the necessary Mental Capacity Act 2005 training. This was consistent with national trends at the time.

That a significant proportion of hospital referrals were received from social care staff may indicate that medical staff, at all levels, may benefit from being more confident in making direct IMCA referrals themselves.

LIMCAs promotion and publicity has primarily remained the responsibility of the commissioning body. However, Leeds Advocacy and Articulate Advocacy managers have undertaken talks and other presentations to publicise the service, its formation and early experiences, primarily to peers and health and social care professionals.

Footnotes

¹ The Evaluation of the Pilot Independent Mental Capacity Advocate (IMCA) Service, Redley et al, University of Cambridge Learning Disabilities Research Group, December 2006.

² Op cit, Figure 3.

³ Op cit, Table 3.

12 per cent of IMCA interventions have involved people aged 35 or younger

A matter of understanding

Alzheimer's Disease hit Wendy early. By the time she was just 52, she was frequently becoming confused. Wendy had been a carer and, after the disease developed, she continued to share a house in a Leeds suburb with Tamara, whom she used to look after.

One day, while she was at day care, Wendy had a seizure. She was hurried to hospital where she became even more bewildered.

Doctors wanted to put a tube down Wendy's throat, so an IMCA was brought in to help make sure that she understood what they wanted and to see if she could give consent.

The IMCA got Wendy to draw a picture of herself and used that to show her what would happen. Wendy was worried that this would be painful, but the IMCA was able to explain that she would have an anaesthetic. Wendy was able to show that she understood and said yes to the operation.

After discussing Wendy's worsening dementia with the hospital staff and a specialist nurse, the advocate stayed in touch to be able to help when the time came for Wendy to move from hospital to a care home, rather than going back to the house she shared with Tamara.

Anticipated developments

Legislative changes regarding the deprivation of liberty due to come into effect in the spring of 2009 also require that IMCAs should receive additional training to expand their skills so they can be involved in these decisions. Such training will be undertaken by the Leeds IMCAs during the course of this second contract year.

Individual advocates as well as Articulate Advocacy expected to be involved in the - informal - promotion of this extension to the service.

“The youngest person helped by an IMCA this year was just 21.”

Acknowledgements

The board and managers of Leeds Advocacy - and Articulate Advocacy cic - would like to record thanks to the Leeds Adult Service Commissioning Team, the MCA Stakeholder Group for their help and advice through the year and the many health and social care professionals with whom the organisation and individual IMCAs have worked with during the first year of an evolving and positive working relationship.

Report conceived and written by Adam Christie, Modus Operandi Communications (0113 294 1212), photographs ©Adam Christie 2008.

Comfort and the familiar

Romany Barbara Strichardt was 65 when she broke her femur. Barbara had been living alone and had no family or friends when she went into hospital. There, the doctors also found that she had inoperable cancer.

While she was in hospital, the nurses started to worry about her mental health. After a while, her thoughts became so bizarre and psychotic that she was moved to a mental health hospital.

Although Barbara's mental health settled down, she was still ill and it was apparent to everyone that she wouldn't be able to go home and look after

herself. Three options were available: she could go to a hospice, a care home or stay where she was.

An IMCA helped Barbara make it clear that she wanted to stay at the hospital as she was familiar with the staff and the layout.

Even though the doctors there were concerned that they might not be able to provide the best possible care if Barbara's cancer got worse and made breathing difficult, the nurses thought she should stay where she was.

So, with the IMCA's involvement, Barbara didn't have to move again. She died on the ward where she was comfortable.

Further reading and information

The Department of Health for England has produced a set of booklets providing introductory information about the Mental Capacity Act and IMCAs.

1. For people who may be unable to make some decisions for themselves/ who wish to plan ahead for the future
2. For family, friends and unpaid carers
3. For people who work in health and social care
4. For advice workers
5. Easy Read - due for publication after July 2008
6. The Independent Mental Capacity Advocate (IMCA) service

These are all available online at:
www.dca.gov.uk/legal-policy/mental-capacity/publications.htm#booklets

Alternatively, type "IMCA" into the search function on the Department of Constitutional Affairs website - www.dca.gov.uk - and many more resources will be identified.

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Originator: John Lennon

Tel: 247 8702

Report of the Executive Board

Date: 5 November 2008

Subject: Implementation of the Mental Health Act 2007

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

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

The legislation governing the compulsory treatment of certain people who have a mental disorder is the Mental Health Act 1983 (the 1983 Act). The main purpose of the 2007 Act, which comes into force on **3rd November this year**, is to amend the 1983 Act. It is also being used to introduce "deprivation of liberty safeguards" through amending the Mental Capacity Act 2005 (MCA); and to extend the rights of victims by amending the Domestic Violence, Crime and Victims Act 2004.

The 1983 Act is largely concerned with the circumstances in which a person with a mental disorder can be detained for treatment for that disorder without his or her consent. It also sets out the processes that must be followed and the safeguards for patients, to ensure that they are not inappropriately detained or treated without their consent. The main purpose of this legislation is to ensure that people with serious mental disorders which threaten their health or safety or the safety of the public can be treated irrespective of their consent where it is necessary to prevent them from harming themselves or others.

The changes to the Mental Capacity Act provide for procedures to authorise the deprivation of liberty of a person resident in a hospital or care home who lacks capacity to consent. It introduces the principles of supporting a person to make a decision when possible; acting at all times in the person's best interests in the least restrictive manner; and will apply to all decision-making in operating the procedures in the future.

The changes to the Domestic Violence, Crime and Victims Act 2004 introduce new rights for victims of mentally disordered offenders who are not subject to restrictions.

Purpose Of This Report

- 1.1 To advise on the main changes to the Mental Health Act
- 1.2 To advise on the progress of the Implementation Self Assessment Tool (ISAT) which was submitted to the Department of Health at the end of June this year. This was a series of questions, 69 in total, that had to be answered by the health community in each area. The ISAT for Leeds was submitted by the Leeds Partnership Foundation Trust (LPFT) but in collaboration and consultation with the Local Authority
- 1.3 To advise on our state of preparedness

2.0 Background Information

The following are the main changes to the 1983 Act made by the 2007 Act:

- 2.1 Definition of mental disorder: it changes the way the 1983 Act defines mental disorder, so that a single definition applies throughout the Act, and abolishes references to categories of disorder.
- 2.2 Criteria for detention: it introduces a new “appropriate medical treatment” test which will apply to all the longer-term powers of detention. As a result, it will not be possible for patients to be compulsorily detained or their detention continued unless appropriate medical treatment is available.
- 2.3 Professional roles: it is broadening the group of practitioners who can take on the functions currently performed by the approved social workers (ASW) and responsible medical officer (RMO). ASW’s will become known as Approved Mental Health Professionals (AMHP) and be open to other professions such as Occupational Therapists and Nurses after appropriate training.
- 2.4 Nearest relative: it gives to patients the right to make an application to displace their nearest relative and enables county courts to displace a nearest relative where there are reasonable grounds for doing so. The provisions for determining the nearest relative will be amended to include civil partners amongst the list of relatives.
- 2.5 Supervised Community Treatment (SCT): it introduces SCT for patients following a period of detention in hospital. It is expected that this will allow a small number of patients with a mental disorder to live in the community whilst subject to certain conditions.
- 2.6 Mental Health Review Tribunal (MHRT): it introduces an order-making power to reduce the time before a case has to be referred to the MHRT by the hospital managers. It also introduces a single Tribunal for England, the one in Wales remaining in being.
- 2.7 Age-appropriate services: it requires hospital managers to ensure that patients aged under 18 admitted to hospital for mental disorder are accommodated in an environment that is suitable for their age (subject to their needs).
- 2.8 Advocacy: it places a duty on the appropriate national authority to make arrangements for help to be provided by independent mental health advocates.
- 2.9 Electro-convulsive therapy: it introduces new safeguards for patients.

3.0 Main Issues

- 3.1 The Self Assessment Tool identified all the changes that the Department of Health would ideally like to be in place by November and is rated by a “traffic light” system of Red, Amber and Green. This timetable raises significant challenges for all Local Authorities and whilst progress was initially difficult we can report that the final report submitted at the end of June was very encouraging with almost half of the questions (34) now in Green/Amber. The majority of areas that are not green come under the heading of “Clinical Systems and Processes” as these await government guidance before they can be completed appropriately. We are working with our partners to prepare our implementation plan in anticipation of government guidance on these matters and be ready to put in place the necessary arrangements to have an effective and working service.
- 3.2 Commissioning of services is another ISAT issue that requires attention but this needs to be undertaken jointly with our partners. As an example, from April 2009 there will be a need to provide an Independent Mental Health Advocacy Service (IMHA) but we do not yet have any guidance as to how this will be commissioned
- 3.3 The most pressing concern for the Local Authority was to re-train its ASW workforce to become AMHP’s by November. A series of training courses were delivered during July 2008 which has now satisfied this requirement.

4.0 Implications For Council Policy And Governance

- 4.1 To oversee and monitor the changes brought about by the Act a Mental Health Act Steering Group has been set up, which is multi agency, and this will report to the Mental Health Modernisation Board, chaired by the Primary Care Trust (PCT).
- 4.2 A Project Mandate has been produced which identifies all stakeholders and key personnel and all agencies have signed up to this
- 4.3 The Steering Group has set up 6 multi agency workstreams covering the following areas: Workforce development; Policies and Procedures; Deprivation of Liberties safeguards; Advocacy; Age Appropriate Services; and Communications. Considerable progress has been achieved to date.

5.0 Legal And Resource Implications

- 5.1 The Local Authority is legally required to provide an AMHP service but whilst acting in this capacity the professional is independent of their employing body.
- 5.2 This arrangement worked well whilst ASWs were employed by the Local Authority but if nurses and other professionals become AMHPs as described in 2.3 above, the question of governance and funding for their time, training and supervision will need to be part of an ongoing discussion with LPFT
- 5.3 Community Treatment Orders are new and will require the involvement of an AMHP at certain points in the process. It is unclear at this stage how much additional work this will involve but it should be possible to manage this within existing resources. If, however, these new Orders become more popular it will certainly put additional pressure on the current workforce.
- 5.4 There is a strong relationship between the Mental Health Act and the amendment to the Mental Capacity Act which introduces a new procedure where people being cared for in care homes and hospitals cannot be deprived of their liberty without proper authorization. Both Acts require properly trained professionals, such as AMHP’s to assess what are in people’s best interests. Again, it is difficult to know, at

this stage, exactly how much additional work will be required but using the Department of Health scoping tool leads us to believe that there will be approximately 2000 requests for assessments under this section of the Act

- 5.5 Leeds currently has 68 Approved Social Workers and given the pressures described previously in this report we expect our numbers of newly trained AMHPs to increase. This will be assisted by an extension in the provision of the new Act that allows other practitioners/clinicians to train as AMHPs and work alongside local authority employed staff. However, responsibility for the AMHP's service and the authorisation of AMHPs remains with the local authority.

6.0 Conclusions

- 6.1 The new Act will commence on the 3 November this year and the work on the ISAT shows that considerable progress has already been made by the reduced numbers of RED responses, but much work still remains which it is anticipated will be completed by the Workstreams of the Steering Group.
- 6.2 All current ASWs will be re-trained as AMHPs by the time the Act is introduced so the Local Authority will be able to fulfill its statutory duty.
- 6.3 A risk remains as whether we have sufficient numbers of staff for the additional duties that the Act imposes as we are unsure how many other practitioners/clinicians may wish to become AMHPs. However, we are in close discussions with LPFT on this matter.

7.0 Recommendations

- 7.1 Members are asked to note this report.

Background Documents

Mental Health Act 2007

Mental Capacity Act 2005

Mental Health Act 1983



Agenda item:

Originator: D Meeson

Tel: 74250

Report of the Director of Resources

Executive Board

Date: 5th November 2008

Subject: Financial Health Monitoring 2008/09 – Half Year Report

Electoral wards affected:

Specific implications for:

Ethnic minorities

Women

Disabled people

Narrowing the gap

Eligible for call In

Not eligible for call in
(details contained in the report)

Executive Summary

1. The purpose of this report is to inform members of the financial health of the authority after six months of the financial year in respect of the revenue budget, Housing Revenue Account and capital programme.
2. Directorates are projecting an overspend of £5.3m at this stage. Major variations are detailed in the report and a number of budget adjustments are proposed.
3. The report also identifies other potential council wide pressures although funding sources have been identified. All other budget pressures are to be addressed by directorates who are required to continue to develop and implement action plans to manage identified pressures within available resources.
4. In addition the report provides an update on the capital receipts position.
5. Members are asked to note the projected financial position of the authority after six months of the financial year and the proposed actions to mitigate against budget pressures, together with the impact on reserves should directorate spending not be maintained within approved estimates.

1. PURPOSE OF REPORT

- 1.1 This report sets out for the Board the Council's financial health position for 2008/09 after six months of the financial year. The report covers revenue expenditure and income to date compared to the approved budget, the projected year end position and proposed actions to work towards achieving a balanced budget by the year end. In addition it provides an update on the general fund capital programme and also highlights the position regarding other key financial indicators.

2. BACKGROUND INFORMATION

- 2.1 Members will recall that the net budget¹ for the general fund was set at £540.5m, which provided for a contribution of £5.1m from reserves. As a result, the level of general fund reserves at 31st March 2009 are estimated to be £12.0m.
- 2.2. As reported in the 2007/08 outturn report² to Board in June 2008, the net contribution to General Fund reserves was £0.3m in excess of the budget and Board approved the transfer of this to bolster the 2008/09 Contingency Fund.

3. MAIN ISSUES

- 3.1 After six months of the financial year, directorates are projecting an overspend of £5.3m. It is important that budget pressures are addressed by directorates who are required to continue to develop and implement action plans to manage these pressures within available resources.
- 3.2 However, further debt savings of £3.4m have been achieved through proactive treasury management and interest on revenue balances. In addition, it is likely that the Council will receive a share of the £100m contingency for LABGI which the government retained, pending of the outcome of legal challenges. This could be up to £2m.
- 3.3 The extent to which action plans are not effective in containing spending within approved estimates will impact on the Council's reserves, which are already estimated to be at the minimum level required under the risk based reserves strategy.
- 3.4 The main variations are as follows:
- 3.4.1 Income Variations

The City Development directorate is continuing to feel the effect of the economic downturn through a shortfall of over £2.5m from a number of external income sources, including planning and building fees, rental income, markets income, surveyor and legal fees and Sport income. Budget action plans, which include reductions in staffing, have been implemented in Asset Management, Planning and Sport to reflect the downward trends in income.

It is not now envisaged that any income will be generated from the sale of surplus Landfill Allowance Trading scheme allowances as there is no market for them in the current financial year. It is therefore proposed to fund the pressure of £0.6m from savings in capital financing costs.

As reported in the first quarter, a decline in the number of land searches requested has resulted in a forecasted shortfall in income, partly offset by reduced costs associated with carrying out searches. The net effect of this is an overspend of £0.5m.

Housing Benefit caseload has increased by 1,088 between August 2007 and August 2008 largely due to implementation of the 'local housing allowance' in April 2008. The projected increase in benefits paid is £8.9m compared to budget, which is 100% funded by government grant. However, the value of overpayments identified has reduced during this period, reflecting trends experienced by a number of other local authorities, meaning that budgeted income will not be met by an estimated £350k.

As reported in the first quarter financial health report, the number and value of older peoples social care services that have been submitted to and deemed eligible by the Supporting People Commissioning Body is unlikely to be sufficient to generate the budgeted level of funding. An action plan has been developed to mitigate against some of this pressure, however it is anticipated that there will still be a shortfall of £1.5m which is proposed to be met from savings on Community care packages in respect of fully funded NHS continuing care.

Within Children's Services, additional income of £0.15m is projected in Children's Centres.

3.4.2 Demand Variations

Outside Placement costs continue to be a major pressure on the Children's Services budget and are now projected to be £1.7m overspent, although this is largely offset by projected savings of £1.0m on the in-house fostering budget. The cost of Public Law Fees is projected to be £0.5m higher than the amount allocated from central government. However, the Council is taking a leading role on a judicial review to challenge the additional burden it places on local authorities.

It was noted in the quarter one report that the Adult Social Care Directorate anticipated higher than budgeted nursing care packages transferring to fully funded NHS Continuing Care. The pace of reviews has increased in recent months and the current projection for Community Care packages is an underspend of £1.5m. It is proposed to use this saving to fund the pressure on Supporting People.

As reported in the first quarter, the Elections Service is projected to be £0.4m overspent reflecting increased activity in the service.

In order to pump prime a new model of Occupational Service provision for the Council, whereby core occupational services are delivered in-house and other services jointly procured with other local authorities, the projected costs in 2008/09 of £0.2m are to be funded from savings within the Resources directorate. It is envisaged that the new service will contribute to a reduction in sickness absence generating significant savings in future years.

3.4.3 Staffing

Overall staffing savings are £1.2m at the half year, projected to be £1.9m at the year end. This compares to a projected underspend of £2.9m from the first quarter, a reduction of £1m. This change since the first quarter is mainly within the Adult Social Care budget, although at quarter two this directorate's staffing projection is only £0.2m above budget provision. The main movements since quarter one relate to overtime and agency staff costs. The achievability of budgeted service transformation savings that impact on the staffing budget has been revised at the half year and some additional slippage is included. Contingency actions have been reflected in the projections for some non-staffing budgets which partly offset this impact on staffing.

Of the overall projected saving, £0.8m is within Children's Services which reflects the ongoing capacity issues and difficulties in recruitment and retention.

Within Resources Directorate, staffing savings of £1.0m are projected, mainly in the support service areas of Financial Management, Corporate HR, Corporate Property Management and the Business Support Centre. An element of the saving is due to the non-filling of vacancies pending implementation of new structures in Financial Management and Corporate Property Management.

The staffing budget within City Development assumes that further savings will be made by continuing to closely manage recruitment, particularly to reflect the downward trends in income. A £0.5m underspend is projected.

Within Environment and Neighbourhoods there is a projected overspend of £0.3m on staffing within the Jobs and Skills service which reflects the current position in terms of re-aligning the service.

3.4.4 Other

The above projections do not include other potential pressures relating to the cost of the additional pay award over the 2% provided for in the budget. The latest offer is 2.45% which would cost an additional £2m to general fund services. It is proposed to fund this from capital financing savings although any settlement above this offer will have to be met by directorates.

The impact of the new gas contract is an increase of 37% which equates to a pressure of £0.9m for general fund services in the current year. In addition, the new Street Lighting energy contract is projected to cost an additional £0.7m in the current year, although provision of £0.25m had been made for this by the directorate.

It is proposed to fund the new energy contracts from remaining capital financing savings and contingency fund.

4.0 HOUSING REVENUE ACCOUNT

4.1 At the end of the second quarter, the HRA is projecting an underspend of £2.436m comprising £1.936k operating surplus and £0.5m additional contribution to the Swarcliffe PFI sinking fund.

4.2 Void levels for the first six months continue at around 1.5%, which if maintained should generate additional rental income of £1.3m; the corollary of this is that £0.7m of this income will be paid over to the ALMOs as additional incentive payments. The fall in Right to Buy (RTB) numbers during 200708 has also resulted in higher opening property numbers than budgeted, and this factor together with the continued decline in RTB numbers projects further contributions to rental income of £1.2m.

4.3 One off payments of £0.19m and £0.08m will be paid to the ALMOs to compensate for additional SLA cleaning costs and an additional grass cut.

4.4 The compression of the timetable for the Little London and Beeston & Holbeck PFI schemes is projected to result in budgetary pressures this year. Additional resources of around £0.55m are forecast for this year to facilitate the joint procurement of these two PFI schemes e.g. planning fees, site costs etc.

4.5 Based upon write-offs and arrears levels in quarter two, early indications for the bad debts provision suggest £1.3m may be required against the budgeted figure of £1.575m, a projected underspend of £0.3m. Projections for the disrepair provision indicate a lower budget provision of £0.59m against current budget provision of £0.62m.

4.6 Other additional income areas include £0.1m from leaseholders for major repair works, and £0.3m bad debts penalties arising from the performance of the ALMOs and BITMO on debt recovery.

5.0 CAPITAL PROGRAMME

5.1 Executive Board on 8th October approved changes to the general fund capital programme. These changes were required to address the high level of overprogramming as a result of changes to the capital receipts forecast. The effect of these was to reduce the overprogramming from £88.3m to £36.4m over the four year period to 2011/12.

5.2 In the present economic circumstances resourcing the Council's capital programme continues to be very challenging and further pressure on capital receipts are forecast. Further work is ongoing to review the capital programme and a report will be brought back to Executive Board.

6. PERFORMANCE STATISTICS¹

6.1 The level of Council Tax collected at the end of September 2008 is 55.78% of the debit for the year of £249.6m. This is slightly behind the same period last year. The target set by Executive Board for the year is 96.65% and performance against this is being closely monitored.

6.2 The collection of non-domestic rates for the first six months is 61.48% of the current net debit of £322.6m, which is slightly ahead of the same period last year. Again, performance against the target of 98.6% is being closely monitored.

6.3 In terms of Sundry income collection rate at the end of June is 81.0% of the amount due of £56.1m. This is slightly down on last year's figure of 82.4%. As with the other targets this is being closely monitored and there is no concern at this stage that the target will not be met.

7. RECOMMENDATION

7.1 Members of the Executive Board are asked to

- Note the projected financial position of the authority after six months of the new financial year
- Request that directorates continue to develop and implement action plans.
- Recommend to Council the budget adjustments as described in section 3.

BACKGROUND

¹ Revenue Budget and Council Tax 2008/09 – report to Executive Board 8th February 2008

² Financial Performance – Outturn 2007/08 – report to Executive Board 11th June 2008

Other working papers available from the originator



Originator: M Taylor

Tel: x74234

Report of the DIRECTOR OF RESOURCES

Executive Board

Date: 5th November 2008

Subject: TREASURY MANAGEMENT STRATEGY UPDATE 2008/09

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

1. This report provides a review and update of the treasury management strategy for 2008/09.
2. The Council's level of external debt at 31st March 2008 is anticipated to be £1,407m, £43m lower than expected when the strategy was approved in February 2008.
3. Monitoring of volatile markets has enabled revenue savings of £3.4m to be made which includes £1.2m assumed within the budget. This is largely due to taking advantage of competitive investment rates by lending out unused balances until required and being able to secure long term borrowing at lower rates than assumed in the strategy.
4. The investment of surplus monies will continue to have due regard for security of capital in accordance with the Council's approved investment strategy.
5. The level of debt is expected to remain within the Authorised limits for external debt as agreed by Council on 8th February 2008.

1.0 Purpose Of This Report

1.1 The 2008/09 treasury management strategy was approved by Executive Board on 8th February 2008. This report provides a review and update of the strategy for 2008/09.

2.0 Background Information

2.1 The operation of the Treasury Management function is governed by provisions set out under part 1 of the Local Government Act 2003 whereby the Council is required to have regard to the Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code for Capital Finance in Local Authorities.

2.2 The Prudential Code requires that full Council set certain limits on the level and type of borrowing before the start of the financial year together with a number of Prudential indicators. Any in year revision of these limits must similarly be set by Council.

2.3 The Code of Practice requires that policy statements are prepared for approval by the Council at least twice a year. The Policy and Strategy statement for 2008/09 was approved by the Executive Board on 8th February 2008 and by full Council on 20th February 2008. This report provides Members with a review and update of the strategy for 2008/09.

3.0 Main Issues

3.1 Review of Strategy 2008/09

3.1.1 The current borrowing forecasts are shown in Table 1.

Table 1

ANALYSIS OF BORROWING 2008/09 – 2010/11		2008/09 This Report	2009/10	2010/11
		£m	£m	£m
Net Borrowing at 1 April		1,222	1,407	1,460
New Borrowing for the Capital Programme – non HRA		128	49	54
New Borrowing for the Capital Programme – HRA		32	12	12
Debt redemption costs charged to Revenue		(24)	(28)	(29)
Reduced/(Increased) level of Revenue Balances		49	20	(1)
Net Borrowing at 31 March *		1,407	1,460	1,496
* Comprised as follows				
Long term Borrowing	Existing Fixed	1,368	1,438	1,389
	Existing Variable	40	60	90
	New Borrowing	90	31	36
Short term Borrowing		0	0	0
Total External Borrowing		1,498	1,529	1,515
Less Investments		91	69	19
Net External Borrowing		1,407	1,460	1,496
% Gross borrowing exposed to interest rate risk		9%	6%	8%
Capital Financing Requirement		1,563	1,596	1,634

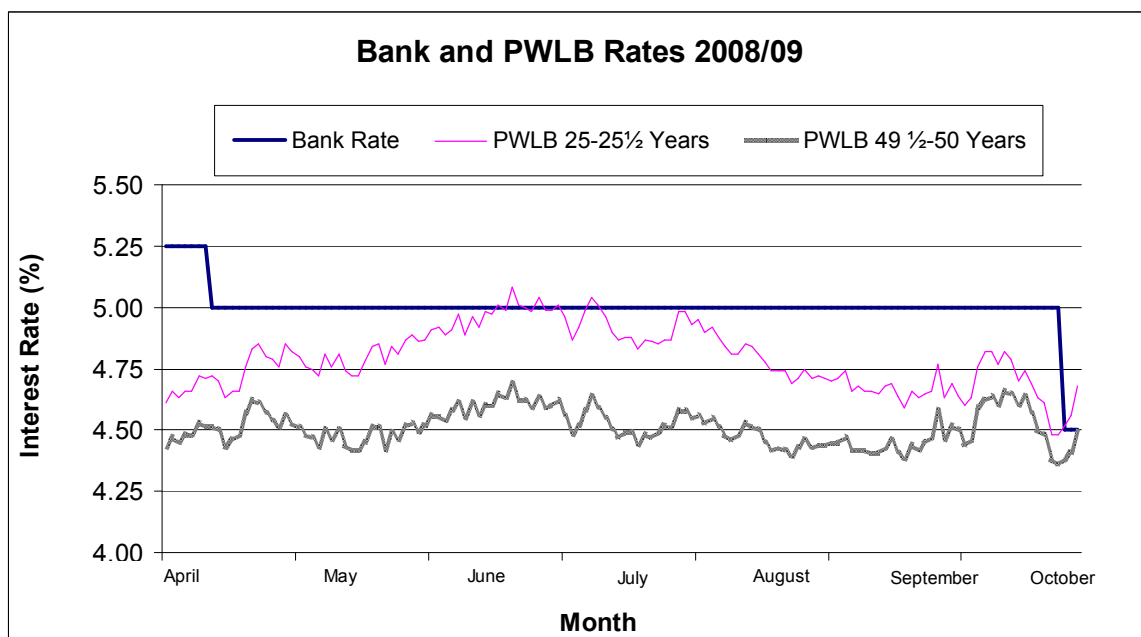
Note: The Capital Financing Requirement (CFR) is the maximum the Council can borrow for capital purposes.

- 3.1.2 Table 1 above shows that 2008/09 net external borrowing is now forecast at £1,407m, which is £43m lower than forecast in the report to Executive Board on 8th February 2008. This is due to the year-end movement in balances where the levels of short term balances reduced the need to borrow funds, as reported to Executive Board in the 2007/08 annual report on 16th July 2008. This unusual level of year end movement is expected to revert back to normal levels for 2008/09 year end.
- 3.1.3 Since the Treasury Management Strategy 2008/09 report to Executive Board in February, the financial and money markets have been gripped by fear and severe volatility as the credit crisis has further deteriorated. In April the impact of the credit crunch began to spread to the wider UK economy and threats to growth enabled the Bank rate to be reduced to 5.00%. Both the UK and EU economies are behind the US economic business cycle so much of the pain felt in the US is now starting to impact on the UK economy.
- 3.1.4 The Bank of England (BoE) together with other policy rate setters were faced with the dilemma of increasing inflation and reducing growth known as stagflation. The BoE did not want inflation expectations to take hold and were therefore more likely to allow demand led inflation to subside through a slowing of economic growth. However the rapidly worsening credit conditions on an unprecedented scale led Governments around the World to take action as a number of banks and financial institutions began to fail. Some of the casualties include:

Fannie Mae and Freddie Mack – Largest mortgage facilitators	USA	\$200bn - nationalisation
AIG – the world largest insurer	USA	\$85bn – part nationalisation
Lehman Brothers – Investment bank	USA	In administration
Merrill Lynch – Investment bank	USA	Assisted Take-over
Northern Rock	UK	\$215bn Nationalised
Bradford and Bingley	UK	\$25bn nationalised and deposits sold off
Alliance and Leicester	UK	Sold
HBOS	UK	Assisted takeover
Fortis	Europe	Nationalised
Hypo Real estate	Europe	Rescue package
Glitnir	Iceland	Nationalised
Kaupthing	Iceland	Nationalised
Landsbanki	Iceland	Administration

- 3.1.5 The list continues to grow as bank failures unleash more exposed financial positions between banks. The size of the problem is perhaps illustrated by the total size of the US household mortgage debt of \$12tn of which the US government has pledged a bail out of \$700bn. US annual Gross Domestic Product is \$14tn. The UK Government has launched its own package of £500bn including the option of buying into UK banks. To put this into context national annual public expenditure is £618bn.
- 3.1.6 Write downs on exposures to the US sub prime market continue and to date banks have written down over \$500 billion. It is unlikely that these losses will be halted until the house prices in America stop falling. The whole-sale funding market that banks in the past have used to package up mortgage debt and pass on to other financial institutions effectively remain closed, resulting in banks having to bring these loans onto their own balance sheets.

- 3.1.7 As stock markets across the world continued to fall heavily, coordinated action on 8th October was taken to reduce interest rates in the UK, USA, Sweden, Switzerland and ECB. However this unprecedented action failed to stem the fear within the equity markets with the effect that the FTSE fell nearly 21% in the week ending 10th October and the DOW Jones fell 18%. These falls have not been seen since the crash of October 1987.
- 3.1.8 On Monday 13th October the Government announced that it was preparing to invest £37bn to re-capitalise major UK Banks following a week in which the share price of 4 major banks had declined by between 35% and 62% on these already depressed stocks. RBS (£20bn), HBOS (£11.5bn), Lloyds (£5.5bn) and Barclays (£6.6bn from own sources) are to get a capital injection in the form of a mix of ordinary shares and preference shares. This government injection of capital is on the basis that these banks will start to lend to each other again and start lending in the mortgage market. In addition, as the Government is now a major shareholder, it has announced it will block dividend payments this year and Barclays has followed suit. These moves by the UK authorities are being followed by both a wave EU states and by the US in efforts to calm the troubled financial sector. It is early days yet but initial market reactions have been positive and only time will tell whether this will be sufficient to prevent the banking sector falling further into decline.
- 3.1.9 The UK bank rate now stands at 4.50% and is expected to fall further in 2009, the real rates in the money markets are still around 6%, but there are some signs in these early days that these rates are beginning to come down.
- 3.1.10 Since the February report both short and long term rates remain volatile. The following graph shows how long term rates have fluctuated between 4.36% and 4.69% for 50 year loans. Whilst current 50 year PWLB rates currently stand at 4.75%, the Council's advisors expect these rates to fall to 4.35% by the end of March 2009. The Council has a borrowing requirement of £90m and any further borrowing, subject to anticipated slippage in the capital programme, should take place at levels lower than 4.40%.



- 3.1.11 The Council's advisors forecast that the Bank Rate will be again be lowered in 2009 to a low of 4.0%. Other economic forecasters predict bank rates could go as low as 2.5%.
- 3.1.12 Despite the volatility experienced in the markets the ability to re-structure PWLB debt continues to be hampered by the differential rates on re-scheduling introduced by the PWLB in November of 2007. A number of market loans have been called by the lender and replaced with a combination of new market and PWLB loans as shown in table 2. On 31/03/08 a £25m LOBO was called together with a £5m LOBO on 04/04/08. These two LOBOs were replaced with a new £30m PWLB loan of a 5 year maturity. Two further LOBOs were called and replaced with two new LOBO's of similar profiles. These market loans are termed Lenders Option Borrowers Option (LOBO) and contain clauses which allow the lender, at pre-determined dates, to vary the interest rate on the loan. If one of these options is exercised and the new rate is not accepted, the borrower then has the option to repay the loan

Table 2

Rescheduling 2007/08								
Premature Repayments					New Replacement Borrowing			
Date	Amount (£m)	Original Rate (%)	Discount Rate	Premium/ (Discount) (£m)	Date	Amount (£m)	Term (Years)	Interest Rate (%)
PWLB					PWLB			
					09/04/08	30	5	4.23
Sub Total	0			0		30		
LOBOs (Call date)					LOBOs			
04/04/08	5	4.00			07/05/08	10	70	4.19
02/05/08	10	3.96			14/05/08	10	70	4.10
12/05/08	10	3.99						
Sub Total	25			0		20		
Total	25			0		50		

- 3.1.13 The forecast borrowing requirement for 2008/09 is now £185m of which £95m was pre-funded in 2007/08. Details were included in the Treasury Management Annual report 2007/08 considered by Executive Board on 16th July 2008, but are shown again in Table 3 for completeness. This leaves a borrowing requirement of £90m still to be arranged in 2008/09. The levels of capital programme slippage and cash reserves will continue to be monitored before additional monies are borrowed in the light of the current economic conditions as outlined above.
- 3.1.14 A capital re-alignment report was presented to Executive Board on 8th October 2008 highlighting the need to reduce the capital programme as capital receipts have fallen away. If this trend continues, there will be the need to further curtail capital expenditure or borrow additional monies. For each £5m of additional borrowing the additional cost would be in the region of £450k.

Table 3

Pre Funding for 2008/09 Requirement				
Date	Source	Amount (£m)	Term (Years)	Interest Rate (%)
20/12/07	LOBO	20	70	4.08
21/12/07	LOBO	25	70	4.06
21/12/07	LOBO	25	70	4.07
07/03/08	PWLB	25	5	4.20
		95		

3.1.15 Monitoring of market conditions have enabled the Council to borrow in advance of need at low rates and place monies and surplus cash balances with financial institutions at elevated investment rates until required. This together with securing replacement borrowing at less than assumed in the budget has enabled savings of £3.4m to made to date, of which £1.2m was assumed within the budget set in February.

3.2 ***Borrowing Limits for 2008/09, 2009/10 and 2010/11***

3.2.1 The Council is required to set various limits for 2008/09, 2009/10 and 2010/11 in accordance with the Local Government Act 2003, having regard for CIPFA's prudential code. These limits including prudential indicators are detailed in Appendix A.

3.2.2 New borrowing limits for 2008/09 were approved by Council on 20th February 2008 and are set out below in Table 4.

Table 4

	2008/09 February 2008 £m	2008/09 ThisReport £m
Authorised Limits		
Borrowing	1,650	1,650
Other Long Term Liabilities	40	40
Total	1,690	1,690
Operational Boundary		
Borrowing	1,530	1,530
Other Long Term Liabilities	30	30
Total	1,560	1,560

3.2.3 It is anticipated that the authority will continue to remain within the authorised limits for 2008/09. Both the authorised limit and operational boundary are made up of a limit for borrowing and one for other long term liabilities and the Director of Resources has authority, under the Prudential Code, to vary these two elements within the overall limits. Current performance against borrowing limits is shown in Appendix B.

3.3 ***Investment Strategy & Limits***

3.3.1 With effect from the 1st April 2004, new legislation and guidance on Local Government Investments was issued and this allows Councils with external debt to hold investments for more than 364 days, a freedom not previously allowed. Councils are required to set a limit on these investments before the start of the year. Council on 21st February 2007 approved a limit on investments for periods longer than 364 days of £150m. No further change is proposed to this limit.

3.3.2 The Council's external debt is reduced by the availability of revenue balances. The Treasury policy also allows for the external investment of these balances at advantageous rates but with due regard for security of capital invested. The Council's surplus monies have been invested until required in accordance with an approved lending list. This lending list is based upon the assessment of the financial standing of counterparties as determined by international credit rating

agencies and further refined and updated by the Council's advisors on a continual basis. The lending list is often further restricted based upon the Council's own view of the credit worthiness of counter parties.

- 3.3.3 The investment strategy, as re-affirmed by Executive Board and full Council in February, allows for the Council to invest in only the most highly rated financial institutions around the world. The Council will only lend to a maximum of £15m to financial institutions that are rated as excellent. There is also a limit of £5m for financial institutions that are rated as very good. The Council has taken further action to limit exposure to a group of financial to £30m and ensured that lending is spread on a geographical basis. It is anticipated that the Council's investments will naturally reduce as capital programme expenditure increases. The management and investment of surplus monies will continue to be monitored on a daily basis as the national and international crisis affecting the financial markets unfolds. There is strong evidence that the major Governments of the World are and will take action to support their banks. It seems only a matter of time before many national Governments adopt the stance of the Irish Government to guaranteeing both commercial and retail deposits.

4.0 Implications For Council Policy and Governance

- 4.1 The operation of the Treasury Management function is governed by provisions set out under part 1 of the Local Government Act 2003 whereby the Council is required to have regard to the Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code for Capital Finance in Local Authorities.
- 4.2 The Prudential Code requires that full Council set certain limits on the level and type of borrowing before the start of the financial year together with a number of Prudential indicators. Any in year revision of these limits must similarly be set by Council.
- 4.3 The Code of Practice requires that policy statements are prepared for approval by the Council at least twice a year. The Policy and Strategy statement for 2008/09 was approved by the Executive Board on 8th February 2008 and by full Council on 20th February 2008.

5.0 Legal and Resource Implications

- 5.1 This update on the treasury strategy recognises the borrowing necessary to fund the capital programme requirements of both General Fund and HRA. Where borrowing is supported the revenue costs are met by the Government, whilst for unsupported borrowing revenue costs are met either by the General Fund or HRA.

6.0 Conclusions

- 6.1 The Council's level of external debt at 31st March 2008 is anticipated to be £1,407m, £43m lower than expected when the strategy was approved in February 2008.
- 6.2 Treasury Management activity has enabled revenue savings of £3.4m to be generated to date, including £1.2m that was assumed in the budget. The Director of Resources will continue to monitor market conditions to identify any further opportunities for increasing revenue savings.
- 6.3 It is anticipated that the authority will remain within the approved limits for 2008/09 as outlined in Table 4 and paragraph 3.2.3.

7.0 Recommendations

That the Executive Board:

- 7.1 Note the update on Treasury Management borrowing and investment strategy for 2008/09.

8.0 Background Papers

- 8.1 Report to Executive Board on 8th February 2008 entitled, 'Treasury Management Strategy 2008/9'
- 8.2 Report to Council on 20th February 2008 entitled, 'Treasury Management Strategy 2008/9'

Leeds City Council - Prudential Indicators 2008/09 - 2010/11

No.	PRUDENTIAL INDICATOR	2008/09	2009/10	2010/11
(1). EXTRACT FROM BUDGET AND RENT SETTING REPORTS				
1	Ratio of Financing Costs to Net Revenue Stream General Fund - Excluding DSG (Note1)	8.14%	11.13%	11.00%
2	HRA	14.43%	15.05%	13.89%
Impact of Unsupported Borrowing on Council Tax & Housing Rents				
3	increase in council tax B7(band D, per annum) (Note 2)	£ . P 63.26	£ . P 87.46	£ . P 88.73
4	increase in housing rent per week	0.00	0.00	0.00
5	Net Borrowing and the capital financing requirement (Note 3)	OK	OK	OK
Estimate of total capital expenditure				
6	Non HRA	259,351	195,280	135,301
7	HRA	106,363	53,070	53,853
	TOTAL	365,714	248,350	189,154
Capital Financing Requirement (as at 31 March)				
8	Non HRA	£'000 775,187	£'000 795,633	£'000 821,001
9	HRA	788,105	800,554	812,830
	TOTAL	1,563,292	1,596,187	1,633,831

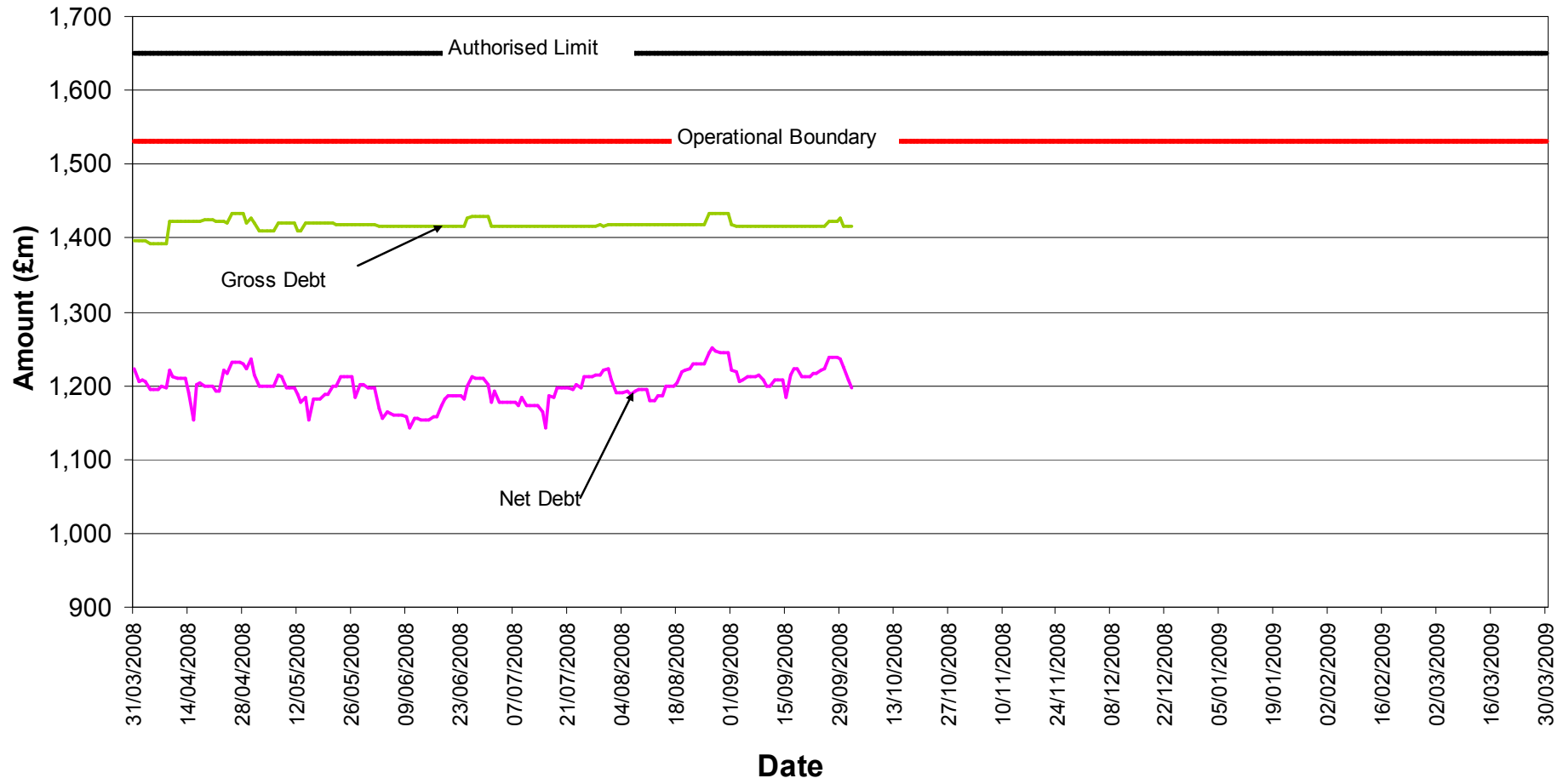
No.	PRUDENTIAL INDICATOR	£'000	£'000	£'000
(2). TREASURY MANAGEMENT PRUDENTIAL INDICATORS				
10	Authorised limit for external debt - (Note 4)			
	borrowing	1,650,000	1,650,000	1,650,000
	other long term liabilities	40,000	40,000	40,000
	TOTAL	1,690,000	1,690,000	1,690,000
11	Operational boundary - (Note 4)			
	borrowing	1,530,000	1,560,000	1,590,000
	other long term liabilities	30,000	30,000	30,000
	TOTAL	1,560,000	1,590,000	1,620,000
14	Upper limit for fixed interest rate exposure Net principal re fixed rate borrowing / investments OR:-	115%	115%	115%
15	Upper limit for variable rate exposure Net principal re variable rate borrowing / investments OR:-	40%	40%	40%
17	Upper limit for total principal sums invested for over 364 days (Note 5) (per maturity date)	150,000	150,000	150,000

16	Maturity structure of fixed rate borrowind during 2006/07	Lower Limit	Cumulative Upper Limit	Actual 31/03/2008
	under 12 months	0%	30%	7.7%
	12 months and within 24 months	0%	30%	8.1%
	24 months and within 5 years	0%	40%	13.6%
	5 years and within 10 years	0%	50%	2.9%
	10 years and above	25%	90%	67.6%

Notes.

- The indicator for the ratio of financing costs to net revenue stream for General Fund is now calculated based on the Net Revenue Charge less the Dedicated Schools Grant (DSG). The Government changed the funding of education to DSG from 2006/07.
- The code requires that the Council identifies the capital financing costs arising from unsupported borrowing expressed as the amount per band D property.
- In order to ensure that over the medium term net borrowing will only be for a capital purpose, the Council should ensure that net external borrowing does not exceed the total capital financing requirement in the preceding year plus estimates of any additional capital financing requirement for the current and next two financial years. This is a key indicator of prudence.
- Limits are the same as the Feb 08 report.
- Prudential indicator 12 relates to actual external debt at 31st March, which is reported in the main body of this report.
- Prudential indicator 13 relates to the adoption of the CIPFA Code of Practice on Treasury Management. The Council formally adopted this Code of Practice in March 2003.

Prudential Code Monitoring 2008/09 - Debt





Originators:
H. Grantham, V. Snowden
Tel: 247 7472

Report of the Director of Resources

Executive Board

Date: 5th November, 2008

Subject: Skills Pledge, Train to Gain and Apprenticeships

Electoral Wards Affected:

Ward Members consulted (referred to in report)

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 City Council has long recognised its role in the city and the region in leading, encouraging and supporting investment in skills development to ensure the prosperity of the city and its citizens now and in the future. As a major employer the council recognises that employees are one of its most important assets and that investment in training and development is critical in ensuring excellent, fit for purpose services. As most employees are also citizens of the city a focus on developing the workforce impacts positively on the communities of Leeds.

Since 1997 the council has shown its commitment as an Investors in People (IIP) organisation and remains the largest local authority with full Investors in People recognition. This report introduces the 'Skills Pledge' and seeks endorsement for the council to sign making a further public commitment to improving qualification levels of literacy, language, numeracy and e-skills in the Leeds City Council workforce.

Signing the Skills Pledge does not commit further council funds to training and development but ensures access to significant national funds by working with recognised providers. The public sector is seen as key to improving the help deliver national plans to help over four million adults to learn new skills and improve existing ones. To encourage participation more flexibility has been provided for local authorities in accessing funding for a wider range of training and qualifications for a wider range of employees.

Also part of the national agenda for skills development with a focus on young people there has been a change of focus on how apprenticeships are provided and funded. This necessitates change to the council's approach to ensure funding can be accessed and national requirements are met. By bringing this under the umbrella of 'Skills Pledge' a coherent joined up approach is ensured in developing the skills of the workforce now and in the future.

1 Purpose Of This Report

- 1.1 To update Executive Board on three key initiatives arising from the national skills improvement agenda, namely 'The Skills Pledge', 'Train to Gain Funds' and 'Apprenticeships'.
- 1.2 To request Executive Board endorsement of Leeds City Council signing the 'Skills Pledge'.
- 1.3 To provide an update on how improved funding flexibilities will be harnessed to support skills development.
- 1.4 To share the latest approach for offering apprenticeships in the council
- 1.5 To share an action plan, as required by the 'Skills Pledge', that indicates how the council will link these initiatives together accessing Train to Gain and other Learning and Skills Council (LSC) funding to increase the skills levels of current and future employees.

2 Background:

- 2.1 The Leitch Report (2006) considered the UK's long term ambition for developing skills in order to maximise economic prosperity and productivity. It concluded that the demand for skills would grow inexorably and radical reforms were required across the skills arena. It recommended that investment in skills development via the expansion of apprenticeships and adult training funded by Train to Gain was crucial to delivering world-class skills.
- 2.2 The government response to the review, entitled 'World Class Skills', revealed plans to help over four million adults to learn new skills and improve existing ones. The focus is to make the nation a world leader in skills by 2020 and it sets out how it plans to lead the country into a 'skills revolution'.
- 2.3 One aspect of these plans is the '**Skills Pledge**' to encourage and support employers to play their part in achieving 'World Class Skills'. Another element is **Train to Gain** funding to help remove barriers to training and encourage employer support. Furthermore the plan outlines how **employer-led Apprenticeships** are being encouraged by the Government to recruit young people and adults aged 16-24.
- 2.4 Skills development of employees is aligned to both the Council's social and economic regeneration objectives; 'Narrowing the Gap' and 'Going up A League'. Skills development is an objective in the Leeds Strategic Plan and there are agreed National Indicators relating to qualification levels for young people and adults.
- 2.5 The majority of the Council's workforce live within Leeds so by increasing their skills abilities and opportunities there is a positive impact on the community, families and individuals. In particular it will help support younger people into work, help people back into the workplace after time out with ill health or disability, meet specific ethnic minority needs and those of other excluded groups such as ex-offenders.
- 2.6 **Skills Pledge**
 - 2.6.1 The purpose of the Skills Pledge initiative and Train to Gain funding is to enable public and private sector organisations to ensure that adults across the country are supported to be skilled: able to make a full contribution to the economic success of the country and benefit themselves and their families.

- 2.6.2 The 'Skills Pledge' is a public commitment made by the leadership of an organisation to support its employees in developing their basic skills, which includes literacy, numeracy and e-skills. It also requires a commitment to supporting employees in working towards and gaining relevant qualifications to at least Level 2 (the equivalent to 5 good GCSEs).
- 2.6.3 The Skills Pledge is made by the Chief Executive and/or senior Elected Member demonstrating top level commitment. It is voluntary and it is up to the council to decide how to fulfil its commitment and over what timescale. There is a standard form of words that must be utilised as a minimum and is reflected in the 'Skills Pledge' in appendix 1.
- 2.6.4 Although it is voluntary, Local Authorities are being actively encouraged by the Government to act as exemplars in this area and sign the Skills Pledge without delay. In the Yorkshire and Humber Region there is a drive for all 22 local authorities to sign and recently the council has received communication from the Rt. Hon. Rosie Winterton MP encouraging us to make 'The Skills Pledge'.
- 2.6.5 Leeds Skills Board is encouraging all partners across the city to sign the Skills Pledge and the Chamber of Commerce has held an event to raise awareness and encourage participation in the Skills Pledge as a way of achieving this key outcome for the city.

2.7 Train to Gain Funding

- 2.7.1 Leeds City Council has received funding for skills development through the Learning and Skills Council for many years and latterly from Train to Gain. However there have been limitations on the use of these funds for all employees as there was a focus on bringing young people into work through apprenticeships and for training key staff groups such as those in social care.
- 2.7.2 New flexibilities introduced in 2008, mean that local authorities can now access full or partial funding through Train to Gain and the Enhancement Fund for a range of development opportunities for all employees.
- **First full Level 2 qualifications (equivalent to 5 good GCSEs)**
for employees who don't already have a full Level 2 qualification, funding is available for literacy, numeracy, English language and e-citizen skills, plus their first Level 2 qualification. There is also funding available for a number of additional Level 2 vocational qualifications.
 - **Contributions to Level 3 qualifications (equivalent to 2 A-levels)**
for employees with a Level 2 qualification, there will be a significant contribution towards the cost of a Level 3 qualification. For employees who don't have a Level 2 qualification but have the skills to progress straight to Level 3, full funding for the Level 3 qualification will be provided. For those who already possess a Level 3 qualification or above there is funding available for a number of additional Level 3 qualifications. Full funding is also available for those employees who are aged 19-25.
 - **Apprenticeship programmes**
over the next three years there will be a significant increase in the numbers of funded Apprenticeship programmes for employees aged 16-24 and 25+ delivered through quality assured external training providers and funded through the national Apprenticeship programme via the LSC.
- 2.7.3 Train to Gain is funding directed by the Learning and Skills Council whose vision is that by 2010, young people and adults in England will have the knowledge and skills

to match the best in the world and are part of a truly competitive workforce. At a national level it is expected that by 2010/11 available funding will have reached in the region of £1billion.

- 2.7.4 This is not money that the local authority can access directly and use to support internal training provision. It has to be accessed through approved training providers with help from a dedicated Skills Broker provided by the Learning and Skills Council.

2.8 Apprenticeships

- 2.8.1 A recent consultation document 'World Class Apprenticeships: Unlocking Talent, Building Skills for All' (February 2008) indicated that the Government plans to impose a mandatory duty on the public sector to address the inconsistencies in the sectors' current use of apprenticeships and set targets for the number of employed apprentices.
- 2.8.2 Over the next three years there will be significant increase in the number of funded apprenticeship programmes available in a wide range of vocations and for employees aged 16-24 and 25+. The proposed expansion of apprenticeships is primarily aimed at supporting young people in continuing education. In last years Queens Speech the government gave notice that it plans to extend the compulsory education participation age to 17 by 2013 and to 18 by 2015.
- 2.8.3 An Apprenticeship Reform Bill is expected to be included in the Autumn 2008 Parliamentary programme to enact the government proposals including the introduction by 2013 of an entitlement to an apprenticeship place for every young person aged 16-18 who attains the entry level qualifications required in the relevant vocation.
- 2.8.4 Over the last 15 years with the 'Flagship Programme' the Jobs and Skills Service has accessed Government core funding to directly deliver programme-led apprenticeships (i.e. training to access employment) to support recruitment and training for specific posts within the Council. The Learning and Skills Council (LSC) has been the source of this funding but changes in national priorities have led to a shift in emphasis and a change in the funding regime.
- 2.8.5 Funding is available for apprenticeships and advanced apprenticeships through the Learning and Skills Council (LSC) but can not be accessed as previously. The council's apprenticeship model is being revised to ensure provision of nationally accredited programmes leading to Level 2 and Level 3 qualifications that are relevant to the job role, an employer-led approach using external providers.
- 2.8.6 The main difference is that the new Apprenticeship Programme involves recruiting and employing apprentices to existing real job vacancies. It is not a job creation scheme and posts will not be created for this programme. Apprentices will be paid the appropriate starting salary for the post by the relevant service/department rather than being trainees with a trainee allowance.

3 Main Issues:

- 3.1 The national local government Pay and Workforce Strategy survey (2006) estimated that around 11% of the workforce has literacy problems, 40% are not fully numerate and 27% of local government employees either hold no qualification or hold a National Vocational Qualification below Level 2.

- 3.2 There is well documented evidence that shows an investment in improving skills improves individual and organisational performance resulting in:
- Increased efficiency in service
 - Improved productivity and quality of work
 - Increased employee satisfaction
 - Higher staff retention rates
 - Greater potential for career progression
 - Greater economic prosperity for individuals and families
 - Improved educational achievement rates for young people
- 3.3 A census of the employees of Leeds City Council is currently underway to assess the baseline for skills and qualifications of the existing workforce as required in the Skills Pledge Action Plan. A clear view should be available early in 2009. If the national picture is replicated in Leeds City Council then with a workforce of 17,000 (exc ALMO's and Schools):
- 1870 of the Council's workforce are likely to be below level 1 in English.
 - 6800 of the Council's workforce are likely to be below level 1 in mathematics
 - 4590 of the Council's workforce either hold no qualifications or qualifications below level 2.
- 3.4 Leeds City Council now has the opportunity to lead the way as a major employer in the city and the region by signing the Skills Pledge. The requirements of the Skills Pledge support the strategic outcomes of the city and the council's aims as a good employer. It provides an overarching focus for improving Skills for Life (literacy, language, numeracy and e-skills), a revised apprenticeship scheme and a joined up approach to accessing funding for employee development.
- 3.5 A Statement of Commitment to the Skills Pledge is attached in appendix 1. This meets the minimum national requirements for the Skills Pledge but also includes a commitment to develop the e-skills of employees. The national skills for life definition confirms that computer literacy is the 4th basic skill and as technology becomes more and more integral to the work of our services the needs for computer skills increases every year.
- 3.6 Included in the Skills Pledge is a specific commitment to support young people who work for the council. Leeds City Council leads on the West Yorkshire 'Learning Agreement' pilot aiming to reduce the numbers of 16-17 year olds who are in employment but are not accessing accredited training or education. Including this in the Skills Pledge makes the council's public commitment to ensure that younger employees are specifically targeted.
- 3.7 There is also specific reference to apprenticeships as a method of providing relevant vocational training and qualifications especially for young people but also for a broader range of employees as appropriate.
- 3.8 A commitment to the Skills Pledge does not make a commitment of council resources. Clearly any activity will need to provide benefits to the council, service delivery and to the city not just the individual employee. Making such a commitment to improve Skills for Life and basic qualification levels of employees will require a focussed approach to ensure all can benefit and maximum funding can be used. An initial action plan is attached at appendix 2.

- 3.9 To support this action plan clear targets will be required against which progress can be monitored. In setting targets for the council as an employer we will consider the Learning Targets in the Leeds Strategic Plan (national Indicators 163, 164, 79 and 80) and other strategic outcomes for the city. For example consideration will be given to supporting aspirations in helping 'Looked after Children' into employment or ex-offenders in building careers.
- 3.10 However the targets will not be set until the census return from employees is complete and gives the baseline. This will indicate the scale of the challenge and enable the setting of achievable targets focussed to key service areas, staff groups and potential employees.
- 3.11 The Jobs and Skills Service restructure includes a small number of posts (equiv £80,000) identified to administer the council's approach to apprenticeships for potential and existing employees. Working with the HR Service existing entry level vacancies that could be filled by apprentices will be identified and promoted under a Work4Leeds banner and where appropriate existing employees will be provided with opportunities for apprenticeships.
- 3.12 Trade Unions at a national and local level support the signing of the Skills Pledge and the aim to 'mainstream' skills for life within the workplace. Union Learner Representatives are uniquely placed and critical in supporting and encouraging their members to take positive action to improve their skills.
- 3.13 There will be challenges to improving the skill and qualification level of employees. It should not be under-estimated that there is still a stigma attached to requesting skills for life support and training. Raising awareness, identifying needs and appropriate provision is critical.
- 3.14 Train to Gain and other LSC funds will provide the training and support in a flexible way appropriate to learners however it does not cover the costs of staff release to undertake development. This is perhaps not such an issue for office based staff but is a real challenge in front line services with demanding service requirements and tight budgets. The action plan identifies the need to take different and creative approaches linked to service specific needs as well as individual needs to ensure effective use of council resources.
- 3.15 We have been accessing Train to Gain money but will need to be more co-ordinated and focussed on this if we are to make real progress on improving the skills of the workforce. We are currently reviewing all existing NVQ and training provision to ensure that the council maximises the use of Train to Gain money and opportunities for apprenticeships. Recent activity accessing Train To Gain funds includes:
- £278,000 the 'Care for All' training contract in Social Care
 - £3,510 of funding for Health and Social Care with 18 Community Care staff undertaking a level 2 qualification
 - £24,626 for NVQ Level 2 programme for road building with Skills for Life included.
 - 66 staff undertaking NVQ level 2 in Business Administration, IT, Customer Service and Team leading with further plans to support 150 Highways staff in NVQ level 2 Highways maintenance, this equates to £216,000 of funding.

4 Conclusions

- 4.1 Signing of the Skills Pledge makes a public statement of the council's commitment to learning for employees and provides leadership for the city and its partners. This is fully aligned with the council 'Investors in People' accredited and a good employer.
- 4.2 It allows full access to Train to Gain funding to support our employees in developing skills for the future and supports us as an employer to contribute fully to the strategic outcome and improvement priorities for learning. Once the skills baseline is established for the workforce and existing provision is reviewed it will be possible to have a clearer view of the scale of funding that Leeds City Council can draw down.
- 4.3 There will be challenges in increasing the number of qualified employees especially in the current economic climate. Clear targets and an action plan will support the focus given by the Skills Pledge and provide a framework for employee Skills for Life development activity whilst ensuring that there are tangible benefits for the council and the city which address the targets set in the Local Area Agreement against the strategic outcomes and improvement priorities.
- 4.4 Joining together the revised approach for apprenticeships with skills development for future and current employees under the umbrella of the Skills Pledge provides a unified approach to developing the basic Skills for Life of current and future employees and meets the council's wider objectives and the Vision for Leeds.
- 4.5 Changes to the apprenticeship model now ensure the council is ready for likely changes in statutory requirements and entitlements for young people.

5 Recommendations

- 5.1 The Executive Board endorses the signing of the Skills Pledge and the associated action plan to ensure maximisation of Train to Gain funding and improved skills levels.
- 5.2 The Executive Board note the changes in approach to the provision of apprenticeships in the council.

6 Background Papers

- 6.1 Summary of main recommendations of Leitch Report and response of the Government in 'World Class Skills' (19 ages).
- 6.2 The full Leitch Report (150 pages) and the consultation document 'World Class Apprenticeships: Unlocking Talent, Building Skills for All' (55 pages) can be found at www.dcsf.gov.uk

Statement of Commitment for the Skills Pledge

Leeds City Council recognises the benefits to the City, the organisation and the individual of increasing the 'Skills for Life' of the workforce.

The council has developed an action plan to underpin the Skills Pledge and is making a whole organisation commitment to:

- actively encourage and support our employees to gain the skills and qualifications that support their future employability and meet the needs of the council;
- actively encourage and support our employees to acquire basic literacy, numeracy and e-skills, and with Government support work towards their first Level 2 qualification in an area that is relevant to the council;
- demonstrably raise our employees' skills and competencies to improve the service delivery through investing in economically valuable training;
- actively encourage and support all younger employees to access the Learning Agreement
- promote apprenticeships for entry level jobs and for existing employee development

Signed on Behalf of Leeds City Council

.....
Chief Executive, Leeds City Council

.....
Leader of the Council

Leeds City Council Skills Pledge - Action Plan

Action	Target Date
Work with Learning and Skills Council adviser to develop action plan for signing of the Skills Pledge	August 2008
Work with Skills Broker to identify providers for training which accesses Train To Gain funding	Ongoing
Raise awareness with those commissioning training of the availability of Train to Gain funds and the availability of apprenticeships	Ongoing
Review all existing NVQ and training provision ensuring Train2Gain funding is accessed as relevant.	October 2008
Sign Skills Pledge	5 th November 2008
Undertake census of current skill and qualification levels of employees	September 2008- December 2008
Analyse employee census returns and draw up needs based action plan with clear targets and benefits that link clearly to other LAA targets, especially in terms of Narrowing the Gap.	January 2009
Develop targeted programmes in line with service and workforce plans to meet targets for skills levels and apprenticeships.	Ongoing
Promote apprenticeships under the "Work 4 Leeds" branding to young people and adults where entry level jobs are identified; using the apprenticeships to open up opportunities to those who have traditionally been excluded.	Ongoing
Introduce national e-citizen qualification as minimum standard for e-skills across the council and develop action plan linked to census analysis	January 2009
Internal campaign to raise awareness of the Skills Pledge, Skills for Life and Apprenticeships	January 2009
Bring Trade Union Learner reps on board and agree areas for focus based on baseline data	January 2009
Introduce pre-employment skills assessment and embed through induction and appraisal processes to maintain full understanding of the workforce skills base.	April 2009
Ensure skill/qualification requirements are accurately identified in job descriptions and linked to targets	April 2009
Reporting and monitoring against targets through Resources and Performance Board by its sub-group 'Equality in Employment'	Ongoing

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Summary of Lord Leitch's recommendations and Government's response as set out in *World Class Skills*

Lord Leitch's recommendation	Our response	Reference in <i>World Class Skills</i>
<p>Using the OECD benchmark, the Review recommends the following ambitions for the UK by 2020:</p> <ul style="list-style-type: none"> • 95 per cent of adults with the basic skills of functional literacy and numeracy; • exceeding 90 per cent of adults qualified to at least Level 2; • shifting the balance of intermediate skills from Level 2 to Level 3; and • exceeding 40 per cent of the adult population to have Level 4 or above. <p>[3.6. See also 3.2, 3.32, 3.34, 3.36, 3.39, 3.45, 3.46, 3.59]</p>	<p>The final Comprehensive Spending Review (CSR) outcome across Government, and the associated Public Service Agreements (PSA) and Delivery Agreements, will be published in detail in the autumn. Our current thinking, which will be subject to that announcement, is that it should be possible to make the following progress on skills by 2011:</p> <ul style="list-style-type: none"> • participation in full-time education by 17 year olds to rise to 84 per cent; • 222,000 level 1 literacy achievements per year and 165,000 entry level 3 numeracy achievements per year; that would mean 89 per cent of adults qualified to at least level 1 literacy, and 81 per cent qualified to at least entry level 3 numeracy, up from 85 per cent literacy and 79 per cent numeracy in 2005; • 449,000 first full level 2 achievements per year; that would mean 79 per cent of adults qualified to at least full level 2, up from 69 per cent in 2005; and • 213,000 first full level 3 achievements per year; that would mean 56 per cent of adults qualified to at least full level 3 up from 48 per cent in 2005. 	1.2

<p>The Review recommends a much clearer financial balance of responsibility, based on clear principles of government funding targeted at market failure and responsibility shared according to economic benefit. [3.16]</p> <p>The drive to world class skills must be a shared national mission, with a 'something for something' deal between the Government and employers, trying rights to responsibilities. [5.3]</p>	<p>By 2014, we will aim for 36 per cent adults to be qualified to level 4 and above, up from 29 per cent in 2005.</p>	
<p>The Review recommends that progress to the new national objective of 95 per cent of the</p>	<p>Delivering our ambition, and the dramatic increase it requires in participation and achievement in priority areas, will require increased action and investment in skills from Government, employers, Trade Unions and individuals. The DIUS will continue to focus public funding on addressing market failures and ensuring everyone has the basic platform of skills they need for employability and progression. At intermediate and higher levels of qualification, where the private returns are greater, we expect employers and learners to contribute more to the costs of learning.</p> <p>This balance of responsibility between Government, employers and individuals is reflected in the reform of fee remission arrangements that is already underway. The Government will meet the full costs of learning in highest priority areas (notably literacy, numeracy and first full level 2) and for certain low income learners. No fees will be charged in those cases.</p> <p>The rate of public subsidy towards the cost of Further Education programmes will be reduced to 50 per cent by 2010 for learning outside the priority areas and learning where the returns are greater for learners and employers, so that the fee rises to 50 per cent. For some learning there will be no public subsidy, for example where courses are designed to help employers meet their statutory obligations (e.g. health and safety).</p>	<p>1.8-1.9</p>
<p>The Review recommends that progress to the new national objective of 95 per cent of the</p>	<p>The final Comprehensive Spending Review (CSR) outcome across Government, and the associated Public Service Agreements (PSA)</p>	

<p>adult population having functional literacy and numeracy skills by 2020 be measured through a Skills for Life Survey every two years. [3.34]</p>	<p>and Delivery Agreements, will be published in detail in the autumn. [Delivery Agreements will contain detail on measurement and monitoring of progress towards targets.]</p>	<p>3.55-3.57</p> <p>Many HE institutions have already built up excellent working relationships with employers through their research and enterprise programmes, and the increasing impact of lifelong learning networks. A growing number are developing models for delivering higher level skills in a way that meet the needs of employers and employees. But all HE institutions need to grow their capacity to engage on a large scale with employers, in ways adapted to their different profiles and missions. Those activities should share equal status with research and academic activities. 'Business facing' should be a description with which any higher education institution feels comfortable.</p> <p>Moving in this direction will be a long-term process and we will want, with the sector, to explore its implications more fully in the coming months. Initial action is already underway:</p> <ol style="list-style-type: none"> a. We have asked HEFCE to develop a new funding model that is co-financed with employers, achieves sustained growth in employer-based student places and introduces the principle of employer demand-led funding. b. We have asked HEFCE to support an additional 5,000 employer co-funded student places in 2008-09, and to deliver further growth of at least 5,000 additional entrants year-on-year in each year up to 2010-11. In allocating funding for these places, HEFCE will prioritise support for programmes of work-based learning and
<p>The Review recommends a rebalancing of the priorities of HE institutions to make available relevant, flexible and responsive provision that meets the high skills needs of employers and their staff. [3.61]</p> <p>The Review recommends that a portion of higher education funding for vocational courses ... be delivered through a similar demand-led mechanism as Train to Gain. [4.19]</p>		

	<p>those designed or delivered in conjunction with employers and SSCs. This three-year period will provide a crucial testing ground for establishing good practice and exploring how best to stimulate demand for HE in a range of new markets.</p> <p>c. We will continue to develop the higher level skills offer within Train to Gain so that the service can respond to employers' skills needs at higher levels. In addition to the three regional Higher Level Skills Pathfinders (in the North West, North East and South West Regions), HEFCE is encouraging partnerships between institutions and employers in other regions and will consider how to build on these approaches. An early review of the pathfinders will report in December 2007.</p>	<p>N/A</p>
<p>It is critical that access to university is dramatically improved so that young people from all backgrounds have a fair chance of attending. [3.63]</p>	<p>Increasing and widening participation in higher education continues to be a key priority for the new DIUS. DIUS and the new DCSF have a shared objective for narrowing attainment gaps across the education system which is critical as participation in higher education is strongly linked to attainment at earlier stages of education. Equally important to widening participation is HE will be raising aspirations and addressing any perceived financial barriers. Increasing the numbers of people participating in HE who come from non-traditional or disadvantaged backgrounds will require a long-term and sustained approach to achieve steady and incremental improvements.</p>	<p>1.10-1.13</p>
<p>The Review recommends a fully demand-led approach, with an end to ... supply-side planning of provision. [4.13]</p>	<p>Lord Leitch recommended that all adult vocational skills funding in England should flow through demand-led routes by 2010. We endorse this direction of travel. However, given budget constraints, we believe doing so by 2010 would create unacceptable risks to the</p>	

The Review recommends that all publicly funded, adult vocational skills funding in England, apart from community learning and programmes for those with learning difficulties and disabilities, go through demand-led routes by 2010. This means that all adult skills funding should be routed through Train to Gain and Learner Accounts by 2010. [4.16]

While colleges and providers will still need to plan the types of provision they want to offer, including the broad vocational areas in which they wish to specialise, this planning should not be done by other bodies, including the LSC. [4.13]

performance and stability of colleges and training providers, which in turn would damage the quality of education and training offered to learners. We will put our own goals in jeopardy if we destabilise the network of colleges and training providers, which between them represent a valuable community resource whose capacity we need to sustain and improve.

Following those parts of the spending review settlement relevant to DIUS which were announced in Budget 2007, we are increasing substantially the proportion of public funding for adult training that is demand-led. Train to Gain employer training funds will be around £440 million in 2007/08, and over £650 million in 2008/09. We project that it will rise to over £900 million in 2010/11. Taking account of other work-based employer training programmes, we estimate that total employer-focused funding will reach around £1.3 billion by 2010/11. Over this period we intend to begin rolling out the new Skills Accounts reflecting our commitment to an FE system that is also responsive to individual learner choice. This will mean that even more funding will be truly demand-led by 2010/11.

This rate of growth in the proportion of demand-led funding is extremely ambitious. It entails a radical shift in the pattern of provision, towards those colleges and providers that seize the opportunities to serve learners and employers in new ways. We will review progress each year, assessing with colleges and training providers the impact, the benefits and any unintended consequences, so that we can keep re-assessing each year the sustainable pace of change that will best serve learner and employer needs.

<p>Strengthen the employer voice, through the creation of a dynamic, employer-led Commission for Employment and Skills. [4.22]</p> <p>At the national level, the Commission for Employment and Skills will replace the National Employment Panel and SSDA across the UK, and the Skills Alliance and employer voice functions of the LSC in England. [7.73]</p> <p>The Commission should monitor the relationship between HE and employers to make sure that the reforms recommended by the Review lead to a step change in collaboration. If they do not, the Commission should recommend new actions to be taken by employers and HE institutions. [5.74]</p>	<p>We are working with the Devolved Administrations to establish a new UK Commission for Employment and Skills. The Commission will be a UK-wide body with responsibilities across each of the four nations, and for skills at all levels. It will not have significant executive or operational functions, but will be primarily advisory, shaping strategy to achieve our world class ambitions, challenging all parties to raise their game on skills, and helping to shift the national culture. Sir Michael Rake has been appointed as Chair. He will work with the four nations to recruit the members of the UK Commission and help make the UK Commission fully operational in 2008.</p> <p>We expect the Commission will publish an annual report on the state of the UK employment and skills system, at all levels from basic literacy and numeracy skills to the highest level skills delivered in higher education.</p>	<p>3.4-3.8</p>
<p>The Review recommends a new, clearer remit for SSCs, focused on:</p> <ul style="list-style-type: none"> • lead role in vocational qualifications; • lead role in collating and communicating sectoral labour market data; • raising employer engagement, demand and investment; and, • considering collective measures. 	<p>We want to re-focus the remit of SSCs, and will work with the Devolved Administrations to do this. For our part, we envisage a remit focused on three strategic objectives:</p> <ul style="list-style-type: none"> • ensuring that the supply of skills and vocational qualifications is driven by employers: having the key role in reform and development of vocational qualifications, approving such qualifications and, for England, advising the LSC on which vocational qualifications to fund; • raising employer ambition and investment in skills: engaging with employers to increase their demand for and investment in skills; and considering whether there is support within their sectors for 	<p>3.9-3.12</p>

<p>[4.27 see also 5.23]</p>	<p>the introduction of levy schemes (in England, with the potential to apply in any of the Devolved Administrations if they conclude this is desirable); and</p> <ul style="list-style-type: none"> articulating the future skill needs of their sector: being the lead authorities on collating and communicating up-to-date labour market information, which is consistent and comparable between sectors; and being the authoritative voice about the skill needs of their sector. <p>We envisage Sector Skills Agreements (SSAs) and Sector Qualification Strategies (SQS) being central to the delivery of this new SSC remit. As we reshape this SSC remit, we will consider how, as Lord Leitch recommended, SSCs might adopt targets for increasing employer investment in skills in their sector.</p>	
<p>The Review recommends that SSCs continue to lead in developing NOS ... It recommends that SSCs are also placed in charge of a simplified process of approving qualifications:</p> <ul style="list-style-type: none"> SSCs should be responsible for approving qualifications after their development by awarding boards or other organisations; SSCs will be able to approve qualifications developed by an organisation, including education institutions and employers, if these meet the required standards; and, 	<p>This reform process is already underway. A pilot group of 6 SSCs has published Sector Qualification Strategies which set out the key qualifications that each sector needs. SSCs will approve qualifications if they fit the requirements of their SQS, meet the standards set by their NOS, and are needed by their sectors.</p> <p>We will pilot schemes to enable employers to award their own accredited units and qualifications, and to extend qualification awarding powers to colleges and training providers. Vocational qualifications offered by providers and employer will also need to be approved by an SSC as being consistent with their SQS and NOS.</p>	<p>3.13-3.26</p>

<ul style="list-style-type: none"> for vocational qualifications, only those approved by SSCs should qualify for public funding. ... SSCs should develop a short list of such qualifications, with a very significant reduction in the overall number, by 2008. [4.41 see also 4.42] 	<p>For England, the LSC will work with selected SSCs to trial the process whereby SSCs will advise the LSC each year on which qualifications should receive funding to support the skill needs of their sectors.</p>	
<p>The UK needs world class management skills to deliver the benefits of world class skills... The [Leadership and Management Advisory] Panel must work closely with SSCs so that key management qualifications are identified as part of Sector Qualifications Strategies. [5.19]</p> <p>The Review recommends that [the Leadership and Management programme] be extended to firms with between 10 and 20 employees, so that smaller firms are able to access its help and grow. [5.20]</p>	<p>We will ask the Leadership and Management Advisory Panel to work with SSCs to develop continuing professional development modules at a range of qualification levels that equip employers and their employees with the leadership and management skills they need, and which they are prepared to invest in.</p> <p>Within the available budget, we will continue to support the development of leadership and management skills in small and medium sized enterprises through the Train to Gain service.</p>	4.24-4.26
<p>It is vital that current business support is simplified and strengthened. Skills advice must be integrated as part of this wider system. [5.27]</p>	<p>Following consultation on Business Support Simplification, we will consider in the autumn whether skills brokerage and business support brokerage should be merged to provide a seamless service. Any change would be made from April 2009. In the meantime, the two services will work even more closely together to provide an effective joined-up for business.</p>	4.14
<p>As Train To Gain continues to roll out, the NES should be reformed, expanded and re-energised so that it provides a credible, professional advisory service for large employers. [5.28]</p>	<p>Following a review of Train to Gain, we will support the expansion of the service by asking the LSC to expand the remit and capacity of the National Employer Service so that it can work with a greater number of employers with more than 5,000 employees.</p>	4.13

<p>The Review recommends that the Government work with employer representative organisations to support and encourage all employers in the UK in making a skills pledge, building on recent experience in Wales. [5.39]</p> <p>The Government should lead by example in making the pledge on behalf of the public sector. [5.42]</p>	<p>The Skills Pledge encapsulates the new partnership we need to forge between employers, employees and Government to drive up skills in the workplace, with each taking responsibility for increasing their action and investment.</p> <p>Through the Skills Pledge employers will commit to support their employees and new recruits to improve their skills and become better qualified. As a minimum, that means supporting all employees who need them to gain literacy and numeracy qualifications, and work towards achieving first full level 2 qualifications. In return for their commitment, employers making the Pledge will have access to Train to Gain, including the support of the brokerage service and literacy, numeracy and first full level 2 training for their staff. This is subject to the funding limits, under which we project Train to Gain employer funding will increase to over £900 million by 2010/11.</p> <p>Each employer should specify the scale, scope and timetable for delivering their Skills Pledge. Every Skills Pledge should include a commitment to support employees to gain literacy and numeracy skills and to work towards their first full level 2 qualification in an area that will be valuable for the employer. Where their business needs are at higher skills levels, many employers will want to extend their commitment beyond this 'core' Pledge to support employees to gain higher level qualifications relevant to their business. Each employer's Skills Pledge should be backed up by an action plan, which can be as short or as detailed as the employer wants, depending on the needs of their own particular business. There will be no requirement for action plans to be shared outside of the organisation.</p>	<p>4.1-4.6</p>
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	<p>More than 150 employers have already made the Skills Pledge, including all Central Government Departments, the armed forces, the police force, Ford Motor Company, McDonalds and Sainsbury's. That means more than 1.7 million employees are now covered by the Pledge.</p>	<p>4.22-4.23</p>
<p>The Government should, in consultation with the Commission and leading employers, review the remit of Investors in People, to consider how iIP UK and its products, including the Standard itself and the new 'Profile' tool, should be reshaped to support delivery of the Review's ambition. [5.41]</p>	<p>In the context of our stretching new ambition on skills, it is now timely, working with the Devolved Administrations, to review Investors in People UK's remit. The review will consider how we can build on its success to date and develop the Investors in People Standard and services to help employers to develop their businesses to rise to the challenges they face by investing in their people.</p> <p>We will commission a review to run until December 2007. Subject to the outcome of the review and any subsequent consultation, we will implement the agreed recommendations from April 2008.</p>	
<p>SSCs should control the content of Apprenticeships and set attainment targets by sector facilitated by skills brokers. [5.66, 5.69, 5.71]</p>	<p>The LSC and SSCs, working with the Apprenticeship Ambassador Network, have drawn up a joint action plan to deliver the Apprenticeship entitlement. As part of that Plan we will review the Apprenticeship blueprint, which sets out the minimum standards and flexibilities in Apprenticeship frameworks, to ensure it meets the needs of employers and young people, and does not act as a barrier to employer involvement.</p> <p>As we reshape this SSC remit, we will consider how, as Lord Leitch recommended, SSCs might adopt targets for increasing employer investment in skills in their sector.</p>	<p>5.10-5.11 3.10</p>
<p>These objectives must become important components of any assessment of research</p>	<p>HEFCE recently announced that £60m of quality-related research funding in 2007/08 will be allocated on the basis of business income.</p>	<p>N/A</p>

<p>quality, as the system is developed to take the place of the Research Assessment Exercise. [5.75]</p>	<p>The government has also made a public commitment to ensuring that future research assessment mechanisms take adequate account of user-led research.</p>	
<p>The government should consider a programme of UK Research Chairs at junior and senior levels, building on and formalising the occasional links between employers and higher education and also the existing Wolfson and the proposed Royal Society Fellowships schemes. [5.76]</p>	<p>There is already a network of Research Chairs. Most professorial salaries are already paid for in whole or part out of taxpayers' money and there are many good examples of industry-funded chairs. The Government is already jointly funding the Royal Society/Wolfson Foundation scheme. We will ensure that we make the most of the links between employers and higher education but we would need convincing that there was a case for more Government intervention.</p>	<p>N/A</p>
<p>[The Review recommends a] new universal [adult] careers service for England to give people the advice they need to progress in the modern labour market and adapt to change. This will bring together current separate sources of advice and draw them out of their silos. The Review recommends that this service operate under the already successful and well-known learnirect brand. ... This service will be directly responsible for raising participation in learning and so should be accountable to and managed by the DfES. [6.22]</p> <p>The Review recommends that the careers service provide skills diagnosis for workless people who need it in England, including those making repeat claims, with Jobcentre Plus referring claimants to it. [7.56]</p>	<p>Our long term ambition behind creating a universal adult careers service, working with Jobcentre Plus, is to ensure that everyone is able to access the help they need to take stock of where they are in achieving their goals and ambitions, and to get the support they need to advance themselves and achieve their full potential.</p> <p>We will merge the information and advice services of learnirect and nextstep providers into a new universal adult careers service in England, working in partnership with Jobcentre Plus. It will promote individuals' management of their own learning, skills and career progression and support learners to get the most out of their learning and encourage progression. We will ensure that the information and advice services of all FE colleges and training providers are aligned with the objectives and quality standards of the adult careers service.</p> <p>Key features of the new adult careers service will include:</p>	<p>2.28-2.31</p>

<p>a. Access through a variety of channels according to individual circumstances and preferences – face to face, online, by telephone and by a combination of these.</p> <p>b. A 'no wrong door' approach – the quality and appropriateness of the support should be the same, irrespective of whether the initial contact is with a jobcentre, a learning provider or the careers service itself.</p> <p>c. A menu of services comprising personalised assessment through a skills health check, advice on skills and employment, Skills Accounts and continuing support for progression.</p> <p>d. Ongoing support and follow-up for individuals. For people who are out of work and have low skills, the service will play a crucial role in helping them get the right balance of job search and training to help them into sustained employment and to progress in their career. The service will also signpost individuals to other services, where they have other needs than those related to skills alone, for example child care or advice on employment rights.</p> <p>e. Strong links between Jobcentre Plus and Train to Gain brokerage and employer training funds. Employers who take on workless people through Jobcentre Plus should be clear what support they can get through Train to Gain mechanisms. And Jobcentre Plus customers who undertake skills training prior to finding a job should be clear that they can carry on with appropriate training once they are in work.</p> <p>f. A reformed system for reaching out to those who are low skilled, in financial need and who do not see learning as relevant to them.</p>	
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	<p>We need to reform and increase the ways in which people can take the first steps towards learning. We will work through libraries, voluntary and community organisations and learning centres. We will utilise Union Learning Representatives and continue to foster networks of learning champions or learning ambassadors, particularly in deprived areas, to promote the service and to help it reach hard to reach groups.</p>	<p>In July 2007 we launched a new awareness raising campaign, planned to run for many years, to promote the benefits of learning (www.inourhands.lsc.gov.uk). A culture of learning must grow from a strong and widely shared understanding of the benefits of learning and skills for work and life; and a good joined-up system of accessible support for adults wanting to improve their skills. The new adult careers service will lead the task of taking the skills campaign messages out to hard to reach groups.</p>	2.52-2.54
<p>The new adult careers service will be charged with raising aspiration and awareness of the importance and benefits of learning, particularly among those that have missed out in the past. It will lead a sustained national campaign to promote skills development among groups that would not normally consider learning. [6.24]</p>		<p>Key features of the new adult careers service will include... a menu of services comprising personalised assessment through a skills health check, advice on skills and employment, Skills Accounts and continuing support for progression.</p>	2.25-2.31
<p>The Review recommends that all adults should be entitled to a free 'Skills Health Check' ... that would identify an individual's skill needs and strengths. [6.28]</p> <p>the Government should consider rolling out other forms of financial support into these [Learner] accounts. [6.38]</p>	<p>In designing and piloting the programme we will build on what emerges from the Learner Accounts pilot that will run in 2007/08. We must also learn from the experience of Individual Learning Accounts – both what worked, and what went wrong. At no time will there be any flow of public funding out of the system, giving a strong protection of the public purse from possible fraud. But we will ensure that the funds follow the learning, giving individuals maximum incentive to learn, and providers the maximum incentive to offer</p>	2.22	

	<p>what learners need. This will be based on the LSC's new Adult Learner Responsive Model.</p>	
<p>The Review recommends that a Skills Development Fund (SDF) replace the LSF. Based on clear eligibility criteria developed by the new service, advisers should use this fund flexibly to tackle the immediate financial barriers to learning that potential and current learners face. The new careers service should actively promote the new transparent criteria. [6.53]</p>	<p>The new adult careers service will ensure access to a new Skills Development Fund, replacing existing Learner Support Funds, in order to ensure potential learners are able to make well-informed decisions about training, with up-front information about the availability of funding.</p>	2.30
<p>The Review recommends that the Government consider raising the cap on initial public funds [in Career Development Loans] so that more people, in particular at higher levels, can invest in their own skills development. [6.56]</p>	<p>Our first priority is to restructure Career Development Loans in a way which will encourage learners seeking those skills and qualifications with the most added value to contribute to the costs of their learning. Work is underway with the LSC. We will consider the overall size of the programme once we have evaluated this.</p>	N/A
<p>In the longer-term, the Government and the Devolved Administrations should look to embed the same set of principles across all financial support for learning. It should look to better integrate and rationalise existing systems of support into Learner Accounts [6.57]</p>	<p>Better Integration of employment and skills services in England will provide valuable lessons for the way in which the interface between different learner support mechanisms can be managed. Taken together with other experience from across the UK, this will provide us with a sound base for working with the Devolved Administrations in due course.</p>	N/A
<p>The Review recommends a much fuller role for the benefit system in tackling basic skills problems. The Review recommends that all benefit claimants be screened at the start of</p>	<p>Jobcentre Plus advisers will increasingly support individuals in getting help across their multiple needs, acting as their advocate with other agencies, bundling solutions together, which together will position them better to be ready to find employment. That will include</p>	2.33 2.41-2.43

<p>their claim, with new benefit claims and Work Focused Interviews becoming the trigger for a basic skills screening. [7.38]</p> <p>The Review recommends that people claiming JSA whose basic skills needs are a key barrier to work should have part-time basic skills improvements included in their action plans, alongside actions to find work. ...The Review recommends:</p> <ul style="list-style-type: none"> • new JSA claimants with basic skills needs should be referred to training when they have found work, or before if their PA finds that basic skills needs are the key barrier to work. Referring claimants to training when they have found work will be the responsibility of Jobcentre Plus PAs, working with Train to Gain brokers in England; • for people with basic skills needs who remain on JSA after six months, there is a strong case for making basic skills training compulsory. The Government should review whether participation should be mandatory for all jobseekers with basic skills needs who remain on benefits at six months; and 	<p>appropriate skills training, alongside job search and prior to finding a job where appropriate, and also once in work. Jobcentre Plus will identify new jobseekers requiring skills-related help to increase their employability. Screening early in the new claims process will identify those jobseekers that require immediate support to gain the skills they need to secure sustainable employment and progress once in work, or address other specific barriers to employment.</p> <p>We will roll out a new Employability Skills Programme from August 2007, developed jointly between Jobcentre Plus and LSC. This will give individuals the opportunity to gain a nationally-recognised Skills for Life literacy, language and numeracy qualification, plus an employability certificate. Jobcentre Plus personal advisors will refer individuals to the programme.</p> <p>Individuals will be signposted to a learning programme tailored to their personal needs and circumstances. Providers will offer a range of progression opportunities, including through employers engaged in Train to Gain, and will work with Jobcentre Plus to secure employment outcomes wherever possible.</p> <p>Where appropriate, benefit claimants will be able to access the new programme before they have been on benefit for six months or more, removing a significant barrier to them increasing their functional skills and improving their employability. Eligibility for the programme will include Jobcentre Plus clients on incapacity benefit and income support, to help those who have been away from learning and the labour market for some time. We expect the programme to support 15,000 learners in 2007/08.</p>
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<ul style="list-style-type: none"> to help address basic skills problems for disadvantaged groups, basic skills improvements should be more fully integrated into support such as Pathways to Work for people with health problems and disabilities and the New Deal for lone parents (NDLP). [7.43] <p>The Review recommends that people making repeat claims get fuller support to find and stay in employment. ... This could include a full Skills Health Check, wider than the basic skills screening. ... The Government should consider whether people with an identified basic skill need who make multiple benefit claims within a given period should be required to improve their basic skills earlier in their claim than the six month period recommended. [7.47]</p>	
<p>All benefit claimants referred to training should access this training through a Learner Account which they can use at any provider accredited by the LSC. [7.49]</p>	<p>For those who are not being supported to train in the workplace, Skills Accounts will become the way into learning and up-skilling for all those aged 19 or over, other than in relation to HE. And it will be important that every part of the employment and skills system – including Jobcentre Plus, colleges and training providers and the new careers service – are all able to help individuals get on the ladder in terms of opening an Account.</p>
<p>The Review recommends that the new adult careers service also be co-located with Jobcentre Plus and other providers of</p>	<p>We will merge the information and advice services of learndirect and nextstep providers into a new universal adult careers service in England, working in partnership with Jobcentre Plus.</p>

<p>employment support, while also operating from other locations such as colleges. This will establish a nationwide network of one stop shops for employment and skills advice. [7.55]</p>	
<p>The Review recommends that the objectives of the employment and skills systems should be transformed into an integrated objective of sustainable employment and progression. ... The Review recommends that DfES and DWP present their proposals for measuring the employment and pay prospects and progression of their customers in 2007.</p> <p>This integrated objective must cascade down through the targets of Departments, as well as those of delivery agencies and front line workers, transforming the way they are rewarded, the way they work and the services they provide. [7.64-7.65]</p> <p>The integrated objective of achieving sustainable employment and progression must cascade down into the incentives faced by the agencies and contracted providers of skills and employment services. [7.67]</p> <p>The Commission will monitor whether Jobcentre Plus is making its full contribution to sustainable employment and progression. [7.68]</p>	<p>2.17-2.18</p> <p>As Lord Leitch recommended, DWP and DIUS are working together to develop a shared objective of sustainable employment and progression and a set of performance measures to underpin it. Although invisible to the customer this matters because the system must be incentivised to deliver employment and skills services in a joined up way at local level.</p> <p>A new set of cross-Government PSAs, alongside strategic objectives for each department, will be announced in the autumn with the final CSR settlement. Our current thinking is that they will contain measures of employment retention and progression, and we are exploring how the operational targets and business plans of Jobcentre Plus and the LSC will set out how they will deliver integration.</p> <p>Through its independent advice to the Government, the new UK Commission for Employment and Skills will ensure that DIUS and DWP are making a reality of their commitment to close working, so that the employment and skills system better meets employer needs and the needs of individuals. The Commission will also advise in 2010 on whether there should be further institutional change to secure better integrated employment and skills services.</p>

<p>The Review recommends the Commission for Employment and Skills report in 2010 on whether more radical structural change is required to deliver an integrated service. [7.28 and 5.29]</p>		
<p>Colleges and new adult careers services should be rewarded partly on the basis of [learner] outcomes and for helping people move into work. [7.70]</p>	<p>We are increasing substantially the proportion of public funding for adult training that is demand-led. Taking account all work-based employer training programmes, we estimate that total employer-focused funding will reach around £1.3 billion by 2010/11. Over this period we intend to begin rolling out the new Skills Accounts reflecting our commitment to an FE system that is also responsive to individual learner choice. This will mean that even more funding will be truly demand-led by 2010/11.</p> <p>The Framework for Excellence will give learners and employers clear information about publicly funded provider performance, and will support providers' own improvement programmes. The Framework will also incorporate the new standard for employer responsiveness and vocational excellence which will be open to both publicly and privately funded providers.</p> <p>Funding arrangements for the new unified adult careers service will involve incentives to increase the take up of services by low, no-skilled and harder-to-reach groups, users entering jobs or training, and users progressing in employment.</p>	<p>1.10-1.13 3.45-3.46</p>
<p>The Review ... recommends the licensing by the Commission of a network of Employment and Skills Boards (ESBs), based on the NEP</p>	<p>Some local partners in the major cities have already started forming ESBs following their announcement in the Local Government White Paper. We welcome that as a locally-led initiative. We agree that it</p>	<p>3.29-3.33</p>

Employer Coalitions and existing initiatives. [7.76]

The Review recommends a flexible approach to the licensing of ESBs, using existing arrangements, such as NEP Employer Coalitions, where appropriate. [p.7.76]

can be valuable, especially in the major cities, to bring the partners together in a locality to ensure good integration of employment and training services, and to support economic development within the framework of the regional economic strategy, particularly in ways that help workless individuals and communities gain access to good local jobs. That can be especially powerful where major, long term regeneration projects create opportunities to train local people with the skills and qualifications that will equip them for the jobs that will result – the Olympics being the most obvious example. This is not about manpower planning. It is about building partnerships to realise the mutual gain that comes from helping employers recruit the people they need, helping individuals gain good jobs, and helping the civic community achieve a better quality of life.

There is more than one way to tackle the challenge of joining up employment and skills at the local level. Different arrangements, including the leadership of ESBs, will suit different areas, and it will be up to local partners to determine how joining up is best achieved in their area. We do not intend to prescribe one standard model for an ESB. While we do not think it would be right to give the UK Commission a role in licensing such local Boards, as Lord Leitch suggested, we will ask it to promote local employer participation and to help share best practice as it develops. It will remain a matter for local partners to judge whether they wish to set up such a Board. Where Boards exist, one goal should be to simplify the range of existing local bodies.

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Originator: Andrew Nutting

Tel: 3952263

Report of the Assistant Chief Executive (Planning, Policy and Improvement)

Executive Board

Date: 5th November 2008

Subject: INFORMATION GOVERNANCE FRAMEWORK

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

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

1. The Council has recognised the importance of maximising the value it gets from its information assets and there is an appreciation that this is achieved by ensuring that information processes are undertaken in a secure and compliant environment.
2. Furthermore, the public profile of information governance has been raised both locally and nationally recently with the media reporting losses of personal and sensitive information. This has happened to such a large extent that any reported data loss by the Council would have a detrimental effect on the organisation's reputation.
3. Given this, the report articulates and seeks agreement to the introduction of an Information Governance Framework that is built on national guidelines and brings together all of the requirements, standards and best practice that apply to handling information in a consistent and coordinated manner.
4. This Framework will provide the Council with a set of objectives to define its approach to information governance and set out all the policies, standards and best practice, which apply to the handling of information.

1.0 Purpose Of This Report

- 1.1 This report articulates the need for the Council to adopt a corporate approach to information governance by having a framework that replaces the current ad-hoc arrangements with a structure that provides the organisation with a set of objectives which define its approach to information governance, together with the required policies and procedures.
- 1.2 Approval is sought from the Executive Board to adopt the Information Governance Framework as the corporate model for implementing information governance across the Council and endorse the intention of the Assistant Chief Executive (Policy, Planning and Improvement) to sign-off relevant policies and procedures associated with the Framework under the Council's delegated decision making arrangements.

2.0 Background Information

- 2.1 Information is one of the Council's most important assets, alongside its people, property, capital and technology. It can be characterised as the organisation's oxygen as it flows between stakeholders, directorates, services, people and processes to facilitate delivery of our strategic, business and service outcomes.
- 2.2 In this regard, our information assets are vitally important and ensuring its effective management in pursuit of these outcomes is a cornerstone of our Business Plan objective to become an Intelligent Organisation.
- 2.3 To ensure effective management of our information requires the organisation to have a focus on Information Governance.
- 2.4 Information Governance provides a framework for bringing together all of the requirements, standards and best practice that apply to the handling of information. It is important for ensuring the Council and its stakeholders manage, use and share information in line with statutory and/or best practice guidelines and in facilitating service delivery where the requirement to use, provide and share such information is required.
- 2.5 Such a focus is a big undertaking for the Council given the breadth and depth to which our information extends. For example, taken at its widest, the scope of Information Governance includes the management of information in all locations and all media. It includes structured information in databases and unstructured information in paper and electronic files. It includes emails and transient documents, work in progress and telephone notes. It includes blogs, wikis and discussion threads. It includes vital records essential to the continuation of Council business and long-term records that must be preserved through many generations.
- 2.6 Therefore tackling Information Governance within the organisation is no small task as it is about records management, about compliance, about sharing and security and it is also about efficient ways of handling of information so that the organisation maximises the value it gets from it.
- 2.7 The acronym 'HORUS' reminds us of what this means for everything we do:-
- **H**olding information securely and confidentially
 - **O**btaining information fairly and efficiently
 - **R**ecording information accurately and reliably
 - **U**sing information effectively and ethically
 - **S**haring information appropriately and lawfully.

3.0 Main Issues – The Information Governance Framework

- 3.1 In light of the above, the Council has recognised the importance of not only maximising the value it gets from its information and knowledge management

assets, but ensuring that internal information processes are undertaken in an efficient, secure and compliant environment.

- 3.2 There is a requirement to ensure that the data and information created and processed throughout the Council is reliable, trustworthy, secure and available, not only to staff and Members, but to Council partners, contractors and citizens. Information Governance is about putting into place policies and procedures to ensure:
- The Council's information is used ethically and lawfully;
 - The Council has the information it requires to support business processes;
 - The Council's information assets are accurate and kept up-to-date;
 - The Council's information is shared unless it is inappropriate to do so; and
 - The Council's information is stored and managed securely.
- 3.3 To this extent the Council has already started to address some of these issues through the establishment of the Information and Knowledge Management (IKM) agenda, which is concerned with how the organisation manages, uses and shares its information in the pursuit of positive outcomes for local people.
- 3.4 Crucial to the successful delivery of the IKM agenda is the approach the Council takes to Information Governance, with Leeds' approach providing a framework for bringing everything together under one Framework.
- 3.5 The Information Governance Framework, attached to this report marked **Appendix 1** (this appendix is attached to members copies of the agenda or is available on request from the Clerk named on the front of the agenda), has been developed based on best practice models adopted nationally. These include the NHS Information Governance Toolkit and the draft Local Government Information Governance Toolkit. The Framework also takes account of impending national guidance on secure data handling.
- 3.6 The purpose of the Information Governance Framework is to provide the Council with a set of objectives to define its approach to information governance and set out all the policies, standards and best practice, which apply to the handling of information, and which are required to deliver the information governance objectives.
- 3.7 The Framework covers the following six areas:
- **Information Governance Management** - the management of information governance at a corporate, managerial and operational level across the organisation;
 - **Records Management** – covering the process of creating, describing, using, storing, archiving and disposing of organisational records;
 - **Information Compliance** – covering the legal framework and standards that need to be established to ensure that information management is within the law;
 - **Information Security** – ensuring that policies and procedures are in place to protect information and information systems from unauthorised access, use, disclosure, disruption, modification or destruction;
 - **Data Quality and Assurance** – covering the need to ensure the quality, accuracy, currency and other characteristics of information products; and
 - **Information Sharing** – ensuring the proper governance of information sharing practice across the Council.
- 3.8 The policies and procedures that have been identified at this time to support the practical work required to cover each of the six modules above are outlined in the Framework attached at Appendix 1. However to demonstrate the breadth of policy and procedure required, they are listed in the table below:

Information Governance Module	Policies required	Procedures and other required Standards
Information Governance Management	<ul style="list-style-type: none"> • Information Governance Framework (IGF) • IGF – Policy Review Procedure • Information Management Policy 	<ul style="list-style-type: none"> • Corporate Information Governance Group Terms of Reference • IG Statement • IG Improvement Plan (3 yearly) • IG Stewardship & Accountability Framework • IG Workforce Development Plan • IG Training & Development Plan • IG Induction Procedure • IG Staff Guidance Manual
Records Management	<ul style="list-style-type: none"> • Records Management Policy • Records Creation Policy • Records Retention & Disposal Policy • Records Access and Security Policy • Records Capture Policy • E-Mail Management Policy • Future Proofing/Permanent Preservation Policy 	<ul style="list-style-type: none"> • Business Classification Scheme: Guidance on fileplans • Records Storage & Handling Procedure • Physical Preservation of Records Guidance • Legal Admissibility • Audit & Tracking Procedure • Business Continuity Procedure
Information Compliance	<ul style="list-style-type: none"> • Data Protection Policy • Freedom of Information Policy • Environmental Information Regulations Policy • Policy on Re-Use of Public Sector Information Regulations • Regulation of Investigatory Powers Policy 	<ul style="list-style-type: none"> • Staff Guidance on Data Protection/FOI/RIPA • Guidance for Members on Data Protection/FOI/RIPA • Guidance and procedure to information disclosures • Guidance & procedures to subject access requests • Public guide to subject access requests • Guidance & procedures to disclosure & exempted information • Procurement guidance (FOI) • Covert Surveillance CoP • Guidance on Privacy Impact Assessments
Information Security	<ul style="list-style-type: none"> • Information Security Policy • Access & Permissions Control Policy • Security of Third Party Access Policy • Anti-Virus Policy • Resources Protection Policy • Removable Media Policy • Remote Access Policy • Information Security Incident Policy 	<ul style="list-style-type: none"> • Information Manual • E-Mail Code of Practice • CoP on Internet Use • Information Security Classification • CoP for Information Security Management • Business Continuity Plan
Data Quality and Assurance	<ul style="list-style-type: none"> • Data Quality Strategy • Data Governance Strategy • Data Quality Policy • Master Data Management Strategy • Data Integration Policy 	<ul style="list-style-type: none"> • LCC Data Standards
Information Sharing		<ul style="list-style-type: none"> • LCC Information Sharing Protocol • Review Procedure • Corporate Operational Procedures for Information Sharing • Procedure for logging ISA's • Breach Ratification Procedure • Guidance Manual for Staff

3.9 Whilst these policies and procedures are clearly needed within the organisation; to ensure they work efficiently and effectively it is important that they are embedded in the way colleagues work and how they undertake their roles across the Council. Therefore the Framework also articulates the arrangements required to support implementation and delivery.

3.10 Principally these arrangements focus on four areas as follows:

- ensuring the requisite skills and competencies exist within the Council to manage, use and share information appropriately,
- establishing appropriate Stewardship arrangements to maintain adherence to the Information Governance Framework,
- Providing an Information Governance Toolkit which enables a baseline assessment to be made across the Council with tools and techniques to improve from the baseline towards delivery of the objectives, and
- Providing an Information Governance Workbook; a practical and pragmatic tool which enables service areas across the Council to address practical aspects of Information Governance pertaining principally to Document and Records Management.

4.0 Implications For Council Policy And Governance

4.1 All policies and procedures identified as a requirement to deliver the Information Governance Framework will go through an agreed consultation process involving the Council's Information Governance Group and the Corporate Governance Board.

4.2 Subject to the Executive Board approving the Information Governance Framework, the Assistant Chief Executive (Planning, Policy and Improvement) will approve and sign-off information governance policies and procedures in line with the delegated decision making process.

4.3 The Information Governance Framework will be reviewed every three years as part of our audit and monitoring policy and procedures.

5.0 Legal And Resource Implications

5.1 The Information Governance Framework is written to ensure the organisation complies fully where both current and planned statutory regulation and recognised good practice is in place.

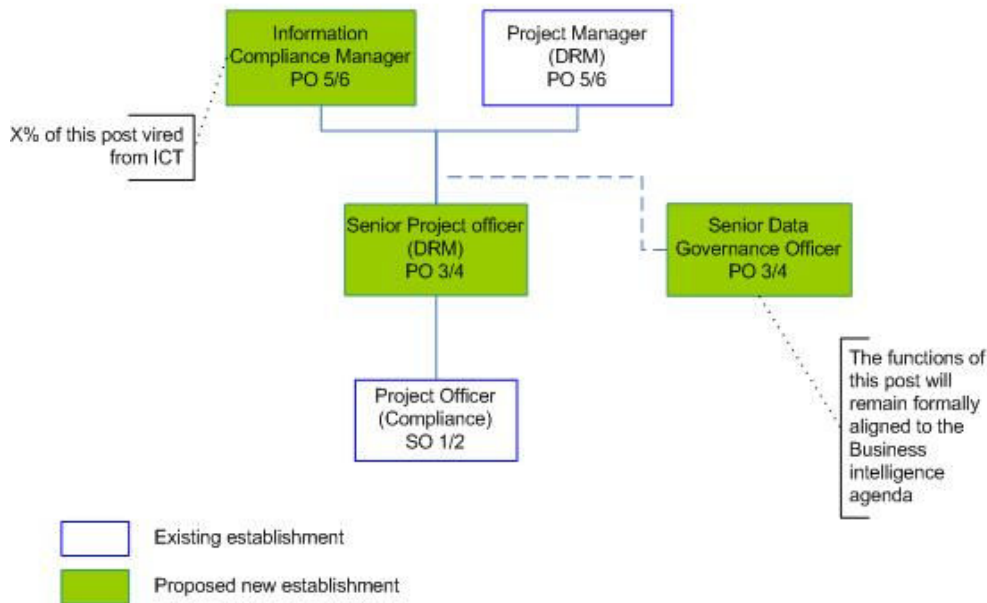
5.2 There will be resource implications for the Council to ensure that information governance policies and procedures are fully implemented and embedded across the organisation and staff will require the right composite skills and competencies, dependent upon their role and in line with their responsibilities, to deliver information governance across the organisation.

5.3 Given this, new resources are required in the relevant corporate team (Information and Knowledge Management team) to deliver on this extensive agenda and embed it across the organisation.

5.4 The required corporate resource is identified in the structure diagram below, with the following new posts required to complement existing roles already working on Information Governance issues:

- Information Compliance Manager - PO5/6 (subject to job evaluation)
- Senior Project Officer (Document and Records Management) – PO3/4 (subject to job evaluation)
- Senior Data Governance Officer – PO3/4 (subject to job evaluation)

Information Governance Function within IKM Team



5.5 The cost (based on current salary estimates) of establishing these new posts will be £132,218 per annum. Of this, £122,218 is not currently budgeted for as these are principally new roles being created to oversee the emerging and important issue of information security and governance. Therefore, subject to Members agreeing to the proposals contained within this report, the estimated net deficit will be dealt with through the Council's annual budgetary considerations as a new pressure. The remaining £10,000 (20% of PO5/6) will be vired from ICT Services to cover the policy and procedural aspects pertaining to Information Security, a function previously undertaken within ICT Services.

5.6 Further to the above, it is important that Directorates also build capacity within their establishment to address Information Governance and in light of this, work is ongoing to identify what roles and responsibilities are already in place and which need to be established.

5.7 Overall it is likely that this new Directorate capacity will be met by bringing together existing roles and responsibilities, however there is an expectation that certain roles and responsibilities (specifically those pertaining to Records Management) may need to be established with new resource where they don't currently exist.

5.8 Given this, there is an expectation that the development of Information Governance coupled with further transformational developments within the IKM agenda (as part of the Business Transformation Programme) will deliver significant annual cost-savings to meet this resource requirement going forward. Therefore the intention is to meet these requirements on an invest to save basis.

6.0 Risk Management

6.1 The Council cannot currently be confident that its approach to Information Governance is consistent and robust. Given this, the risk associated with not addressing the issue corporately can be identified in terms of reputation, service delivery and value for money.

6.2 In this regard, risks pertinent to Information Governance are:

- A. Damage to the Council's reputation through:
- data/information losses or inadvertent disclosure.
 - breaches in statutory or regulatory compliance; e.g. DPA, FoI etc.

- loss of, or failure to disclose (through both subject access requests and legal discovery) key records that the authority has a duty of care over (e.g. adoption records, education records etc. etc.)
 - disclosure (malicious or otherwise) of personal and or sensitive data / information through poor access and permission controls.
- B. Negative impact on service delivery through restrictions placed on the authority with regards to the sharing and/or receiving of partner data/information
- C. Failure to meet business objectives and strategic outcomes through continued lack of data / information integration and/or poor data quality impacting on decision-making.
- D. Negative impact on the delivery of key corporate initiatives; e.g. City Centre Accommodation Project.
- E. Failure to obtain appropriate return on investment from information management technology.
- 6.3 Overall, the balance of risk would suggest that the lack of an appropriate, consistent and coordinated approach to Information Governance leaves the authority open potentially, to significant risks that may harm both its reputation and its service delivery capacity.

7.0 Conclusions

- 7.1 It is recognised that the Council requires robust information governance procedures in order for it to deliver corporate programmes and realise ambitions contained in the Business Plan. The Information Governance Framework identifies a common set of policies and procedures by which staff and Members can manage, use and share information securely and effectively, within a statutory compliant environment.
- 7.2 Furthermore, the recent series of highly publicised data losses within public authorities has propelled the subject of information governance into the public's consciousness. It is vital that the public has trust and confidence in the Council's ability to manage, use and share the data and information it holds.

8.0 Recommendations

- 8.1 The Executive Board are ask to approve the Information Governance Framework as a method for defining the Council's approach to information governance and setting out the policies, procedures and standards required to deliver the information governance objectives.
- 8.2 Subject to approval of the Information Governance Framework, the Executive Board are asked to endorse the intention of the Assistant Chief Executive (Policy, Planning and Improvement) to sign-off relevant policies and procedures associated with the Framework under the Council's delegated decision making arrangements.

Background Papers

Leeds City Council Information Governance Framework (attached at Appendix 1)

Leeds City Council Records Management Policy

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APPENDIX 1

**Leeds City Council
Information Governance Framework**

October 2008

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Leeds City Council Information Governance Framework

Introduction

INTRODUCTION

1.1 What is Information Governance?

1.1.1 Information Governance provides a framework for bringing together all of the requirements, standards and best practice that apply to the handling of information.

1.1.2 The scope of Information Governance, taken at its widest, includes the management of information in all locations and all media. It includes structured information in databases and unstructured information in paper and electronic files. It includes emails and transient documents, work in progress and telephone notes. It includes blogs, wikis and discussion threads. It includes vital records essential to the continuation of Council business and long-term records that must be preserved through many generations.

1.1.3 Information Governance is about records management, about compliance and also about efficient ways of handling of information.

1.1.4 The acronym 'HORUS' reminds us of what this means: -

- Holding information securely and confidentially
- Obtaining information fairly and efficiently
- Recording information accurately and reliably
- Using information effectively and ethically
- Sharing information appropriately and lawfully.

1.2 Purpose

1.2.1 This document forms the core of Leeds City Council's Information Governance Framework.

1.2.2 Information is one of the Council's most important assets, alongside its people, property, capital and technology. In this regard Information Governance is identified both as a core principle within the Council's Corporate Governance Statement and as being fundamental to the delivery of the Council's strategic Information and Knowledge Management agenda.

1.2.3 The purpose of the Framework is to provide the council with a set of objectives to define its approach to Information Governance and set out all the policies, standards and best-practice which apply to the handling of information, and which are needed to deliver the Information Governance objectives.

1.3 Document Structure

1.3.1 The document is structured as follows:

Section 2 – Policy and Compliance Environment

1.3.2 This section defines information Governance and why it is important to the Council. It also outlines the internal and external drivers behind why the council, like most other organisations, is endeavouring to strengthen its Information Governance practices.

Section 3 – Information Governance Needs

1.3.3 This sections outlines what issues need to be addressed when looking at information Governance. It covers those Information Governance 'needs' that are prerequisite issues that must be addressed through the Framework.

Section 4 – The Information Governance Framework

1.3.4 This section outlines in more detail the rationale, objectives and policies and procedures required to help deliver each of the six areas that make up the Information Governance Framework.

Section 5 – Support Arrangements

- 1.3.5 This section details the arrangements in place to support delivery of the Information Governance Framework. Principally the focus is on ensuring the requisite skills and competencies exists within the Council to manage, use and share information appropriately and that appropriate Stewardship arrangements are in place to maintain adherence to the Information Governance Framework.

Appendices

- 1.3.6 There are two appendices to support the Framework. The first provides an information Governance Toolkit which enables a baseline assessment to be made across each of the six authorities with tools and techniques (to be developed) to improve from the baseline towards delivery of the objectives. The second is the Information Governance Workbook, a practical and pragmatic tool which enables service areas across the Council to address practical aspects of Information Governance pertaining principally to Document and Records Management.

Leeds City Council Information Governance Framework

Section 2

Policy and Compliance Environment

POLICY AND COMPLIANCE ENVIRONMENT

2.1 Legislative and Regulatory Drivers

2.1.1 The requirement for Information Governance in local authorities is laid down principally by two Acts of Parliament: the Freedom of Information Act and the Data Protection Act.

Freedom of Information Act 2000 and Environmental Information Regulations

2.1.2 The Freedom of Information (FOI) Act has 'raised the bar' for Information Governance in the public sector.

2.1.3 FOI makes the presumption of open access to records with the exception of defined exemption categories. The public has the right to see records, either copies or originals, as well as a summary of information if the applicant so requests and must receive a response within 20 working days

2.1.4 FOI also requires public bodies: -

- to follow codes of practice for records management
- to draw up an Information Asset Register
- to provide a publication scheme.

2.1.5 The Environmental Information Regulations (EIR) came into effect the same time as FOI. These differ from FOI in that they apply only to environmental matters, although their scope is wide enough to include buildings and grounds. In addition to written requests EIR requests may be made verbally by telephone or visit. EIR requests must also be answered within 20 working days.

2.1.6 FOI and EIR access requests may require information from any source: data systems or electronic documents or paper files, active or archived, or email folders, PC drives, CD-ROMs, microfiche or shared drives. Requests may be made for current or retrospective information and although there is a limit on the effort expendable (around 2.5 days) the difficulty in assembling information due to a lack of good record keeping is not an acceptable exemption category.

2.1.7 The impact of the Act on Information Governance lies mainly in Section 45, the discharge of functions, and Section 46, the management of records. The then Lord Chancellor issued two Codes of Practice to interpret the law and assist with compliance: one for Section 45¹ and one for Section 46².

2.1.8 The Code of Practice under Section 46 requires public sector organisations to have: -

- a clear understanding of the nature of electronic records;
- the creation of records and metadata necessary to document business processes: this should be part of the systems which hold the records;
- the maintenance of a structure of folders to reflect logical groupings of records;
- the secure maintenance of the integrity of electronic records;
- the accessibility and use of electronic records for as long as required (which may include their migration between systems);
- the application of appropriate disposal procedures, including procedures for archiving;
- the ability to cross reference electronic records to their paper counterparts in a mixed environment;
- a record keeping system.

2.1.9 The Freedom of Information Act and the Data Protection Act (see below) are enforced by the Information Commissioner; however the enforcement of the Section 46 records management

¹ Secretary of State for Constitutional Affairs' Code of Practice on the discharge of public authorities' functions under Part I of the Freedom of Information Act 2000 Issued under section 45 of the Act November 2004 www.dca.gov.uk/foi/reference/imprep/codepafunc.htm

² Lord Chancellor's Code of Practice on the Management of Records Issued under section 46 of the Freedom of Information Act 2000 November 2002 www.dca.gov.uk/foi/reference/imprep/codemanrec.htm

requirements and the Lord Chancellor's Code of Practice has been delegated to the National Archives (TNA).

- 2.1.10 The principal method for monitoring conformance will be self-assessment but the Commissioner may request the TNA to carry out assessments of conformity with the Records Management Code on his behalf. Selected authorities may be actively audited by the TNA, in accordance with guidelines set out by the Commissioner.
- 2.1.11 The National Archives have produced an Evaluation Workbook to enable local authorities and other public bodies to self-assess their compliance with the Code of Practice³.

Data Protection Act 1998

- 2.1.12 The Data Protection Act (DPA)⁴ also makes high demands of an authority's Information Governance, both in terms of records management and in terms of the council's duty to respond to subject access requests.
- 2.1.13 The Act provides for the protection for personal data and subject rights of access. Personal data is defined as information about a living person who can be identified from the data or from the data and other information (e.g. combination of address and electoral roll)
- 2.1.14 The 8 principles of good practice stipulate that personal data must be: -
- Fairly and lawfully processed
 - Processed for limited purposes
 - Adequate, relevant and not excessive
 - Accurate
 - Not kept longer than necessary
 - Processed in accordance with the data subject's rights
 - Secure
 - Not transferred to countries without adequate protection.
- 2.1.15 The Act increases the necessity for control of content, retention, security and access to subject files. Its powers have been introduced progressively but will apply fully to all personal data in all media by October 2007.
- 2.1.16 The main impact of the Act on Information Governance is that it limits the retention of personal information. To comply with the Act the Council must have an approved retention schedule for each type of personal information and evidence that it has complied with the schedule. The length of the retention schedule is not prescribed by the Act but the Council must be able to justify it on the grounds of statutory requirements and business need.
- 2.1.17 The Act requires the Council to have procedures for classifying personal information and disposing of it. This includes paper files, electronic case records and emails that contain personal information. Email archiving systems and backup tapes are not exempt from the Act. They may be in breach of the Act if they keep information too long and they may need to be searched for information in response to a subject access request.
- 2.1.18 The duty to respond to subject access requests within 40 days is less of a challenge than the 20 working days of the FOI access request. The scope of the search is limited to information in a 'relevant filing system'. A court case in 2004⁵ clarified which manual files count as a 'relevant filing system' limiting them to any records structured so that information relating to an individual is readily accessible.
- 2.1.19 The Data Protection Act is frequently cited as a reason for not sharing information and joining up information between services. In fact there are many good reasons for sharing personal information, not least the convenience of the citizen who only might in future have to provide a piece of information only once to the Council, instead of once to each service. Provided that information is not

3 Complying with the Records Management Code: Evaluation Workbook and Methodology www.nationalarchives.gov.uk/documents/full_workbook.pdf

4 Data Protection Act 1998 www.opsi.gov.uk/acts/acts1998/19980029.htm

5 *Durant v Financial Services Authority* 2004

sensitive, there are very few barriers to sharing personal information within the Council, and information protocols can be set up for sharing with outside organisations.

Other legislation

- 2.1.20 The Local Government Act 1972 broadly sets out a local authority's requirement to manage documents properly:

'a principal council shall make proper arrangements with respect to any documents that belong to or are in the custody of the council or any of their officers.'

- 2.1.21 Most other legislation affects Information Governance by specifying the content and retention of specific types of records.

- 2.1.22 There is a long list of Acts of Parliament that set periods of legal liability and hence dictate minimum retention requirements for related records, including for example: -

- Occupiers Liability Act 1957
- Employers' Liability (Compulsory Insurance) Act 1969
- Taxes Management Act 1970
- Equal Pay Act 1970
- Health and Safety at Work etc. Act 1974
- Sex Discrimination Act 1975
- Race Relations Act 1976
- Limitation Act 1980
- Social Security Contributions & Benefits Act 1992
- Value Added Tax Act 1994
- Education Act 1994
- Disability Discrimination Act 1995
- Data Protection Act 1998
- Adoption and Children Act 2002
- Children Act 2004

- 2.1.23 In addition to Acts of Parliament there are at least 20 Statutory Instruments that directly or indirectly set retention requirements for records.

- 2.1.24 Lastly, where the Council has information that is of interest to the public sector, it must comply with the Re-use of Public Sector Information Regulations 2005⁶, which is a set of regulations drawn up to encourage the re-use of public sector information by the private sector and to remove obstacles that stand in the way. The main themes of the regulations are improving transparency, fairness and consistency. A Guide to the Regulations and Best Practice explains the Regulations and provides information about existing best practice and sources of help⁷.

2.2 Government Guidance

- 2.2.1 In addition to the legislation, there is also a body of government guidance in the field of Information Governance, both for corporate information management and for specific local services.

ISO 15489

- 2.2.2 ISO 15489⁸ is the international standard for developing a records management programme.

- 2.2.3 ISO 15489 was agreed in 2001 as the UK national standard for public sector organisations. It is recommended in the Lord Chancellor's Code of Practice on the Management of Records under Section 46 of the FOI Act (see above).

6 Re-use of Public Sector Information Regulations 2005 Act www.opsi.gov.uk/si/si2005/20051515.htm

7 The Re-use of Public Sector Information: A Guide to the Regulations and Best Practice www.opsi.gov.uk/advice/psi-regulations/advice-and-guidance/guide-to-psi-regulations-and-best-practice.doc

8 BS ISO 15489-1:2001 Information and documentation. Records management General www.bsi-global.com/en/Shop/Publication-Detail/?pid=00000000030055690

- 2.2.4 The standard covers policies and responsibilities for records management, strategies and designs for a record-keeping system with processes and controls, monitoring, auditing and training. It follows the Australian 'DIRKS' methodology which provides a systematic approach to records management involving an information audit, business classification, assessment of existing systems, development of a records management policy and the design of a new record keeping system.
- 2.2.5 ISO15489 requires a functional business classification scheme which divides records by the functions, activities and transactions to which they belong. It requires the definition of retention schedules, classification of security levels and rights of access, and vocabulary controls for titles and description fields.
- 2.2.6 ISO15489 was required of local authorities by one of the then ODPM's e-Government Priority Service Outcomes (G19). G19 made adoption of ISO 15489 mandatory. The Priority Service Outcomes are no longer being measured, but the requirement to meet ISO 15489 has not gone away. The TNA is now tasked with monitoring compliance with Section 46 of the FOI Act and has produced a workbook (see the FOI section above) for self-assessment.
- 2.2.7 Implementation assistance is available from the British Standards Institution: 'BIP 0025-2:2002 Effective records management Practical implementation of BS ISO 15489-1'⁹.

ISO 17799 / 27000

- 2.2.8 ISO 17799¹⁰ is a Code of practice for information security management, now being progressively replaced by the ISO 27000 series, of which the first to be issued was ISO 27001¹¹, replacing part 2 of ISO 17799.
- 2.2.9 ISO 17799 was mandated for central government by the Office of the e-Envoy (now disbanded). While its status for local government is less mandatory, the standard is recommended as best practice in several places in government guidance.
- 2.2.10 ISO 17799 treats security as a number of 'controls' including: -
- intellectual property rights
 - safeguarding of organisational records
 - data protection and privacy of personal information
 - information security policy document
 - allocation of information security responsibilities
 - information security education and training
 - reporting security incidents
 - business continuity management
- 2.2.11 The scope of ISO 17799 is much wider than the security of computer systems. It covers human resources, the physical security of storage locations, disaster recovery measures and intellectual property rights.
- 2.2.12 ISO 27000 treats security in a more systematic fashion, with the aim of building an 'Information Security Management System' that can be audited.
- 2.2.13 Both 17799 and 27000 have certification schemes for self-certification or external certification.

Information for Social Care

- 2.2.14 Social Care has needs for Information Governance beyond those of other services. The Department of Health is running an 'Information for Social Care' project¹² to define and assist with information and information systems in Social Services.

⁹BIP 0025-2:2002 Effective records management Practical implementation of BS ISO 15489-1' <http://www.bsi-global.com/en/Shop/Publication-Detail/?pid=000000000030103890>

¹⁰ BS ISO/IEC 17799:2005 Information technology. Security techniques. Code of practice for information security management. From www.bsi-global.com

¹¹ BS ISO/IEC 27001:2005 Information technology. Security techniques. Information security management systems. Requirements. From www.bsi-global.com

¹² Information for Social Care web site www.dh.gov.uk/en/Policyandguidance/Informationpolicy/Informationforsocialcare/index.htm

- 2.2.15 The main requirements are set by the Electronic Social Care Record (ESCR) and the Caldicott Principles.
- 2.2.16 The ESCR is a Department of Health initiative driven by the e-Government agenda, plus reports such as that of Lord Laming (Victoria Climbié) inquiry and the subsequent Children Act. The purpose was to create standard formats and standard metadata that will enable documents to be available wherever need and shared between local authorities, hospitals, police, schools and other parties involved in social care.
- 2.2.17 In 2003 the Department of Health issued local authorities with target dates for the introduction of the Electronic Social Care Record: -
- October 2004 – 20% of authorities to use ESCR for new cases
 - October 2005 – remaining authorities to use ESCR for new cases
 - April 2006 – all authorities to use ESCR to capture audio and video for new cases
 - October 2006 – all authorities to capture back-files of current cases into the ESCR.
- 2.2.18 The ESCR comprises both structured data in data systems and unstructured data (documents).
- 2.2.19 The main guidance document on the ESCR is the Department of Health's publication 'Defining the Electronic Social Care Record'¹³, December 2003. This creates a document-centric view of the ESCR.
- 2.2.20 The Caldicott Principles¹⁴ cover the management of patient information in the NHS and service user information in Social Care: -
- Justify the purpose (or purposes)
 - Do not use patient information unless it is absolutely necessary
 - Use only the minimum necessary patient-identifiable information
 - Access to patient-identifiable information should be on a strict need-to-know basis
 - Everyone with access to information should be aware of their responsibilities
 - Understand and comply with the law.
- 2.2.21 The Caldicott guidance recommends the use of codes rather than names to minimise the amount of patient-identifiable information.
- 2.2.22 A Caldicott Guardian must be appointed to ensure compliance with the principles.

2.3 Technical standards

- 2.3.1 For services implementing technology solutions to support Information Governance (e.g. EDRM systems), there are a number of standards that the implemented systems should comply with.

E-government Interoperability Framework (E-GIF) – v6.1

- 2.3.2 e-GIF¹⁵ prescribes the policies and technical specifications that act as the foundation of the e-Government strategy. e-GIF architecture is made up of the Framework itself plus the e-GIF registry, which contains the e-Government Metadata Standard (e-GMS), the Government Data Standards Catalogue (GDSC), XML schemas and the Technical Standards Catalogue.
- 2.3.3 Key requirements of e-GIF are: -
- the adoption of the Internet and World Wide Web for government systems
 - the adoption of XML and XSL as core standards for data integration and presentation
 - web browser as the key interface for access to information
 - e-Government Metadata Standard (see Metadata Standards below)
 - Government Data Standards Catalogue (GDSC).

¹³ 'Defining the Electronic Social Care Record' 2003 http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4069421

¹⁴ Caldicott Principles http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_062722

¹⁵ E-Government Interoperability Framework 6.1 www.govtalk.gov.uk/schemasstandards/egif.asp

- 2.3.4 The e-GIF paper is followed by XML schemas for individual applications. These are published on the www.govtalk.gov.uk site.
- 2.3.5 e-GIF mandates the use of e-GMS metadata on public sector information resources such as EDM systems and web sites. The Government Data Standards Catalogue GDSC¹⁶ mandates the content of some of that metadata, standardising references used for people, places, property and other identifiers.

E-GMS Metadata Standards

- 2.3.6 The E-Government Metadata Standard (currently e-GMS v3.1¹⁷) prescribes standard fields for content management systems. The use of standard fields is mandatory for all EDM and EDRM systems currently being specified in the UK public sector and applies to all interoperation between UK government and public sector, businesses and citizens. It makes document searches more effective on the Internet and in internal content management systems and will apply common standards for metadata as well as standards formats for the document itself.
- 2.3.7 There are now 25 fields in the e-GMS, based on the metadata elements known as the Dublin Core. The core elements are mandatory, in as much as they must always be completed. Other elements must be configured into the solution, but their completion is optional. Individual implementations may add their own fields to those core elements.
- 2.3.8 The 25 fields are: -

Accessibility	Digital Signature	Publisher
Addressee	Format	Relation
Aggregation	Identifier	Rights
Audience	Language	Source
Contributor	Location	Status
Coverage	Mandate	Subject*
Creator*	Preservation	Title*
Date*	Publisher	Type
Description		

- 2.3.9 The elements marked with an asterisk require mandatory completion. Although the mandatory elements are few in number each one may have a number of mandatory refinements such as Date.Created, Date.Acquired and Date.Declared for records and Date.Opened and Date.Closed for folders.
- 2.3.10 The e-GMS 3.1 fields are included in the 2004¹⁸ update of the National Archives metadata standards for Electronic Records Management Systems.
- 2.3.11 The 3.1 version of e-GMS has replaced previous options for completion of the Subject field to enforce the use of at least one term from the Integrated Public Sector Vocabulary (IPSV)¹⁹, which is a merger of the GCL (Government Category List), LGCL (Local Government Category List) and seamlessUK taxonomy for web sites. IPSV must be used to populate the e-GMS Subject fields in website metadata, electronic document and record management systems, content management systems, and all situations which manage electronic information and services.

¹⁶ Government Data Standards Catalogue www.govtalk.gov.uk/gdsc/html/frames

¹⁷ E-Government Metadata Standard 3.1 www.govtalk.gov.uk/schemasstandards/metadata.asp

¹⁸ 'National Archives' Requirements for Electronic Records Management Systems: 2: Metadata Standard 2004'

www.govtalk.gov.uk/documents/Records_management_metadata_standard_2002.pdf

¹⁹ IPSV www.esd.org.uk/standards/ipsv/

- 2.3.12 Any document management system implemented in the Council must include the 25 e-GMS elements and ensure that the mandatory elements are completed as appropriate whether at folder or document level. The system should be able to pass the e-GMS data through to the intranet or internet or export it with the document for information sharing. The system must enforce the use of the IPSV in the Subject field by offering the list as a thesaurus of options during the creation of new folders. There is an ISO standard (ISO 2788, see below) governing the use of a monolingual thesaurus.
- 2.3.13 Most of the document-level metadata fields can be automatically supplied from Windows system data and Office document properties, and the system implementation should ensure that field completion is automated as much as possible. The folder structure of an EDRM system assists by enabling documents to inherit metadata from their parent folder and class.

National Archives 'Requirements for Electronic Records Management Systems'

- 2.3.14 The National Archives (TNA) has in the past specified the requirements for Electronic Records Management systems (ERMS) in the public sector..
- 2.3.15 The requirements were specified in response to the e-government initiative and the need to meet FOI and DPA records management legislation. The first set of Requirements for ERMS was published in 1999, with an update in 2002²⁰.
- 2.3.16 This initiative led to the development of EDRM systems tailored for UK public sector records management needs and which, properly implemented, enable organisations to meet all the UK compliance requirements.
- 2.3.17 The TNA introduced a compliance-testing scheme and approved some 16 systems against the 1999 requirements. Against the revised 2002 requirements it approved around 10 products before testing ended in 2005.
- 2.3.18 The TNA has now joined forces with a European project to revise Europe's equivalent specification, MoReq²¹, and has created a joint MoReq2 which was published earlier this year. This will also have a testing scheme in due course.
- 2.3.19 The TNA:2002 requirements focus on the records management and corporate aspects of electronic document management. They include support for a corporate business classification scheme, which subdivides records into classes, folders and parts, with retention schedules attached at any level. Central to TNA:2002 is the ability to declare documents as records, after which they are protected from change or deletion until their retention schedule expires. Search mechanisms, audit trails and reporting methods are also specified.
- 2.3.20 The Requirements specify the minimum metadata, which are now aligned with the e-GMS (see above). They make mandatory the use of the e-GMS Rights field to indicate protective marking and FOI and DPA disclosability.
- 2.3.21 The use of systems compliant with TNA:2002 or its successor MoReq2 is not compulsory, but is recommended for several reasons: -
- The use of classification and retention scheduling enables records to be maintained over time and deleted promptly when due for deletion.
 - The use of standard metadata and classification methods will simplify the exchange of information between services and between authorities.
 - Compliance with standards will also help ease the migration of records from current to future systems, complete with their metadata and audit trails. In the case of long record lifecycles, records will have to survive many such migration exercises.
- 2.3.22 Whilst TNA compliance is not a pre-requisite, neither is it sufficient. TNA:2002 focuses on records management requirements, with little mention of workflow, scanning or other EDRM technologies.

²⁰ Requirements for ERMS www.nationalarchives.gov.uk/documents/requirementsfinal.pdf

²¹ Model Requirements for the Management of Electronic Records www.cornwell.co.uk/edrm/moreq.asp

Rather than mandate TNA approval any Statement of Requirements for an EDRM system should incorporate TNA requirements along with the Council's own business requirements. The TNA rates each requirement as mandatory or desirable, but the Council can change the rating according to its own needs and priorities.

2.3.23 The TNA's move to support MoReq2 will not make a major difference in the type of system that meets requirements. The systems that met TNA requirements are in the best position to comply in future with MoReq2.

2.3.24 Other countries have standards similar to TNA:2002 and MoReq e.g.

- DoD 5015 parts 2 and 4: the US standard 'Design Criteria Standard for Electronic Records Management Software Applications'²² published in 2002.
- DOMEA® Concept Requirement catalogue 2.0. The German standard published by the German Federal Government Co-ordination and Advisory Agency in 2005²³.

Other technical standards

2.3.25 There are several international standards relating to specific components or aspects of record keeping systems. Most technical standards are included in the National Archives Requirements for ERMS and need not be repeated here. The key ones to mention are:-

- **ISO 2788** is a standard for mono-lingual thesauri. Thesauri are used to control the contents of specified index fields in EDRM systems or Web Content Management systems, for example to select terms from IPSV (see e-GMS above) to populate the Subject metadata field. Compliance with ISO 2788 should be included in requirements when purchasing EDRM systems.
- **ISO 9000** is a set of standards for quality management systems, used in areas such as manufacturing, software development and professional services to ensure that processes are defined and outputs documented and cross-referenced. Compliance with ISO 9000 should be included in requirements when purchasing software or services.
- **ISO 8601** and the supporting document BSI DISC PD2000 specify the formats for recording date and time: e.g. YYYY-MM-DD or YYYY-MM-DDThh:mmTZD. Compliance with ISO 8601 should be included in requirements for purchasing EDRM systems.
- **ISO 17799:2000** is a Code of practice for information security management, now being replaced by the ISO 27000 series. The ability to support ISO 17799 should be specified as a requirement for any software procurement and should be implemented also in the configuration of that software.
- **ISO 27001 (2005)** is a British and international specification for information security management: replacing ISO 17799 and the old BS 7799-2 standard.
- **ISO 23081 2006** provides metadata standards.
- **BS 4783-1:1988** is a standard for storage, transportation and maintenance of media for use in data processing and information storage.

2.3.26 All are available to purchase through the BSI web site²⁴.

2.4 Principles for Information & Knowledge Management

2.4.1 Further to the above defined regulations and standards, the Council has through the Information and Knowledge Management Agenda, defined a set of principles which support delivery of the agenda. These Principles, are based on best-practice adopted from other public sector organizations and adhere to the regulations and standards outlined above.

22 DoD 5015 <http://www.dtic.mil/whs/directives/corres/html/501502std.htm>

23 DOMEA® <http://www.kbst.bund.de>

24 BSI web site www.bsi-global.com

2.4.2 In this regard, the IKM Principles are standards that the Information Governance Framework must adhere to. The Principles are:

- **We share information appropriately and lawfully** – we will share our information and knowledge assets appropriately and in doing so handle them sensitively and in accordance with legal and regulatory requirements at all times.
- **Our information is open and accessible** – decision-makers at all levels within the Council will be able to get easy access to the information and knowledge they need at the time when they need it.
- **We use information ethically** – we will use information and knowledge in a way that ensures individuals' details are protected and only seen by the appropriate professionals in order to deliver the best possible service.
- **Our information is accurate and fit for purpose** – good quality information and knowledge assets are essential as evidence based decision-making is only as good as the quality of the underlying data and information.
- **We all have responsibilities for our information** – everyone within the Council has responsibilities for the information and knowledge assets they handle, whatever their level in the organisation.
- **We regard information as a Leeds City Council resource** – information and knowledge are Council resources that are not wholly 'owned' by any individual, team, service or directorate.
- **We value information as an asset to the Council** – in the same way that the Council looks after its finances, people and capital assets. It will also look after its information and knowledge assets in a more strategic way.
- **We have the skills and confidence to act according to these principles** – in order to uphold these principles we will identify and develop the skills across the Council to do so.

2.4.3 These eight principles aim to ensure that as an organisation the Council can manage, use and share its information and knowledge assets openly and safely.

Leeds City Council Information Governance Framework

Section 3

Information Governance Needs

INFORMATION GOVERNANCE NEEDS

3.0 Information Governance breaks down into a number of component parts, each of which must be addressed for compliance.

3.1 Access

3.1.1 Information should be available when, where and to whom it is needed. The principle of open access was laid down by the Freedom of Information Act and should be applied internally to the organisation as well as externally to subject access requests.

3.1.2 The main exemption to open access is personal information such as is found in Human Resources and Social Services. Access to sensitive personal data and documents should be restricted to the service or team that 'needs to know'.

3.1.3 Otherwise, open access can be the rule. Electronic information is more widely accessible than paper: it can be available to all who need it at the same time and from any location. Electronic information enables access to be provided for mobile and home working, for information sharing and joined-up working.

3.1.4 In implementing any software system an Access and Security Model is required to decide the user roles and access rights to be configured into the system. An identification of the information types and their FOI status is a good place to start. Joining up the access and security model into a corporate user directory will save end-user login time and IT support time.

3.1.5 The Council should have a 'clear desk' policy, both to ensure that records are made safe from inappropriate access and to reduce the fire risk.

3.2 Security

3.2.1 Security is of increasing importance, as leaks, losses and viruses become commonplace. Security is an issue for information in IT systems, information in transmission between systems and information in physical files.

3.2.2 Security is a broad term covering a number of categories: -

- **Availability** – the information must be available when needed. This is addressed by storage methods, software resilience, disaster recovery and preservation planning (see below).
- **Authenticity** – the recipient of information can be sure that the information was written by the sender. This is an issue for information in all forms.
- **Confidentiality** – only the intended and authorised recipients of information can have access. This is achieved by setting appropriate access restrictions to online information and by locks and passes barring access to physical files. Encryption may be required to protect confidential information in transmission (e.g. email) or on portable devices (e.g. laptops, PDAs and memory sticks).
- **Integrity** – the recipient can be sure that the information has not been changed at any time from that written by the author. This is built into electronic systems such as EDM systems where active documents can be declared as 'records' after which they cannot be changed. There is less integrity in documents on shared drives: they can very easily be moved, deleted or overwritten.
- **Non-repudiation** – this is a variation on authenticity: the sender cannot later deny having written the information, and the recipient cannot later deny having received it. Signatures are used with paper documents for this purpose, although they do not necessarily provide strong evidential weight. For electronic documents of high legal value, such as contracts and deeds, digital certificate techniques may be needed, involving PKI (Public Key Infrastructure) technology.

- 3.2.3 There are ISO standards covering the security of information in both electronic and physical form: ISO 17799¹ and ISO 27000. (See above).

3.3 Retention

- 3.3.1 Setting retention and disposal schedules is important in order to avoid breaching the Data Protection Act for personal information, and also to restrict the growing volumes of paper and electronic documents and datasets.
- 3.3.2 A retention schedule is comprised of two factors: an event and a time period. The event might be a calendar event, such as the end of the financial year, or an external event, such as the termination of a contract. The time period can vary from 1 year (disciplinary warning) to 75 years (e.g. looked-after children) to indefinite retention (e.g. the Planning Register). Sometimes the 'retention clock' starts ticking from the date the document was created, sometime from the date the folder it resides in was closed. Sometimes, during an enquiry or access request, the information is put 'on hold' and a different retention schedule might be picked up when the information is released from hold.
- 3.3.3 The Records Management Society has developed a set of 'Retention Guidelines for Local Authorities'². These are based on statutory grounds and common practice. However, they are only guidelines. Some Council services may have retention needs beyond the norm. Where current practice differs from the Guidelines the differences are worth investigation.
- 3.3.4 Often forgotten is the need to limit retention in data systems, particularly databases containing personal information. The ability to schedule the deletion of data is a requirement that should be written into specifications for all such systems.

3.4 Formats

- 3.4.1 Electronic file formats are short-lived entities. Each generation of software supersedes its predecessor, and while backwards compatibility is usually maintained for a generation or two, in 10 or 15 years today's Word document or CAD file will not be readable on the desktop software of the time.
- 3.4.2 There are methods of coping with format obsolescence: format conversion and software emulation. Format conversion requires the migration of documents from one format to another – maybe an earlier Word version to a later one, or a Word document to PDF. This necessitates a constant technology watch, so that formats can be converted before their software is lost.
- 3.4.3 Preservation planning favours the use of long-term formats such as PDF, TXT, TIFF, HTML or XML. Emails should be saved in shared drives (or EDRM) in HTML or TXT formats. For documents that require reuse the best method may be to create duplicate formats, for example PDF for longevity and Word for reusability.
- 3.4.4 Software emulation is another option. There are viewers already for obsolete formats such as WordPerfect or WordStar and there is hope that one day an all-purpose emulator will let us view, if not reuse, our out-of-date file formats.

3.5 Media

- 3.5.1 Off-line storage media such as CDs and tapes are not suitable for long-term retention.
- 3.5.2 Media suppliers often quote long lifecycles for their products. These are largely irrelevant. The technology of storage media often has a shorter lifespan than the media it uses.
- 3.5.3 New computers are no longer issued with drives for 3.5 inch disks, and we have no way of reading their predecessors the 5.25 inch and 8 inch disk. CD drives are being replaced with DVDs. Magneto-

¹ BS ISO/IEC 17799:2005 Information technology. Security techniques. Code of practice for information security management. From www.bsi-global.com

² Retention Guidelines for Local Authorities www.rms-gb.org.uk/signs/local-government/resources

optical disks have passed through several generations each with different size and capacity as have magnetic tapes. The media we use today will not be readable in 10 or 20 years time.

- 3.5.4 Fortunately the cost of online storage has reduced to the point where offline storage media are not needed. Growing storage volumes are a problem but are more an issue of backup times than disk space costs.
- 3.5.5 If near-line or off-line storage is required for any reason, then fast and proven export methods are a pre-requirement of any implementation.

3.6 Preservation

- 3.6.1 Preservation of information is an issue of growing concern as more and more information goes electronic.
- 3.6.2 Paper files, given protection from fire and flood, are likely to last many decades before they become illegible. The use of archive (non-acidic) paper and plastic tags can extend their life even longer.
- 3.6.3 For electronic information, preservation is more complex and is an issue to which there are no easy solutions yet. In essence, electronic preservation is a matter of overcoming the obsolescence built into formats and media.
- 3.6.4 Any software implementation project must include preservation planning, to ensure that information is not locked into obsolescent formats and media. Preservation planning must ensure the use of long-term formats and on-line or fast-access near-line media. It must include a 'technology watch' to identify documents in obsolescent formats and provide the means of carrying out bulk migration or conversion on the documents identified.
- 3.6.5 EDRM provides the best hope for document preservation. The metadata in EDRM systems enables records managers to identify document types and formats. The records management functionality enables them to carry out bulk movement or conversion on the obsolescent document types found.
- 3.6.6 Each Council service should carry out an information audit to find out (among other objectives) what information is currently stored in CDs, tapes and other offline media, so that plans can be put in place to upload their contents to online storage.
- 3.6.7 The National Archives is leading on preservation methods and has issued guidance on its website³.

3.7 Databases

- 3.7.1 Data in databases is not too hard to preserve, as most databases are held online. However, the software application and the supporting database and operating system will all become obsolete over time and data will need migration every 7 years or so to new databases, new operating systems and new applications.
- 3.7.2 There are two risks that are sometimes overlooked. It is tempting to leave old data in the current application while starting afresh with its successor. This is not a sustainable solution. The superseded database will not be supportable for long and when the hardware fails it may be too late to extract the data.
- 3.7.3 The other risk is archiving. Archiving methods vary greatly but if data is archived to off-line media then obsolescence is a high risk. If archiving is to on-line storage there is still the danger that it might not be reloadable after changes to the live database.

3.8 Data Quality

- 3.8.1 Data quality is an issue for data in databases and metadata in EDRM systems. The criteria for data quality are completeness, validity, consistency, timeliness and accuracy.

³ National Archives preservation guidance www.nationalarchives.gov.uk/preservation/advice/digital.htm

- 3.8.2 This last, accuracy, is one of the common weaknesses in database applications. Accuracy can be improved by: -
- Validating data entry: by look-up lists, address matching etc.
 - Automating data entry: from electronic forms
 - Automating the exchange of data: by integrating systems.
- 3.8.3 Consistency is required not only within databases but between them. Standardised data will enable the Council to exchange data between services, join up front and back offices and collate information into data warehouses. In many cases data is a local part of a national initiative (e.g. the National Land and Property Gazetteer) that requires compliance with an external standard data model.
- 3.8.4 Timeliness is achieved by updating systems whenever information is received or data changed. Using a single central source for people and property data, integrated into line of business systems, will assist with accuracy and timeliness.
- 3.8.5 Data should conform wherever applicable to the Government Data Standards Catalogue (GDSC)⁴.
- 3.8.6 GDSC standards include the property references (BS7666)
- Names and addresses
 - Person identifiers
 - Dates and times.
- 3.8.7 For the metadata in an EDRM system the e-Government Metadata Standards prescribes the standard data fields and GDSC, along with IPSV (see Technical Standards above), prescribes much of the contents. There is a metadata standard ISO 23081 2006⁵, which will provide assistance in setting up Leeds-specific or service-specific metadata.

3.9 Emails

- 3.9.1 Email folders are not a suitable place to keep records. They create separate 'silos' of information available only to one member of staff. They are not shared for joined-up working, not available to FOI and DPA searches and difficult to hand over to successors in post.
- 3.9.2 All emails of record, i.e. not transient emails and circulated memos, should be saved onto shared drives or an EDRM system.
- 3.9.3 It is easier to save emails to an EDRM system. The system automatically captures the subject, sender, recipient, data and time. It captures the attachment as well as the message and links them together. Internal emails do not need attachments, but (if everyone is on the same EDRM system) can use a URL link. That reduces the volume of attachment traffic and avoids the version control problems that happen when multiple versions of the same documents are emailed repeatedly to long distribution lists.
- 3.9.4 Email protocols are also required to prescribe the use of meaningful subject lines and text, to clearly distinguish emails to be actioned from emails for information only and to prevent long email chains. Instructions on the use of out-of-office messages will be required.

3.10 Legal Admissibility

- 3.10.1 Many Council documents might be required in court and it is not possible to accurately predict which ones. It is possible however to estimate the importance of document types and the risks attached to not finding them or not keeping them in an admissible form.
- 3.10.2 Legal admissibility is a matter of evidential weight. The medium the record is held on (electronic, paper or other) does not necessarily contribute to its evidential weight but the security and audit trail

⁴ Government Data Standards Catalogue www.govtalk.gov.uk/gdsc/html/frames

⁵ BS ISO 23081-1:2006 available from <http://www.bsi-global.com>

around the item does. There is a BSI Code of Practice for Legal Admissibility and Evidential Weight, released in 1999 as PD0008 and revised in 2004 as BIP 0008⁶.

- 3.10.3 The Lord Chancellor's Code of Practice under Section 46 of the Freedom of Information Act also recommends BIP 0008, especially for those records likely to be required as evidence.
- 3.10.4 The code is divided into five parts:
- Representation of information
 - Duty of care
 - Business procedures and processes
 - Enabling technologies
 - Audit trails
- 3.10.5 BIP 0008 requires system features such as complex security and document-level audit trails which all EDRM systems can provide.
- 3.10.6 It also requires the writing of policies and procedures, especially around scanning, and the training of all staff to ensure that these procedures are followed. Quality control procedures and training are easier to implement where scanning is centralised into a dedicated team, rather than distributed among a large number of local administrative staff.
- 3.10.7 An Information Audit can be used (among other objectives) to identify documents requiring legal admissibility and ensure that they are either retained on paper or captured into an EDRM system using BIP 0008-compliant procedures.

3.11 Information Sharing

- 3.11.1 The Council interacts with the public, with commercial partners, with other councils, with schools, with the health service, with police and fire authorities, with the department for Communities and Local Government, with contractors and consultants and with community organisations.
- 3.11.2 Services require information sharing protocols, to decide what information can be shared and with whom. Within the rules of the protocol, Individual Sharing Agreements are required to cover the sharing of information between any two (or more) parties.
- 3.11.3 If information is passed to commercial organisations, then it must be done so fairly and in accordance with the Re-use of Public Sector Regulations (see above).
- 3.11.4 Social Services must have information sharing protocols for the case file information shared with schools, police, other authorities and the health service. See the 'Leeds Interagency Protocol for Sharing Information' on the intranet.
- 3.11.5 A template for Information Sharing Protocols can be found on the Home Office website⁷.

3.12 Intellectual Property Rights

- 3.12.1 Intellectual property laws cover copyright, designs, patents and trade marks. The law most likely to be breached in local authorities is copyright. Copyright law⁸ protects material such as literature, art, music, sound recordings, films and broadcasts.
- 3.12.2 Copyright is automatically conferred. The author or creator does not have to apply for it and the material does not have to state it.
- 3.12.3 Copyright applies to any medium. You must not reproduce copyright protected work in any medium without permission. This includes photocopying protected documents, publishing photographs on the internet, downloading documents from the internet or putting scanned newspaper articles online.

⁶ BIP 0008:2004 Code of Practice for Legal Admissibility and Evidential Weight of Information Stored Electronically www.bsi-global.com/en/Standards-and-Publications/Industry-Sectors/ICT/ICT-standards/BIP-0008-1/

⁷ Home Office Crime Reduction Information Sharing web pages www.crimereduction.gov.uk/infosharing/infosharing00.htm

⁸ Copyright, Designs and Patents Act 1988 www.opsi.gov.uk/acts/acts1988/Ukpga_19880048_en_1.htm

- 3.12.4 There is an assumption that publishing a document on the internet automatically waives copyright. That is not the case. If a document, photograph or piece of music on the internet is not clearly intended for free public use, then permission must be sought.
- 3.12.5 The greater dangers to the Council are in the reproduction of purchased reference material, such as books, CDs, photographs or newspaper articles. These should not be copied or put online unless the Council owns the copyright or has permission to use the material.
- 3.12.6 For material created for the Council, such as photographs and designs, the owner must be decided (originator or Council) and their rights protected. In EDRM systems there are metadata flags to store IPR information.

3.13 Information Content

- 3.13.1 So far the issues in Information Governance have been to do with the management of information. Also important is the need to improve the content of information.
- 3.13.2 There are various ways to improve content: -
- Set up Word templates for standard documents such as meeting papers, management reports, memos, letters and faxes to ensure consistency of structure and content. Templates should prescribe the structure of the document, the titling, headers and footers and version numbering. Templates used in conjunction with EDRM systems can pass the header information into EDRM metadata.
 - Set up version control standards, prescribing the use of version control for all changed documents and the format of the version numbering. EDRM helps here by controlling versions and ensuring that only the latest version is immediately visible.
 - Draw up an email protocol to prescribe the format and content of emails (see Emails above) to ensure that the content and particularly the subject line are meaningful, to clearly identify emails for action and emails for information only and to avoid the creation of long email chains.
 - Set up naming conventions for file titling in shared drives to include title, date, author and document type. In EDRM systems, this will be less onerous as the data, author, title and document type will be captured in the metadata.

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Leeds City Council Information Governance Framework

Section 4

The Information Governance Framework

THE INFORMATION GOVERNANCE FRAMEWORK

4.1 The Framework

- 4.1.1 The Information Governance Framework provides the intellectual architecture which governs how Leeds City Council captures, creates, accesses, secures, manages and shares its information both internally and externally.
- 4.1.2 The Leeds Framework has been developed based on best practice models adopted nationally. These include the NHS Information Governance Toolkit and the draft Local Government Information Governance Toolkit. Further development of these models within the context of Leeds has also be aided through a similar exercise being conducted on a West Yorkshire basis through the West Yorkshire Information Management Forum.
- 4.1.3 The Framework is structured around 6 areas of Information Governance as follows:
- Information Governance Management
 - Records Management
 - Information Compliance
 - Information Security
 - Data Quality & Assurance
 - Information Sharing
- 4.1.4 Details on each of the six areas are outlined below. For each, a rationale as to why it is a key competent of the Framework is provided, this is followed by the objectives that are sought through delivery of the Framework and the supporting policies and procedures that will enable the framework to become real within the organisation.

4.2 Information Governance Management

Rationale for Information Governance Management

- 4.2.1 This covers the management of information governance at a corporate, managerial and operational level across the organisation. It is one of the fundamental component of the Framework as it will provide the necessary ownership and advocacy functions that can be used to ensure the promotion, development and implementation of the appropriate information governance infrastructure is delivered across the organisation.

Objectives for Information Governance Management

- 4.2.2 The following outline the required objectives to ensure delivery of an appropriate Information Governance Management function:

REF	Objective
IMG 1	Leeds City Council has a formally recognised corporate Information Governance Group with agreed Terms of Reference. The Group should sit in an appropriate place within the broader Corporate Governance arrangements
IMG 2	The Information Governance Group has access to the necessary expertise across all six areas of the Framework
IMG 3	Leeds City Council has an approved Information Governance Framework
IMG 4	Leeds City Council has an approved Information Governance Statement
IMG 5	Leeds City Council has an approved Information Management Policy

IMG 6	There are clearly defined corporate and managerial stewardship responsibilities for information governance across Leeds City Council.
IMG 7	Leeds City Council has an approved corporate information governance improvement plan that is managed and monitored by the information governance group
IMG 8	An established review process exists to maintain the currency of the Information Governance Framework within the Council.
IMG 9	Staff induction procedures across the Council effectively raise the awareness of information governance and outline individual responsibilities contained therein.
IMG 10	Core information governance competencies are built into all Job Descriptions and an appropriate Training and Development programme established to facilitate their delivery.

Policies and Procedures in support of Information Governance Management

4.2.3 The following policies and procedures are required within Leeds City Council to ensure delivery of the 10 Information Governance Management objectives outlined above.

- Corporate Information Governance Group Terms of Reference
- Leeds City Council Information Governance Framework
- Information Governance Framework – Policy Review Procedure
- Leeds City Council Information Governance Statement
- Leeds City Council Information Management Policy
- Corporate Information Governance Improvement Plan (3 yearly)
- Information Governance Stewardship and Accountability Framework
- Information Governance Skills and Competency Framework
- Information Governance Workforce Development Plan
- Information Governance Training and Development Programme.
- Information Governance Induction procedure
- Information Governance – staff guidance manual

4.3 Records Management

Rationale for Records Management

4.3.1 Records Management covers the process of creating, describing, using, storing, archiving and disposing of organisational records according to a defined set of standards (usually adherence to ISO 15489). It is one of the fundamental components of the Information Governance Framework as it ensures the Council's record sets enable adherence to compliance rules and statutory access requirements as well as protecting an organisation's corporate memory for re-use.

Objectives for Records Management

4.3.2 The following outline the required objectives to ensure delivery of an appropriate Records Management function:

REF	Objective
RM 1	Leeds City Council has an agreed ISO 15489 compliant Records Management policy.
RM 2	Leeds City Council has agreed and implemented a Business Classification Scheme which incorporates security (access and permission) rules.
RM 3	Leeds City Council has agreed and implemented a Record Retention and Disposition Policy

RM 4	Leeds City Council has agreed and embedded corporate records management metadata standards which meet national standards as a minimum.
RM 5	Leeds City Council has agreed and implemented a Version Control Policy
RM 6	Leeds City Council has agreed and implemented a Security & Access Policy
RM 7	An established review procedure exists to protect the currency of the Records Management Policy within the Council
RM 8	Leeds City Council has documented procedures to ensure delivery of the Records Management policy. As a minimum, these should cover: <ul style="list-style-type: none"> • Storage and Handling • Preservation and Future-proofing • Audit and Tracking • Business Continuity • Legal Admissibility • Access and Retrieval
RM 9	Leeds City Council has deployed appropriate systems to manage the organisation's records in line with the corporate Records Management policy.
RM 10	A Controlled Business Vocabulary (or taxonomy) is developed and embedded within electronic document and records management to maintain the link between business usability and the Business Classification Scheme
RM 11	Leeds City Council has a Records Management function that has the required capacity to develop, implement and embed the Records Management policy across the organisation
RM 12	Core Records Management competencies are built into appropriate Job Descriptions and a suitable Training and Development programme established to facilitate their delivery.

Policies and Procedures in support of Records Management

4.3.3 Further to those established for Information Governance Management, the following policies and procedures are required within Leeds City Council to ensure delivery of the 12 Records Management objectives outlined above.

- Corporate Records Management Policy
- Records Creation Policy
- Records Capture Policy
- Business Classification Scheme
- Records Retention and Disposition Policy
- Records Security and Access Policy
- Storage and Handling Procedure
- Preservation and Future-Proofing Procedure
- Audit and Tracking Procedure
- Business Continuity Procedure
- Legal Admissibility Procedure
- Access and Retrieval Procedure
- Controlled Business Vocabulary
- Physical Preservation of Records

4.4 Information Compliance

Rationale for Information Compliance

- 4.4.1 Compliance covers the legal framework and the standards that need to be established to ensure information management is within the law. The Council manages and processes large volumes of confidential and sensitive information and knowledge about people. It must deal with this lawfully and ethically. Failure to do so could endanger individuals and can also increase risk, loss of reputation and litigation. The key legislation it must comply with includes the Data Protection Act, the Freedom of Information Act, the Human Rights Act, the Environmental Information Regulations and Re-Use of Public Sector Information Regulations.

Objectives for Information Compliance

- 4.4.1 The following outline the required objectives to ensure delivery of an appropriate Information Compliance function:

REF	Objective
	INFORMATION RIGHTS (Includes DPA/FOI/EIR/RIPA/PIR etc)
IC 1	Leeds City Council has an approved and monitored Access to Information policy which sets out corporate procedures, roles and responsibilities.
IC 2	Directorates will make sure that they have appointed dedicated officers who are responsible for managing and processing Access to Information requests. All such officers will have access to regular training on information rights legislation.
IC 3	Leeds City Council has a corporate framework for evaluating the public interest test for disclosing information through Access to Information requests in a consistent and transparent manner.
IC 4	All staff employed by Leeds City Council are aware and trained in the various rights of access to information and how these can be exercised inclusively.
IC 5	The public are made aware of their information rights and how to exercise them.
IC 6	Staff ensure that information is provided in the most appropriately accessible format within statutory timescales.
IC 7	Leeds City Council has an effective mechanism in place to consider appeals to withhold information under both FOI and EIR requests.
IC 8	Leeds City Council has a standard licence agreement to issue to external parties requesting information for further use under the Re-Use of Public Sector Information Regulations. The Information and Knowledge Management Team will maintain a register of information assets and audit compliance.
	STANDARDS
IC 8	Personal information is processed in a manner compliant with the Data Protection Principles.
IC 9	Intellectual property rights (e.g. copyright) are observed.
IC 10	All staff are made aware of and abide by their obligations under the Common Law Duty of Confidentiality.

Policies and procedures in Support of Information Compliance

- 4.4.2 Further to those established for Information Governance Management, the following policies and procedures are required within Leeds City Council to ensure delivery of the 10 Information Compliance objectives outlined above.

- Data Protection Policy
- Staff guidance to Data Protection

- Guidance and procedure to disclosures
- Guidance and procedure to subject access requests
- Public guide to subject access requests
- Freedom of Information Policy
- Staff guidance to Freedom of Information
- Guidance and procedure to disclosure and exempted information
- Procurement guidance
- FOI guidance for Members
- Guidance on Privacy Impact Assessments
- Environmental Information Regulations Policy
- Staff guidance to EIR
- Policy document on the Re-Use of Public Sector Information Regulations
- Regulation of Investigatory Powers Policy
- Staff guidance on RIPA
- Covert Surveillance Code of Practice

4.5 Information Security

Rationale for Information Security

- 4.5.1 Information security covers the policies and procedures in place to protect information and information systems from unauthorized access, use, disclosure, disruption, modification, or destruction. Adherence to the principles of ISO 270001 will deliver information security compliance. It is one of the fundamental components of the Information Governance Framework as it will ensure the Council is able to protect the confidentiality, integrity and availability of information within the organisation and when sharing with partners.

Objectives for Information Security

- 4.5.2 The following outline the required objectives to ensure delivery of an appropriate Information Security function:

REF	Objective
IS 1	There is an Information Security Policy in place based on ISO 270001
IS 2	Roles and responsibilities for adherence to the policy are clearly defined and an appropriate training and development programme is in place.
IS 3	There is an inventory of information assets, as defined in ISO 270001, supported by a Protective Marking Scheme
IS 4	Access control is in line with the security policy and the need for information dissemination and authorisation
IS 5	There is a Risk Management Framework in place and information security risks are incorporated.
IS 6	Security requirements are included in formal system acquisition, development and maintenance procedures
IS 7	Formal procedures are in place to avoid breaches of the law, statutory, regulatory or contractual obligations, and of any security requirements.
IS 8	There are procedures to report information security incidents and weaknesses and to escalate action on dealing with these. Staff are made fully aware of the procedures.
IS 9	There is a business continuity management process designed to limit the impact of, and recover from the loss of information assets.

IS 10	Operation procedures for the use of equipment is available to all users who need them. The procedures are documented and maintained.
IS 11	All changes to information processes are planned and implementation is effectively managed.
IS 12	There are controls in place for managing Third Party agreements
IS 13	There are appropriate physical security controls in place to protect information assets
IS 14	Networks are adequately managed and controlled to protect them from threats. Security is provided for the systems and applications using the network
IS 15	Information Security Management procedures are independently reviewed

Policies and Procedures in support of Information Security

4.5.3 Further to those established for Information Governance Management, the following policies and procedures are required within Leeds City Council to ensure delivery of the 15 Information Security objectives outlined above.

- Information Security Policy
- Information Security Manual/Staff Guidance
- Access and Permissions Security Policy
- Security of Third Party Access Policy
- E-Mail Code of Practice
- Internet Usage Policy
- Information Security Classification
- Anti-Virus Policy
- Code of Practice for Information Security Management
- Code of Conduct for the use of Software
- Code of Conduct for the use of IT Systems
- Code of Conduct for Mobile and Remote Working
- Code of Conduct for Systems Administrators

4.6 Data Quality and Assurance

Rationale for Data Quality Assurance

4.6.1 This set of requirements covers the need to ensure the quality, accuracy, currency and other characteristics of information products. It is one of the fundamental components of the Information Governance Framework as both staff and customers will be able to trust the validity and authority of information sources, and have confidence that it is up-to-date and accurate. It is important that the Council is able to measure the level of quality of its information resources and ensure they comply with relevant standards.

Objectives for Data Quality Assurance

4.6.2 The following outline the required objectives to ensure delivery of an appropriate Data Quality Assurance function.

REF	Objective
DQA 1	Leeds City Council has an agreed Data Quality Strategy and Policy.
DQA 2	Leeds City Council has a designated Data Quality Champion at executive level.

DQA 3	There are designated Data Stewardship roles with specific responsibility for data quality across the Council.
DQA 4	Data quality competencies are built into all job descriptions. Where colleagues have specific responsibilities around data, suitable training and development programmes are developed.
DQA 5	There are business continuity plans in place for all systems.
DQA 6	Minimum standards are set for the quality of data being shared with external organisations and there are standards for data quality applied to data being provided to the Council.
DQA 7	There are documented procedures and processes in place governing the capturing, recording and handling of data.
DQA 8	There are documented procedures for data collection activities and these procedures are monitored.
DQA 9	Data quality checks are incorporated into processes and procedures around the handling of data.
DQA 10	Leeds City Council has a set of metrics which can be used to assess the quality of data in key systems.
DQA 11	There are documented standards for the Council's data items to provide consistency across the systems and in reporting. Where national standards around data are not available local standards will be agreed.
DQA 12	Leeds City Council has a framework to enable the continuous assessment and regular monitoring of data quality.
DQA 13	Leeds City Council uses the appropriate technologies to support its data quality improvement activities.

Policies & Procedures and in support of Data Quality Assurance

4.6.3 Further to those established for Information Governance Management, the following policies and procedures are required within Leeds City Council to ensure delivery of the 13 Data Quality Assurance objectives outlined above:

- Data Quality Strategy
- Data Governance Strategy
- Data Quality Policy
- Leeds City Council Data Standards
- Data Sharing Policy
- Master Data Management Strategy
- Data Integration Policy
- Records Retention and Disposition Policy
- Business Continuity Procedure
- Information Security Policy
- Access and Permissions Security Policy
- Leeds City Council Information Sharing Protocol

4.7 Information Sharing

Rationale for Information Sharing

4.7.1 Information sharing covers the proper governance of information sharing practice across the Council; it is an essential component given that it deals with business activities involving the potential for

sharing personal information about our customers, staff and other stakeholders. Ensuring that our practice is of the highest standard, meeting with regulatory mechanisms such as the Data Protection and Human Rights Acts together with the Common Law Duty of Confidentiality, is essential in order to imbue confidence amongst those whose personal information is involved in such business processes.

Objectives for Information Sharing

4.7.2 The following outline the required objectives to ensure delivery of an appropriate Information Sharing function.

REF	Objective
ISG1	There is an agreed information sharing protocol in place setting out principles, operational procedures and key legislative considerations together with practical user guidance on the following: <ul style="list-style-type: none"> • Obtaining consent to share (including establishing fitness to consent); • Sharing without consent; • Access and security purposes; • Use of additional purposes; • Determining the “need to know”; • Completion of template information sharing agreements; and • Application of key legislative considerations.
ISG 2	Leeds City Council has a standardised, documented approach to information sharing in place and full use is being made of template guidance.
ISG 3	All information sharing agreements are completed in full detail setting out in particular the legal justification for each sharing exercise.
ISG 4	Each Directorate has a nominated trained practitioner available to give guidance on key legal issues in relation to justification for information sharing.
ISG 5	Each Directorate has an audit log of its information sharing agreements, recording sufficient detail of each exchange with particular regard to purpose, justification, nominated contacts and review period.
ISG 6	All information sharing agreements are centrally logged with the Information and Knowledge Management Team.
ISG 7	All information sharing agreements are reviewed in the month prior to expiration to ensure continued validity.
ISG 8	A mechanism for reporting breaches of the protocol and/or specific agreements is documented, agreed and in place for both internal and external parties.
ISG 9	A mechanism for monitoring the operation and effectiveness of the protocol is documented, agreed and in place.
ISG 10	Directorates will, on request, provide assurances that agreed procedures and practice are being followed.
ISG 11	Operation of the Information Sharing Protocol is included as a standing item on the agenda of the Information Governance Group in order to address on a regular basis any issues that may arise.
ISG 12	All nominated practitioners are properly trained and equipped in order to provide effective advice and guidance.

ISG 13	A training package is developed and in place for all staff involved in day to day information sharing.
ISG 14	An outline of the protocol and operational procedures is included in the staff induction process.

Policies & Procedures in support of Information Sharing

4.7.3 Further to those established for Information Governance Management, the following policies and procedures are required within Leeds City Council to ensure delivery of the 14 Information Sharing objectives outlined above:

- Leeds City Council Information Sharing Protocol
- Information Sharing Protocol – review procedure
- Corporate Operational Procedures for Sharing Information; (comprising):
 - *Procedures for sharing information*
 - *Access and security procedures*
 - *Procedure for management and review of the protocol*
- Corporate Information Sharing Agreement Template
- Procedure for logging information sharing agreements within the organisation and Directorates
- Breach Rectification Procedure
- Training for practitioners on legal considerations
- Guidance manual for operational staff

Leeds City Council Information Governance Framework

Section 5

Support Arrangements

SUPPORT ARRANGEMENTS

5.1 SKILLS AND COMPETENCY FRAMEWORK

IKM Skills and Competency Framework

October 2008

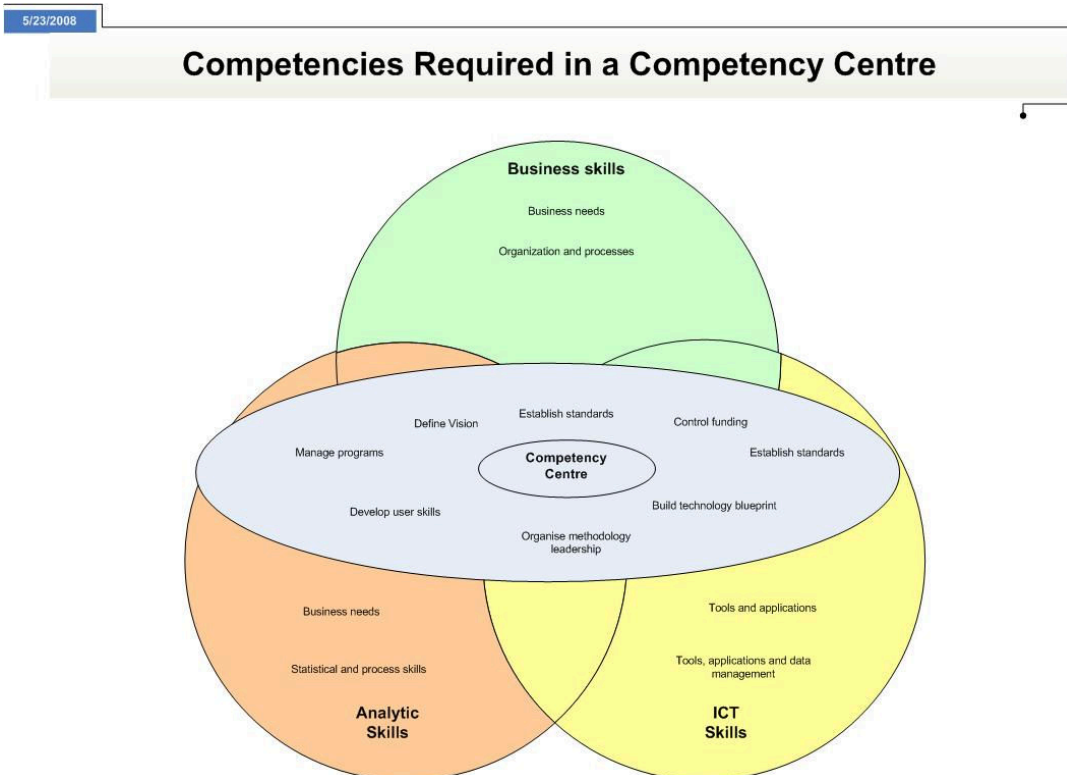
1.0 BACKGROUND

- 1.1 The Council can be described as being information rich but intelligence poor. Whilst we may be suffering from 'information glut' in terms of the volume of data and information we hold, we currently do not leverage this data and information and exploit it for the benefit of the Council and its customers. Consider the amount of hard copy records the Council holds; the information stored in electronic documents; databases; spreadsheets; emails and the knowledge and information locked away in people's heads. We currently don't have any overall structure to this information, any overarching policy that states how this information should be managed and stored, when it should be disposed of, who is responsible for it, how up-to-date it is etc. This clearly impacts our organisational effectiveness.
- 1.2 The Gartner Group (Global IT Consultancy), talk about Information being the 4th Estate. In the same way that organisations look after their finances, people and capital assets they should also look after their information. Information poorly managed or not managed at all becomes a liability to an organisation.
- 1.3 In order to maximise the use of data and information as an organisation, we need to 'look after' it in a much more strategic way. This means, developing an appropriate Information Governance Framework with corporate policies that are, over time rolled out throughout the organisation. In order to do this effectively, the organisation needs to have in place an appropriate Information Management Structure that is built around people with the right skills and competencies.
- 1.4 In managing our information more effectively our greatest challenge lies in the cultural shift we need to make towards recognising that the information created and used within the organisation is not owned by any one individual, team, service or department. It is an asset of the organisation and should be used as such. Consequently, we need to move towards greater openness and transparency in the way that we share this knowledge and information. In this way we will over time, be able to leverage the value from this information and create a collaborative and learning environment. This is fundamental to the delivery of the Information and Knowledge Management (IKM) agenda within the Council.

2.0 AN ORGANISATIONAL MODEL FOR IKM IN LEEDS

- 2.1 The Council Change programme presents an opportunity to fundamentally address the issue of how the Council will ensure Information Management becomes integral to a 'fit for the future' organisation; moving away from being 'information rich' to being 'intelligence rich.'
- 2.2 The proposed model for making this happen is to establish an IKM Competency Centre, which is an adaptation of a best practice model. The idea of a Competency Centre is that it brings together people from a variety of disciplines and with a range of skills to work on a common agenda.
- 2.3 An IKM Competency Centre is Business led rather than ICT led and will draw on the ICT specialist skills required to ensure that the necessary technical infrastructures and technical deployments are delivered.
- 2.4 Whilst there are a number of different Competency Centre Models to fit a wide range of organisations, the model most suited to Leeds, particularly in light of the change programme is that of the Distributed Competency Centre. This would see a core (virtual) team within the Central and Corporate function with teams in each of the strategic directorates with direct links into the core team.
- 2.5 Alongside the formal structures of the Competency Centre are a number of connected roles that could be described as quasi members of the Competency Centre. These roles would include:
- Members of the Corporate Leadership Team particularly the Information and Knowledge Management Champion.
 - Information Management specialists working across a range of disciplines (within business areas and ICT)
 - Stewards - stewardship responsibilities are discussed below.
- 2.6 This distributed model would allow both IKM strategic policy development (driven by the core team) and the roll-out of policy and practice (driven by the distributed teams). In this regard the distributed teams would fulfil information management 'expert roles'.

2.7 The diagram set out below illustrates how Business Skills, ICT Skills and Analytical Skills should be brought together into a Competency Centre. The integration of these specialisms mean that there is a coherence to IKM strategy and policy development as well as decisions about priorities and end-to-end delivery. Gartner state that, “A Competency Centre that is not created with a balance of authority and power between business, technology and analytics members will not achieve its maximum potential.” They also identify the involvement of users as crucial to the successful deployment and delivery of Information and Knowledge Management initiatives.



2.8 Points to note about the model:

- The Core Competency Centre should have a balance in skill sets and be empowered to deliver the Information and Knowledge Management Agenda
- The Competency Centre should report to a main business executive.
- The Competency Centre needs to have a stable core and be flexible enough to adapt and respond to meet the priorities of the organisation.

2.9 The benefits that a distributed IKM Competency Centre can bring are as follows:

- There is demonstrable evidence that the Council takes IKM seriously (the 4th Estate);
- There is a dedicated resource to improving the Council's approach to IKM at both a strategic and operational level;
- There is a dedicated resource for IKM strategy and policy development that meets the needs of the 'fit for the future' organisation by being adaptive to emerging agendas;
- There is clarity regarding the types of skills and competencies that are required to deliver the agenda;
- There is an identifiable resource within each of the Strategic Directorates with the skills and competencies to provide support, guidance, expertise, training and stewardship for functions and services;
- Skills and competencies within the organisation can be organised so as to improve capacity and enhance the corporate resource.

2.10 Given the above, the roles and responsibilities of a distributed Competency Centre can be articulated as follows:

The core team

- The core team would be located within the Head Office;
- The team would be responsible for the development of strategy and policy in relation to IKM;
- The team would have responsibility for Information Management Stewardship at a strategic level;
- The team would facilitate and support deployment of technical solutions in relation to Enterprise Content Management, Business Intelligence and Collaboration/Learning;
- The team would develop the underlying Information Governance framework required to underpin any technical deployments;
- The team would be responsible for setting out the strategies and policies to improve data quality within the Authority;
- The team would have corporate capacity in the areas mentioned in 2.7 above;
- The Core team would work closely with colleagues within the distributed teams to roll out policy and practice and provide support and guidance;

The distributed teams

- The distributed teams would be located within each of the Strategic Directorates.
- They would be responsible for rolling out corporate IKM policy, practice and technology within the functional / service areas they work with.
- They would be responsible for Stewardship in relation to Information Governance.
- They would provide a feedback loop into the core team to ensure the corporate IKM framework continued to meet the needs of the Strategic Directorate's agenda.
- The teams would have capacity that would also include the following areas;
 - Improving Data Quality
 - Freedom of Information
 - Data Protection
 - Records management, including, maintenance of retention and disposition policies and classification schemes for file plans.

2.11 As stated above, in order for the Council to start to recognise the value of its information and knowledge there are a number of building blocks that need to be put in place.

- Firstly, that IKM is recognised as fundamental to the Council achieving its ambitions for the future.
- Secondly, that the Council puts in place a structure that ensures that IKM is placed appropriately within the organisation; with both strategic policy direction and practical deployment; and
- Thirdly, that the Council identifies the skills and competencies required to deliver the agenda, brings them together where they already exist and develops / recruits them where they don't.

2.12 It is obviously the case that relevant IKM skills and competencies already exist within the Council with colleagues whose roles and responsibilities reflect this. However it is also the case that these roles and responsibilities are in a number of areas mere 'add-ons' to existing roles, with little attention paid to the knowledge, skills and competencies required to be fully effective in the role.

2.13 Given this, what follows outlines the 'types' of skills and competencies required in the 'fit for the future' Council to effectively manage our information and knowledge assets.

3.0 INFORMATION AND KNOWLEDGE MANAGEMENT SKILLS AND COMPETENCIES

3.1 To effectively deliver the IKM agenda, specific skills and competencies are required. These should be viewed as skills and competencies not just for the present (i.e. to address an immediate issue), but thought about more fundamentally as skill-sets to develop/recruit to both now and over time in order that the Council is equipped to fully realise the strategic value that exists within its information and knowledge.

3.2 Whilst some of these skills and competencies will have to be developed/recruited into the organisation, some will need to be re-invigorated for the 21st Century; especially those skill-sets that were allowed to diminish within the organisation with the onset of Desktop PCs (e.g. Document and Records Management skills and competencies).

3.3 A range of skills and competencies will be required depending on the different role and responsibilities that need to exist. For example some roles will require highly specialist skills (e.g. data integration); whereas other roles will require less specialised and more generalist skills across a

wider range of IKM issues (e.g. strategic policy development). There will also be roles that demand versatility; for example, having the skills and competencies to move between generalist and specialist roles dependent on the projects / initiatives being worked on. It is intended (as indicated in the matrix attached at appendix 1) that these levels are indicated by the range of one to five. One, being a basic awareness level and five being a highly specialised level.

- 3.4 Furthermore to the above, there will also be a general need for all colleagues within the organisation to have a basic level of knowledge of what the Council's approach is to managing its information and knowledge and what is expected of them as creators, users and providers/receivers of information and knowledge.
- 3.5 In terms of the specific skills and competencies that will be required to deliver the IKM agenda, a matrix has been produced (attached at appendix 1) which shows what is likely to be required to fulfil the range of roles and responsibilities that will be required.
- 3.6 The skills and competencies detailed in this matrix have been grouped around a number of key Information and Knowledge Management roles. However, it is expected that a wide range of roles may, over time, come to incorporate these sorts of skills and competencies. Such an example is the Stewardship role. These roles should play a vital role in ensuring that data, information and intelligence is managed and used appropriately and as an organisation we derive the best value from it. The concept of Stewardship and the associated roles and responsibilities is discussed in more detail at Section 4.0.
- 3.7 In reality, the Council could develop and put in place a range of strategies, policies and technologies to improve the way we store, manage, use and share our information and yet we may not realise the benefits of this effort. The difference will be seen if there is a shift in the culture within the organisation that sees information looked after and utilised as a strategic asset and there are individuals across the organisation who have responsibility and are accountable for the quality of data, information and intelligence. These roles are Stewardship roles - the trustees of our information assets.

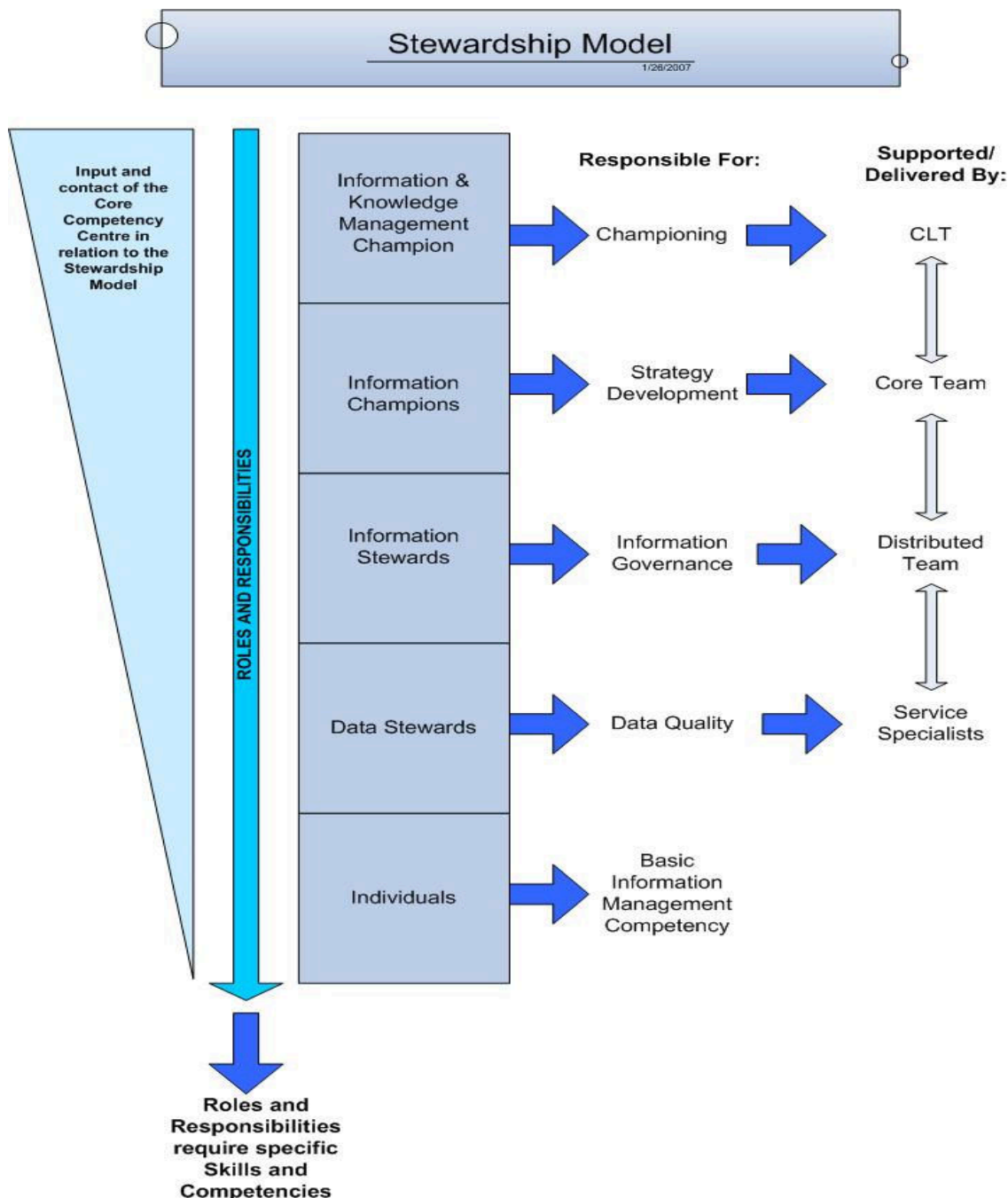
4.0 STEWARDSHIP - WHAT IS IT AND WHY DO WE NEED IT?

- 4.1 Stewardship is the act of 'taking care of something'. Applied successfully it can ensure that there is a robustness to information quality that means that both data and information is an asset to the organisation.
- 4.2 Stewardship is most commonly applied to data quality and in this regard, Gartner state:
- Most enterprises are realising that poor data quality is a significant inhibitor to the success of strategic business initiatives. Data quality issues make it difficult, if not impossible, to generate business value from customer relationship management (CRM), business intelligence (BI) or any effort requiring significant integration of data.*
- 4.3 This issue has been picked up by the Audit Commission who are keen – through CPA – to assess how the authority as a whole address data quality (and not just for statutory performance indicators); how this is managed, what strategies and policies are in place and how effectively these are put into practice across the whole organisation.
- 4.4 In 2006/07 the Audit Commission introduced Data Quality Key Lines of Enquiry (KLOEs) for the first time. Explicit and implicit within these KLOEs is the expectation that Local Authorities have assigned responsibilities at various levels of the organisation for data quality.
- 4.5 Given the above, it is clear that formal stewardship roles and responsibilities performed by individuals with appropriate skills and competencies will be an investment in our information assets. To take this forward within the Authority, it is proposed that an appropriate Stewardship framework is developed to support and embed the Skills and Competency Framework and is applied to both data quality and information quality. By developing such a framework, the Council will develop both data and Information stewardship arrangements to meet the KLOE requirements.
- 4.6 If such an approach were to be adopted within the authority, the likely roles and responsibilities of both information and data stewards would be as follows:
- To act as trustees (not owners) of manageable sets of information and data and ensure adequate quality is maintained to support the business.

- To work towards clear targets for information and data quality and be accountable for these.
- To facilitate the embedding of information and data quality in operational processes
- Be visible and respected within the organisation and seen as the leaders of information and data quality improvement efforts
- Where appropriate, undertake co-ordinated stewardship activity and develop stewardship policy at a strategic level.

5.0 STEWARDSHIP ROLES IN LEEDS

5.1 Taking the IKM Competency Centre model outlined above, it is envisaged that Stewardship responsibilities could operate as illustrated in the diagram below:



5.2 The diagram shows the various levels of stewardship responsibilities required as well as the roles envisaged for the different elements of the Competency Centre. Taking each in turn, their roles and competencies will be:

Information & Knowledge Management Champion

- 5.3 The Overall Information and Knowledge Champion will be the Assistant Chief Executive (Policy, Planning and Improvement). It is important that the agenda gets the highest profile and that there is a commitment to make things happen. By assigning responsibility at such a senior level it sends out the signal that the Council is serious about this agenda and can see the value in investing in it.
- 5.4 Listed below are a number of competencies that would be required from an Information and Knowledge Management Champion:
- Understanding of Information Governance including legislation, data sharing etc
 - Understanding of the:
 - Document and Records Management;
 - Business Intelligence;
 - Collaboration agendas; and
 - the application and use of related technologies
- 5.5 These competencies would be complemented by specific skills and clear outlines of role and responsibilities.

Information Champions

- 5.6 The model shows that there would be Information Champions for the following major information and data types:
- person
 - property
 - staff
 - finance
- 5.7 In terms of types of information, the majority of our data and information could be classified under one of these headings. Implicit within any discussion about these types of information is the fact that they cut across our organisational structure - whatever the structure. Trying to 'look after' and improve information across these areas will logically mean that there will need to be a greater level of co-operation and sharing of best practice across the organisation.
- 5.8 Managing our data, information and intelligence in this way will require high level championing and the commitment to ensuring that the best use is made of accurate and reliable data and information and that the organisation is able to benefit from the sharing of this information. In order to secure this high level championing these Information Champions should also sit on the Corporate Leadership Team (CLT).
- 5.9 The competencies required would reflect the competencies listed above for the Information and Knowledge Management Champion, whilst some of the specific skills, levels of skill and responsibilities required will be different.

Information Stewards

- 5.10 Information Stewards will be senior officers, typically heads of service. In the course of their existing role they will have responsibility for legacy systems such as the Academy system holding Benefits data. Information Stewards will be responsible for ensuring that data and information they look after is stored, made accessible, of good quality, shared, disposed of and used in compliance with any relevant standards or legislation.
- 5.11 Listed below are the competencies that would be required from an Information Steward:
- Understanding of Information Governance including legislation, data sharing etc
 - Understanding Records Management principles and the application and use of related technologies
- 5.12 There would be a corresponding set of skills, skill levels and responsibilities under these competencies and these will be more detailed than those prescribed for the Information and Knowledge Management Champion and Information Champions.

Data Stewards

- 5.13 Data stewards will be responsible officers, with the appropriate skills, based in services who as part of their day to day role work closely with a particular data set (eg Benefits data). They will be responsible for improving the quality of data in their immediate area, managing access and permissions controls, ensuring data standards are adhered to and understanding the type, format and meaning of data held.
- 5.14 The competencies that would be required from a Data Steward are as follows:
- Understanding of Information Governance including legislation, data sharing etc
 - Understanding of Data Management principles
- 5.15 The specific skills, levels of skill and competencies would be defined under these competencies.

Individuals

- 5.16 Individuals will, going forward will be made aware of their role and responsibilities in terms of Information Management. Individuals will be responsible for looking after data and information they create, use and share in accordance with the Council's policies. The introduction of a Core Information and Knowledge Management Competency is considered to be an important move to raise the profile of the importance of Information Management across the Council. Furthermore, the introduction of Information and Knowledge Management briefings as part of the new starter induction process as well as the incorporation of relevant Information and Knowledge Management related objectives within appraisals are also seen as important avenues for raising awareness and gaining commitment to how we manage and use our information assets.
- 5.17 Given the above, the development of a Stewardship function within the Council around the Information and Knowledge Management agenda to support the distributed Competency Centres will be instrumental in ensuring the information created, used and shared by the organisation is treated as a corporate asset of strategic value.

6.0 NEXT STEPS

- 6.1 The issues discussed above represent a change in culture for the Council and requires a different approach to how we perceive and value information. Overall it requires a commitment to appropriately organise resources to provide assurance that the information we use to make decisions is well managed, organised, robust, has integrity and is usable and accessible to those people who need it.
- 6.2 Given this, the following next steps will be taken:
- The concept of the distributed Competency Centre is developed in line with the One Council approach.
 - Specific responsibilities within each 'part' of the Competency Centre will be clearly defined and allocated.
 - A skills gap analysis is made comparing current skills capacity within the organisation to what is ideally required.
 - A 'Chief Information and Knowledge Management Champion' is engaged and work is started with them to develop their role, responsibilities and competencies.
 - Appropriate data stewards for all main legacy systems within the Council (e.g. Council Tax, Benefits etc.), are identified and work started with them on their roles, responsibilities and competencies
 - Work is started with Corporate HR and Communications to identify ways to engage all colleagues in the IKM agenda to build their general understanding and also their responsibilities as employees of the Council in creating, managing, using and sharing information.

**IKM Skills and Competency
Framework**

Appendix 1

Draft S&C Matrix

Information and Knowledge Management

Skills and Competencies Matrix

Competency	Skill	Level of skill required					Core Comp	Dist Com Centre
		1	2	3	4	5		
Core Competency: Information and Knowledge Management								
Business Skills								
Strategic Policy Development	Link organisational objectives to strategic policy development							
	Role of best practice models into organisational context							
	Research skills							
	Strategy and Policy Development							
	Identification of resources to support I&KM initiatives							
Business Change	Identification of opportunities to develop I&KM initiatives							
	Information and Knowledge Management Agenda							
	Programme Management							
	Business Change Management							
	Translate business requirements into project deliverables							
Information Governance								
Information Governance	Operational Information Governance policies e.g. retention and disposition							
	Freedom of Information (FOI) legislation							
	Data Protection (DPA) legislation							
	Subject Access Requests							
	Information Governance frameworks to support I&KM initiatives							
	Records management principles							
	ISO 15489/ 0008							
	Retention and disposition policy and procedure							
	Classification schemes							
	Meta data standards							
Records Management	Effective search and retrieval methodologies							
	Technologies to support Document and Records Management (DRM)							
	Data quality issues							
	Data quality metrics							
	Data quality standards							
	Data profiling							
	Data integration issues							
	Information/ data sharing issues							
Business Intelligence								
Business Intelligence	Knowledge of the 5 styles of Business Intelligence (BI)							
	Knowledge of performance management principles							
	Knowledge of technologies to support BI							

Level 1 = Understanding of
 Level 2 = Application of
 Level 3 = Interpretation/Analysis of
 Level 4 = Influence/Advise
 Level 5 = Set policy/strategise

Competency	Skill	Level of skill required					Core Comp	Dist Com Centre
		1	2	3	4	5		
Core Competency: Information and Knowledge Management								
Content Management: Skills & Competencies to be identified as agenda progresses								
Collaboration and Learning: Skills & Competencies to be identified as agenda progresses								
Analytical Skills								
Data Interrogation	Exploration of data to discover patterns							
	Use of technology to exploit data							
	Data mining techniques; statistical analysis distribution and factor analysis							
	Spatial data analysis							
Data Interpretation	Distil relevant information and make recommendations							
	Cause and effect relationships							
	Data types across the organisation							
	Impact that the volume and reliability of data has							
Data Analysis	Build on-line analytical processing or multi-dimensional analysis							
	Techniques, ranging from simple data aggregation via statistical analysis to complex data mining							
	Advanced data analysis skills – evaluating statistical analysis distribution and factor analysis							
	Validation (during modelling and deployment) of analysis							
	Contextualisation of data analysis							
	Business Process Engineering							
Process Improvement	Business Process Management							
	Business Activity Monitoring							

Level 1 = Understanding of
Level 2 = Application of
Level 3 = Interpretation/Analysis of
Level 4 = Influence/Advise
Level 5 = Set policy/strategise

Leeds City Council Information Governance Framework

Appendix 1

The Information Governance Toolkit

Evidence-Based Scoring System for Assessing Information Governance Compliance

Level	Scoring Statement	Evidence	How?	Tools
0	There is no strategy or policies within the organisation. There is a lack of knowledge and understanding within the organisation and no awareness of the need to develop and establish a strategy and policies.	<ul style="list-style-type: none"> There are no documented drivers or reports produced. No business case has been drafted. 		TO BE DEVELOPED
1	There is an awareness and intent by the organisation of the need to develop a strategy, policies and procedures. Resources have been identified and responsibility assigned for this.	<ul style="list-style-type: none"> The organisation has prepared an initial business case, drafted reports and developed documented drivers. A communications plan has been prepared and all business requirements identified. The organisation has determined audit outputs. 	<ul style="list-style-type: none"> Champions identified Stakeholders identified Research undertaken Development plan prepared The organisation has an understanding of the business need Simple messages produced 	TO BE DEVELOPED
2	A strategy, policies and procedures have been signed off and an implementation plan prepared. The organisation has assigned resources and has undertaken an information audit.	<ul style="list-style-type: none"> The organisation has a documented strategy, policies and guidelines have been published and a communications plan publicised. There is an implementation plan and training plan and capacity has been provided to carry this forward. The organisation has put into place full monitoring and auditing procedures. 	<ul style="list-style-type: none"> Champions appointed Information owners identified Undertake approval process Write policies Develop plans Commence communications exercise 	TO BE DEVELOPED

Evidence-Based Scoring System for Assessing Information Governance Compliance (contd...)

3	<p>An implementation programme is ongoing and has embedded policy and procedure in parts of the organisation. Improvement programme and governance arrangements are being applied across the organisation through systematic and continuous training.</p>	<ul style="list-style-type: none"> • The organisation has an approved project management infrastructure to document the implementation programme. • Standards and procedures are in place and job descriptions and service improvement plans reflect this. • The organisation has agreed and published a full business case. • Appropriate resources have been trained and assigned responsibilities. • Training records are maintained. • Audit findings are published. 	<ul style="list-style-type: none"> • An agreed full business case • Implementation plans • Training records • Roles & responsibilities (staff time) • Production of building blocks • Monitor & review • Resources secured 	TO BE DEVELOPED
4	<p>Policy and procedure is fully embedded and is integral to the organisation. Compliance and satisfaction are measured through effective monitoring and auditing procedures and the organisation is committed to maintaining and sustaining the programme.</p>	<ul style="list-style-type: none"> • The organisation has project closure reports. • There is evidence of full compliance through Key Performance Indicators and regular audit reports. • The organisation has undertaken a full review against the business case and can ensure sustainability. • Outputs from the communication programme and satisfaction survey result have been published. 	<ul style="list-style-type: none"> • Sustainable infrastructure • There are common systems throughout the organisation • Continuous communication • Continuous training • Monitoring & review • Audit process 	TO BE DEVELOPED

Leeds City Council Information Governance Framework

Appendix 2

The Information Governance Workbook

Leeds City Council

Information Governance Workbook

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Step 1: Planning and Preparation

Purpose	
To ensure the work is properly planned, expected outcomes clearly defined and adequate resources committed	
Tasks	
1	Define the organisational scope
2	Make the case for doing the work and secure management support
3	Establish a project team and define their roles and responsibilities
4	Ensure that project team members can provide the level of man-time required
5	Agree arrangements for project supervision, monitoring and reporting of progress
6	Develop an overall timetable for the project defining target dates for completion of each step
7	Develop a high level project plan
8	Make plans for briefing staff in the Business Unit about the project and their involvement in the work

Step 2: Preliminary Investigation

Purpose
Confirmation of exactly which parts of the council will be covered by this investigation ('The Business Unit')
Confirmation of how the Business Unit is organised and relates to the rest of the council
Development of a high level understanding of the work that the Business Unit carries out, the service it provides and who its 'customers' are
2.1 Determining the legal and regulatory environment in which the Business Unit operates
2.2 Identifying any specific drivers behind the Business Unit's review of Information Governance needs
Assessing the current state of the Information Governance arrangements (or infrastructure) in order to identify those areas where improvements are needed
Outputs
A document describing the organisational structure of the Business Unit
A completed business profile questionnaire
A completed Information Governance Infrastructure questionnaire
An action plan setting out how gaps in the Information Governance Infrastructure will be closed
Set of reference material collected during the course of the investigation

Task 1: Profiling the Business Unit
3 man days to gather information and complete outputs
Some managers may need to be interviewed – 60 minutes per interview
Output 1 – Complete Business Unit Structure template
Captures a description of how the Business Unit is structured into different groups, sections and teams and how this relates to the overall structure of the council.
Information collected here will be used to identify the ownership and location of sets of information
The Structure is recorded in the form of a spreadsheet. Each column in the spreadsheet represents a different level in the organisation structure (the highest level being in the first column, the next level in the second and so on. Each row corresponds to a particular group or team in the structure
All levels of the Business Unit structure down to the smallest organisational unit should be covered
It is best to stick to existing structures which are well known, even if changes are due soon; the important thing is to be consistent throughout the exercise
Output 2 – Business Profile
Creates an overall picture of the Business Unit in terms of the work it does and the environment in which it operates
Only a high level overview is needed
The profile is captured using a questionnaire which is divided into the following sections: <ul style="list-style-type: none"> • Background Information – collects basic details about the Business Unit and identifies its main roles • Partners and Stakeholders – identifies the main groups with which the Business Unit interacts – this will help later with information sharing and security • Regulation and Compliance – identifies the legal and regulatory framework in which the Business Unit operates and how much this might impact the ways in which information is stored and used • Business Drivers – identifies business plans and objectives which might either impact this exercise or which are dependent upon its outcomes. It is clearly important to ensure that the results of this work are fully compatible with business needs

Task 2: Assessing Information Governance Infrastructure
2 man days to gather information and complete outputs
Some managers may need to be interviewed – 60 minutes per interview
Output 1 – Information Governance Infrastructure Assessment
Used to record and evaluate the current state of Information Governance in the Business Unit
Used to identify where there are deficiencies in current arrangements and to provide a framework for making improvements
Summary information is recorded using a questionnaire
The questionnaire is divided into the following sections:
<ul style="list-style-type: none"> • Organisation – identifies where management responsibility for Information Governance lies, the level of resource committed to Information Governance and where policy is determined • Policies and Procedures – determines the currency, availability and coverage of Information Governance policy and procedure manual • Awareness and Training – examines how staff are made aware of Information Governance matters and the effectiveness of current training and communication arrangements
Output 2 – Information Governance Infrastructure Action Plan
Findings from the review should be reviewed and gaps identified
An action plan should be drawn up detailing what gaps need to be filled, what actions are needed, who will be responsible for carrying them out and when they need to be completed. It is not necessary to complete all of these actions before proceeding to the next stage of this workbook although most policies and procedures will need to be in place before Step 5 can be completed

- **Organisational Gaps** – guidance on roles and responsibilities and reporting structures is provided. The chosen structures and roles and responsibilities should be embodied in an Information Governance policy statement
- **Policy and Procedure Gaps** – It will be necessary to determine who will be responsible for development and ongoing maintenance of policy and procedure statements. Where policies and procedures already exist it is recommended that these should be reviewed if this has not been done recently. Where none are available then it may be possible to draw upon corporately available material
- **Awareness and Training Gaps** – training material and assistance may be available corporately

Step 3: Determining Information Governance Needs

Purpose
Development of a complete picture of all the activities carried out by the Business Unit and how they interrelate
A summary of what principal sets of records need to be generated from these activities and how they should be managed
Outputs
A Functions and Activities Model describing all of the functions performed by the Business Unit and the individual activities carried out in fulfilling those functions
A description of the record keeping requirement for each activity
Further reference material collected during the course of the investigation
Task 1: Functions and Activities Analysis
5 man days to gather the information required and complete the outputs
Some managers, supervisors or administrators may need to be interviewed. Interviews should be no more than 60 minutes each
Output 1 – Functions and Activities Model
This will create a high level model of the work carried out by the Business Unit
It is a list of business functions broken down into activities which are in turn broken down into sub-activities
<ul style="list-style-type: none"> • Functions correspond to the primary purposes or goals of the Business Unit • Activities correspond to the way in which work is broadly divided up in order to fulfil these goals • Sub-activities correspond to the individual streams of work which make up each of these activities

<p>For each group identified in Task 1, Output 1 (Business Unit Structure), a summary of the services provided and the individual activities carried out in delivering those services should be developed. This may be drawn from published sources, internal documents or through interview</p>
<p>Having developed a list for all groups then each entry in the summary should be matched to an entry (or entries) in the council's standard Function and Activity Classification List. It may be necessary to either group or split summary entries to obtain a match. There may be exceptional circumstances where there isn't a good match in which case additions to the Classification List can be made</p>
<p>The results of this analysis should be recorded in Figure E. Columns in the spreadsheet correspond to Functions, Activities and Sub-Activities. Each row corresponds to a particular sub-activity</p>
<p>Task 2: Record Keeping Requirements Analysis</p>
<p>10-14 man days to gather the information required and complete the outputs</p>
<p>1-4 Some managers, supervisors or administrators may need to be interviewed. Interviews should be no more than 60 minutes each</p>
<p>Output 1 – Record Keeping Requirements Analysis</p>
<p>Used to document identified record keeping requirements for each of the areas of activity identified in the previous task</p>
<p>Provides an opportunity to clarify real record keeping requirements in the Business Unit; there may be instances where records currently are either being kept unnecessarily or are not being held in accordance with specified rules</p>
<p>Requirements should be identified by investigating the following:</p> <ul style="list-style-type: none"> • Legal and regulatory constraints • Obligations placed on the council by stakeholders • Best practice standards recommended by professional bodies • Council policies • Departmental procedures
<p>Exhaustive coverage of every possible requirement is not essential. The recommendation is to focus on the most significant record keeping needs which would include:</p> <ul style="list-style-type: none"> • Records which are critical to operation of the Business Unit • Sets of records which are likely to be substantial in size • Those records which are subject to strong external regulation in terms of their creation and use

A spreadsheet is provided for capturing findings; a separate questionnaire worksheet is used to document the Record Keeping needs for each Activity/Sub-Activity. The questionnaire is divided into the following sections:

- Identified Record Keeping Requirement – outlines the scope and content of a set of records that need to be kept (a separate column is used for each distinct set of records)
- Reasons – identifies why the records need to be kept and identifies the source of any policies, agreements or legislation that determine this need
- Access Needs – documents who needs to be able to access all or some content of the records
- Specific Needs – identifies any known Information Governance needs such as retention periods, storage formats and security measures

Step 4: Information and Records Management Survey

Purpose	To identify all of the sets of documents or records collections held by the Business Unit together with details of their current storage and management arrangements
Outputs	A set of completed survey questionnaires
A Records Inventory spreadsheet cataloguing all sets of records held by the Business Unit	
Task 1: Preparing for the Survey	10 man days to complete all necessary activities
Output 1 – Planning the Survey	<p>Information is collected through completion of a separate questionnaire for each 'Record Collection' in the Business Unit and through direct inspection/investigation where required. A decision needs to be taken on the best way of organising this work; one of two basic strategies for carrying out the survey can be chosen:</p> <ul style="list-style-type: none"> • Devolved or Managed Survey – identified contacts in different parts of the Business Unit are tasked with ensuring that questionnaires are completed for their part of the organisation. Returns are collated and vetted centrally within the Business Unit. Follow up interviews are carried out in order to clarify information in the survey returns and to fill gaps. This approach is likely to be the quickest for larger Business Units but has a greater administrative burden. This approach requires that contacts are well briefed and it is highly likely that follow up investigations will be required. • Centralised Survey – all of the survey work is carried out centrally in the Business Unit (i.e. one person/group visits all areas and carries out investigations/interviews and completes questionnaires directly) Contacts across the Business Unit still need to be identified but their role is one of facilitating the survey rather than ensuring that questionnaires are completed. This approach is likely to be the most accurate but may be time consuming/impractical for larger Business Units
A network of contacts needs to be identified. All parts of the organisation must be covered by the contacts	

<p>People with some or all of the following attributes would make a good choice for contacts:</p> <ul style="list-style-type: none"> • Familiar with the sets of filing in use (e.g. administrative/support staff) • Have specific responsibility for the day to day management of information in the Business Unit • Known custodians of major sets of information • Experienced staff with good familiarity with the work of the Business Unit • Have sufficient respect/authority to be able to secure the cooperation of other staff in the Business Unit
<p>The following administrative arrangements should be addressed as a minimum:</p> <ul style="list-style-type: none"> • Methods used for issuing and collecting questionnaires. In order to simplify the capture, collation and analysis of returns questionnaires should be completed electronically. It needs to be decided if these will be distributed by email or if a common shared folder will be used. • File-naming conventions. It is strongly recommended that a standard system for naming completed questionnaire files is defined. This is needed to ensure that all returns are uniquely identified and can be easily related to the part of the organisation from where they came • Progress management. Arrangements need to be in place to monitor the return of questionnaires in order to ensure that all parts of the Business Unit are covered, that returns are completed on time and that missing material can be chased.
<p>Output 2 – Survey Questionnaire Design</p>
<p>A questionnaire template is provided and major changes are not advised. However, the following changes may be needed:</p> <ul style="list-style-type: none"> • Adding the 'who to contact for help' section in the notes and instructions panel • Pre-populating the Completion Details section with department/group/team names • Changing the terminology and examples given to mirror those used in the Business Unit • Adding further questions of specific interest to the Business Unit • Creating a 'light' version of the questionnaire containing a subset of questions to be answered by recipients (with the other questions being answered in follow-up investigations)
<p>The purpose of each section of the questionnaire is as follows:</p>
<p>Section 1 – Completion Details Largely self explanatory, this section collects names and contact details of the person completing the questionnaire (not necessarily the same as the 'owner' of the record collection described) Ideally the organisational levels should coincide with those identified in the Business Unit Structure</p>

<p>Section 2 – Record Collection Description Collects basic descriptive information about the Record Collection concerned. The answers to questions 2.4 and 2.5 will be used later to assist in linking the collection to the Functions and Activities model. Question 2.6 helps to determine if the records may be covered by DPA rules and it may be appropriate to index files using personal IDs of some form. Question 2.7 helps to identify if the records could be indexed using standard Unique Property Reference Numbers (UPRN). Question 2.8 helps to identify if records could be linked to Geographic Information Systems (GIS) if required</p>
<p>Section 3 – Record Collection Organisation Identifies the ways in which the collection is structured and identified. Answers to Questions 3.4 to 3.7 will be used to help define a common indexing scheme (or 'metadata' scheme) which would be used in an EDRMS. Question 3.8 identifies if all or some of the records are duplicates of other information held elsewhere</p>
<p>Section 4 – Storage Details (Paper) Where material is held on paper this section gathers information about current storage arrangements. The section collects information about storage space needs which could be used for storage planning purposes and to assist in making business cases for migrating to electronic storage. The section also examines the security and protection arrangements for the records to determine if improvements may be needed</p>
<p>Section 5 – Storage Details (Electronic) This section collects information about electronic storage arrangements where appropriate. This again looks at storage space requirements which may assist in future IT planning. The section is also used to assess whether improvements may need to be made to security and backup arrangements</p>
<p>Section 6 – Access and Retention This section examines current access arrangements for the records (who can access them and how access is provided). The section also investigates how retention management policies operate. The information describing actual practice gathered here will be compared with the requirements identified in the Record Keeping Needs Analysis</p>
<p>Output 3 – Briefing Material</p> <p>A briefing session should be held to ensure that all contacts are fully conversant with the aims of the survey and fully understand the process that will be followed</p>
<p>The following topics should be covered:</p> <ul style="list-style-type: none"> • Survey aims and objectives – these should cover both council corporate objectives and the specific reasons why the Business Unit is carrying out the work • A description of the overall survey process and the steps that will be followed • Detailed description of how to complete the questionnaire, including a live demonstration of using the spreadsheet file • Details of the administrative arrangements and the required timetable

Task 2: Conducting the Survey
3 weeks between distribution and return of questionnaires
Output 1 – Register of Survey Returns
Issuing of questionnaires should coincide with the completion of briefing sessions in Task 1, Output 3
A deadline should be set for completion and returns should be actively chased and reminders issued near to the closing date
A register of returns should be kept as returns are received to make it easier to spot gaps in coverage and to make it easier to avoid duplication of returns
The returned spreadsheet files should be retained and kept well organised for future reference
Individual questionnaires should be reviewed to look for areas where: <ul style="list-style-type: none"> • Important answers have not been provided or where recipients have obviously struggled to provide the information required • Information provided is clearly incorrect or confusing • Issues have been raised that are worth further investigation
The overall set of returns should also be assessed to: <ul style="list-style-type: none"> • Look for obvious gaps in coverage (e.g. areas where one might expect records to exist and none have been reported). It is advisable to review the Record Keeping Needs Analysis to check if all sets of required records have been identified in the survey • Ensure that all functions/activities identified have been covered • Look for contradictions in the information provided or for duplication (e.g. more than one person has reported what appears to be the same collection)
A list of areas warranting further investigation can be drawn up from the above validation exercise and follow up interviews/phone calls should be carried out as required
100% accuracy should not be expected and so follow up work should focus on what are deemed to be the most important areas
Task 3: Building the Inventory
5 man days to complete

Output 1 – Records Inventory

A template is provided for the inventory to a corporate standard so major change should not be made. The following changes may be needed:

- Adjusting the columns in the inventory to match the questions asked in the inventory
- Alterations to the way in which the inventory can be displayed on screen and printed

The answers to all the questionnaires need to be loaded in to the inventory. Raw data can be copied and pasted from each of the returned questionnaires

All entries need to be checked and adjusted; this can either be done as each questionnaire is loaded or after all of the raw data has been loaded.

The following adjustments may be needed:

- 'Normalisation' of column entries to make them all consistent. This aids subsequent searching and analysis e.g. ensuring that department/team/group names are consistent makes it easy to then identify all entries for a particular group in the council
- Ensuring that numeric values have been entered as numbers and that units of measure are consistent where this is important to analysis e.g. ensuring that all file storage volumes are stated in linear metres would make it easy to quickly calculate total storage volumes
- Identifying collections which have been reported more than once and ensuring that they are entered only once in the inventory

Step 5: Classification

Purpose
<p>Definition of a 'Records Classification Scheme' which can be used to help organise all the sets of records identified in step 3</p> <p>Organising the Business Unit's information under this scheme</p> <p>Making linkage of the classification scheme to ownership, retention, security, access and sharing rules thereby ensuring that all sets of information can be correctly managed</p> <p>Planning for development of the above to provide a complete 'fileplan' (including identification of how records will be indexed and identified in order to support their retrieval)</p>
Outputs
<p>Classification Scheme Design for the Business Unit</p> <p>All records held by the Business Unit classified under this scheme and linked to Information Governance rules</p> <p>An outline implementation plan for changes needed to current practice</p>
Task 1: Designing the Classification Scheme
3 man days to complete
Output 1 – Classification Scheme Design
<p>Attempt to place each of the collections in the inventory into the classification scheme using the classification spreadsheet. Each collection should only fall into one classification but a single classification can cover more than one collection. Do not modify the classification scheme at this stage but note which collections don't fit</p> <p>For those collections that do not appear to have an appropriate classification entry at all, new classifications should now be added</p> <p>If a collection appears to fall into more than one classification then it may actually be more than one collection that has been misreported as a single collection during the survey in which case it may be appropriate to split it up and classify different parts separately</p>

<p>Alternatively it may need to be treated as a case file or other non-functional element – this is likely to be the case if the collection maps to a single level 2 classification but not at lower levels. Careful consideration needs to be given to the nature of the collection before treating the collection in this manner and adjusting the classification scheme to accommodate it</p>
<p>Consideration should also be given to whether problems of classifying collections are caused by inappropriate definition or choice of classifications in the outline scheme in which case adjustments should be made</p>
<p>Lower levels should now be added to the scheme as required. This will be needed where the classification scheme is 'crowded' (many collections under the same classification) or where several obviously very different collections fall into the same classification</p>
<p>This process may also highlight collections reported in the survey which should be merged and treated as a single collection</p>
<p>The process above should be continued until all collections have been classified</p>
<p>After changes have been made to the classification scheme it is advisable to check to see if the original classification decisions made in the first stage are still the most appropriate. This could be checked by repeating the exercise of classifying all of the collections against the adjusted scheme</p>
<p>It is suggested that occasional 'snapshots' of working versions of the scheme are saved as it evolves to enable back-tracking if it is required</p>
<p>Task 2: Expanding the Classification Scheme</p>
<p>5 man days to complete</p>
<p>Output 2 – Expanded Classification Scheme</p>
<p>Use the classification scheme spreadsheet to process each entry in the classification scheme and to determine the governance that should apply to that entry</p>
<p>Select the classification entry and review the contents of the Record Keeping Needs Analysis to identify what requirements were documented for records associated with the relevant functions and activities</p>
<p>Review the contents of the Records Inventory to locate the entries corresponding to the record collections placed under this classification</p>
<p>Using the two sets of information above and making reference to relevant policies and procedures work through each of the categories of Information Governance rules described below and decide what rules should apply. In some cases further investigation or analysis may be required to make decisions</p>

Information governance rules should be similar for all folders within a specific classification. If this is not the case then adjustments may need to be made to the classification scheme (such as adding a further level of classification) keep track of changes using version control columns in the spreadsheet
Before moving on to the next classification entry make a note of any gaps between the decisions made and current practice to provide the basis of an implementation action plan
Information Governance areas to be included are:
Ownership
This should be the title of an organisational unit rather than named individuals
Staff within the owner unit will be given specific responsibilities e.g. reviewing, disposal, ensuring quality etc
Storage
Decisions should be taken on the appropriate storage medium e.g. paper, electronic, microfilm and where these will be stored
These should be looked at for the 3 stages in the record lifecycle – current, semi-current, archive
Legislative requirements, access needs, security needs and legal admissibility all need to be accounted for when considering storage
Special storage or protection measures may need to be considered if the records are vital
Procedures must also be defined for when records are migrated between formats and/or storage locations
Access and Sharing
By default records should be marked as Unclassified and should be accessible by any council employee, reasons for restricting access should be noted (e.g. contain personal information, commercially sensitive etc.) Decisions will be influenced by security policy and legislative constraints
Any requirements to be able to share material with partners or other third parties also need to be recorded. Reference should be made to any supporting agreements or protocols that apply
Disclosability under FOI, DPA and EIR legislation should also be decided. Reasons for exemptions should be recorded

<p>Access rules can be recorded by:</p> <ul style="list-style-type: none"> • Assigning a security category or 'marking' to the classification (e.g. Restricted, Highly Confidential, Confidential and Unclassified) these categories are generally defined corporately and define basic access rights (e.g. only the most senior staff would have access to material marked Restricted); or • Linking access groups or named individuals to classifications. Access groups may correspond to organisational units (e.g. only staff in a 'personnel' group can access employee files). Security markings and access groups can overlap (e.g. only senior managers with rights to see Highly Confidential material in Personnel can access Disciplinary and Grievance records in employee files)
Retention and Disposal
<p>Rules should be able to be determined using the corporate retention schedule</p>
<p>Retention rules can be recorded in the following way:</p> <ul style="list-style-type: none"> • A 'disposal action' (e.g. Destroy, Retain for Further Review, Transfer) – allowable actions will be set out in policy documents. Policies will also define how actions should be carried out (e.g. whether secure destruction is needed) • A 'Period' – the period of time after which the action should be invoked • An 'Event' (if appropriate) – an event which determines when the 'Period' begins <p>An example of this would be:</p> <ul style="list-style-type: none"> • Disposal action = Destroy • Period = 7 years after the event • Event = End of employment
<p>A link to the relevant to retention schedule entry should be maintained as this will make it easier to change rules if retention policy changes</p>
Creation
<p>Any specific policies and procedures that should apply to the ways in which records are created and modified need to be identified and recorded. Examples include:</p> <ul style="list-style-type: none"> • Document scanning procedures – may be of particular importance when ensuring legal admissibility of stored images is a significant requirement • Data quality standards or methods which should be applied – it may be important to be able to evidence that these have been followed in order to assess the accuracy of information held • Procedures governing approval and issue of documents – this may be needed where it is important to record evidence of approval of key documents such as policy statements or where it is necessary to record evidence of when documents were issued/published • The need to keep audit trails to demonstrate the provenance or identify the revision history of material – may be important in areas subject to regular audit or external scrutiny

Indexing/Metadata Needs
<p>Indexing terms or metadata needs should be determined; these will be needed for EDRMS implementation. In an EDRMS metadata can be attached at both folder and individual record levels.</p> <p>A corporate metadata standard defines what metadata terms must be applied to all of the Council's records.</p> <p>The corporate metadata standard should be reviewed and the following decisions made:</p> <ul style="list-style-type: none"> • The standard will identify some terms as being mandatory but others will be optional; it needs to be determined whether any of the optional terms should be made mandatory within the Business Unit or for certain classes of records • Lists of allowable values may be defined for some terms, these lists should be reviewed for suitability. The need for any additional values would need to be raised with those responsible for corporate standards. It may also be possible to define a subset of these values (or even a single value) which should apply to the record class <p>It is advisable to minimise the number of metadata terms and to utilise corporate standard metadata terms wherever possible but it may be necessary to also identify additional 'user-defined' terms to meet local needs. The number of user-defined terms allowed may depend upon the choice of EDRMS.</p> <p>Circumstances where additional metadata may be required include:</p> <ul style="list-style-type: none"> • Where records are organised or indexed in a particular way to suit operational needs (e.g. by Supplier Name or by Purchase Order) • Where it is necessary to be able to link records or folders to business systems by means of a unique system reference (e.g. employee number) • Where it is necessary to be able to link material to a GIS system by means of a location or property identifier <p>If user-defined metadata terms are needed then these should be documented with consideration being given to:</p> <ul style="list-style-type: none"> • How practical it will be for users to supply this metadata when registering new items • Whether they should adhere to specified formats (e.g. date format, numeric etc) • Whether allowable values should be defined in 'controlled lists' and if so how they would be generated (e.g. from a database) and how they will be maintained
Output 3 – Outline Implementation Plan
<p>In the course of completing this step a lot of decisions will have been made that will need to be put into action. An action plan should be drawn up detailing what changes may be needed, what actions are required to put them into place, who will be responsible for carrying them out and when they need to be completed.</p> <p>Actions will fall into different categories</p>

<p>Working Practice Changes</p> <ul style="list-style-type: none"> • Decisions made may require changes to the ways in which staff carry out some of their work (e.g. by filing material in a different way, adopting new file-naming conventions for electronic files etc) • Current departmental procedures may need to be updated and staff made aware of how practices need to change
<p>Reorganisation of information</p> <p>Some decisions may require actions to ways in which current information is held, examples may include:</p> <ul style="list-style-type: none"> • Reorganising shared server folders • Moving paper filing offsite or other storage locations • 'Weeding' existing collections to dispose of unwanted material so that it can be managed/stored more easily
<p>EDRM Dependent Actions</p> <p>Some decisions will require actions that need to be built into EDRM implementation plans, these will include:</p> <ul style="list-style-type: none"> • Detailing decisions on fileplan design including metadata definitions and folder requirements • Organising the back-scanning of paper filing to be migrated into the EDRMS • Detailing how access control lists should be defined
<p>Skills and Competencies</p> <p>Some changes may require that some staff be given greater responsibility for Information Governance matters. It will be necessary to ensure that all staff understand what their responsibilities are and have been given the necessary training and guidance to fulfil them.</p>

Step 6: Policies and Procedures

Purpose
Raise the level of Information Governance to meet the unit's requirements for compliance and efficiency
Ensure that any technology implemented meets the appropriate compliance and efficiency requirements
Outputs
Complete set of all policies and procedures required for the management of information in the unit
<p> PA matrix of the current status of corporate policy and procedure documents and business unit policy and procedure documents 27 </p>
Task 1: Developing Policies and Procedures
Policies should be short documents, outlining high-level requirements and roles and responsibilities but without specific details that would get out of date quickly
Policies should be signed off by the appropriate board or member of senior management
Each policy document should include the following headings:
<ul style="list-style-type: none"> • Overview • Scope • Compliance • Responsibilities • Consultation • Policy statements
Procedures should be as long and detailed as they need to be to cover the material, but should be user-friendly documents suited to the audience. They should include the following headings:
<ul style="list-style-type: none"> • Overview • Scope • Responsibilities • Procedures

All policies and procedures should be numbered, version controlled and cross-referenced
Policy documents should be signed off at a high level by the appropriate board member or member of senior management
Documents should have a document control table with a history of versions and changes and the next review date, which will be around 2 years for a procedure document and around 5 years for a policy document
Output 1 – Corporate information governance policy and procedures
This output is focussed on corporate policies and procedures
Start with the policies identified in the Information Governance Infrastructure Assessment and check them for accuracy and currency
Create a gap analysis between the existing documents created in the Information Governance Infrastructure and the list of documents in the Record Keeping Requirements Analysis
The missing documents must be written, finalised and approved
Necessary policies and procedures are:
Information Management Policy
<ul style="list-style-type: none"> • Definition of records and information • Policy statement on corporate ownership/local custodianship • Principles of information management • Policy statement(s) for each of the topics listed below
Internet Guidance
<ul style="list-style-type: none"> • Acceptable use • Downloads • Monitoring

<p>Email Guidance</p> <ul style="list-style-type: none"> • Email message contents and headings • Protocols for replying and forwarding • Use of attachments • Storage • Personal emails • Distribution lists • Spam and chain emails • Viruses • Out-of-office messages • Archiving • Monitoring 	<p>Your information, your responsibility – Handbook for Leeds City Council employees and contractors</p> <ul style="list-style-type: none"> • IM principles • Record keeping duties • Use of personal and shared drives • Use of mobile devices (memory sticks, CDs, laptops, PDAs) • Templates • Naming conventions • Version control • Duplication • Monitoring • Scanning • Printing 	<p>Information Sharing Protocol (to be followed by a set of ISAs for each Business Unit)</p> <ul style="list-style-type: none"> • Parties to the protocol • Purposes of information sharing • Principles of information sharing • Procedures • Monitoring
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<p>FOI, EIR and DPA Access Requests</p> <ul style="list-style-type: none"> • Identification of information access requests • Timing and fees • Release decisions • Responding • Complaints and appeals • Monitoring
<p>Data Quality</p> <ul style="list-style-type: none"> • Purposes: compliance, decision making, risk-reduction • Principles: accuracy, completeness, relevance, timeliness, availability • Referencing standards: GDSC (Government Data Standards Catalogue) • Methods: data entry validation, system integration, de-duplication, training • External contracts: building in quality • Monitoring
<p>Access and Permission Controls</p> <ul style="list-style-type: none"> • Principles of openness and confidentiality • Roles and rights • Joined up working • Monitoring
<p>Security Policy</p> <ul style="list-style-type: none"> • Principles of: availability, authenticity, confidentiality, integrity, non-repudiation • Physical and IT security • Clear-desk policy • Monitoring
<p>Storage and Handling Guidance</p> <ul style="list-style-type: none"> • Physical storage • Off-site storage • Equipment • Handling guidance • Monitoring

<p>Retention and Disposal</p> <ul style="list-style-type: none"> • Retention principles • Disposal methods • Retention schedules • Monitoring
<p>Preservation and Future-Proofing</p> <ul style="list-style-type: none"> • Lifecycle management of records • Suitable media and formats • Preservation methods: technology watch and document conversion • Quality assurance of IT projects for: record-keeping implications, document tracking, exit strategies • Emerging technologies • Monitoring
<p>Accountability and Legal Admissibility</p> <ul style="list-style-type: none"> • Storage options • Information capture procedures • System maintenance • Audit trails • Document tracking • Discovery methods • Authenticated output • Monitoring
<p>Business Continuity Planning</p> <ul style="list-style-type: none"> • Risk assessments • Overall plan • Testing • Monitoring
<p>Output 2 – Business Unit information governance policy and procedures</p>
<p>Start with the local policies identified in the Information Governance Infrastructure Assessment and check them for accuracy and currency</p>

<p>Create a gap analysis between the existing documents created in the Information Governance Infrastructure and the list of documents in the Record Keeping Requirements Analysis</p>
<p>The missing documents must be written, finalised and approved</p>
<p>The policy and procedure documents required at business unit level may include:</p>
<p>Information Sharing Agreements</p> <ul style="list-style-type: none"> • Reference to the Information Sharing Protocol • Parties to the agreement • Purposes of information sharing • Information to be shared • Roles and responsibilities
<p>Scanning Procedures – reference to Accountability and Legal Admissibility</p> <ul style="list-style-type: none"> • Sorting and preparing paper for scanning • Quality assurance • Checking paper scanner performance • Rescanning • Indexing • Retention and disposal of originals



Originator: Chris Coulson
Tel: 74459

NOT FOR PUBLICATION

Appendix 1, Plans 1 to 3 and Appendix 2 (which will be circulated at Executive Board) of this report are Exempt/Confidential under Access to Information Procedure Rules 10.4 (3). It contains information relating to the financial or business affairs of any particular person (including the authority holding that information) which if disclosed to the public would, or would be likely to prejudice the commercial interest of the Council.

Report of : DIRECTOR OF CITY DEVELOPMENT

To : EXECUTIVE BOARD

Date: 5 NOVEMBER 2008

Subject: PROPOSED LEEDS ARENA, SELECTION OF PREFERRED DEVELOPER/SITE

Electoral Wards Affected:

CITY WIDE

Ward Members consulted (referred to in report)

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

The arena is a key project that will contribute to the delivery of the Council's Strategic Plan, which identifies as one of its key priorities the development of high quality facilities of national and international significance. The report informs Members as to the progress made with the procurement of a developer and site for the proposed Leeds arena.

Members will recall that in July 2007, the City Council commenced a competition to procure a developer and site to deliver a new arena for the city. The report summarises the developer procurement process and compares the bidder's best commercial offer with the Council's Public Sector Comparators, in order to assess value for money and viability. The report recommends the selection of a preferred and reserve site for the arena development and, seeks authority to incur expenditure and to enter legal agreements on terms outlined in Appendix 1 of the report to facilitate the development on the preferred site (or reserve site should the need arise), the contents of which are Exempt/Confidential under Access to Information Procedure Rules 10.4(3).

The report seeks Executive Board approval to finalise both the project delivery mechanism and scheme proposals/costs for the development of the arena on the preferred site (or reserve should the need arise) and approval to report back on the financial implications to the Council when a firm commitment to the delivery of the arena has to be made. It seeks authority to transfer funding from the Strategic Development Fund and to inject funds into existing Capital Scheme No. 13307.

1.0 PURPOSE OF THIS REPORT

1.1 The purpose of this report is to seek Executive Boards approval to:-

- i) Determine the developer procurement process for the arena as detailed in Appendix 1 of the report, which is Exempt/Confidential Under Access to Information Procedure Rules 10.4 (3).
- ii) Select a preferred and reserve site for the development of the arena as detailed in Appendix 1 of the report, which is Exempt/Confidential under Access to Information Procedure Rules 10.4 (3).
- iii) Authorise the Director of City Development to enter into legal agreements to facilitate the development of the arena on the preferred site on the terms contained in Appendix 1 of the report, which is Exempt/Confidential under Access to Information Procedure Rules 10.4 (3).
- iv) Authorise the transfer of funding from the Strategic Development Fund and to inject funds into existing Capital Scheme No. 13307 to facilitate the development of the arena on the preferred site as detailed in Appendix 1 of the report, which is Exempt/Confidential under Access to Information Procedure Rules 10.4 (3).
- v) Instruct officers to finalise both the project delivery mechanism and scheme proposals/costs for the development of the arena on the preferred site and to report back on the financial implications to the Council.

1.2 This report is marked as Exempt from Call In on the basis that the City Council took the decision to pursue a two stream procurement process to select a preferred developer/site for the proposed arena at a meeting of the Executive Board on 13 December 2006. Thereafter, at its meeting on 4 July 2007, Executive Board authorised the Director of City Development under the Council's scheme of delegation, to approve the short listing of potential developers/sites during the Competitive Dialogue Procurement process,. Both decisions taken by the Executive Board were subject to the Council's Call In procedures. The recommendations contained in this report relating to the selection of the preferred site for the arena are consistent with the decisions taken by Executive Board in December 2006 and July 2007.

1.3 With regard to the proposed legal agreements to be entered into to progress the arena development on the preferred site, the proposed funding arrangements and the authority to incur expenditure, under the Council's Constitution, a decision may be declared as being Exempt from Call In if it is considered that any delay in concluding the funding arrangements and legal agreements may result in parties to the agreements seeking to renegotiate the terms of such agreements and as such could increase the level of public sector gap funding required to facilitate the arena

development.

- 1.4 Appendix 1 and plans 1 to 3 of this report are confidential as they evaluate the short listed bidders' proposals and their financial offers to develop the arena, compares the bidder's financial offers with the evolving Public Sector Comparators and sets out the basis of the Council's legal agreements and funding contribution to facilitate the development of the arena. It is considered that the public interest in maintaining this information as exempt outweighs the public interest in disclosing the developer's proposals, the terms of the respective legal agreements and funding provision, as disclosure may prejudice the outcome of the procurement process and the cost to the Council of developing the arena. Accordingly, Appendix 1 and plans 1 to 3 are marked Exempt/Confidential under Access to Information Procedure Rules 10.4 (3).

2.0 BACKGROUND INFORMATION

- 2.1 The Council's Executive Board at its meeting on 13 December 2006, agreed to support the findings contained in PMP Ltd's report on the proposed funding and procurement of a multi purpose arena and approved an overlapping, two stream competitive procurement process to select an operator and developer/site to deliver a new arena for the city.
- 2.2 The operator competition has proceeded ahead of the developer competition and concluded in May 2008, with SMG Europe (Ltd) being appointed as the preferred operator for the arena. SMG has subsequently entered into an agreement with the City Council whereby they would contract to enter into a 25 year, full repairing insuring lease to operate a 12,500 seat arena at a location to be determined in the city. Executive Board should note that the Competitive Dialogue procurement process has provided the opportunity for the Council to benefit from SMG's considerable industry knowledge, in order to develop the most appropriate arena facilities and services solutions.
- 2.3 At its meeting on 4 July 2007 Executive Board, agreed the evaluation criteria to be used to assess the initial expressions of interest from potential developers and, then thereafter, through the Invitation to Participate in Dialogue and Invitation to Continue Dialogue stages of the developer procurement process agreed that assessment of submissions would be based on the following (not exhaustive) criteria, with appropriate weightings:-

i) Financial and Economic Impact (60%)

- Level of public sector contribution required.
- Compliance with the public sector grant requirements.
- Robustness of financial proposal and the ability to manage and control the financial risk of a development of the scale proposed.
- Level of direct investment
- Level of ancillary development ie investment 'unlocked' as a result of the arena development.
- Direct operational impact ie new jobs created, training etc.

- Indirect operational impact ie secondary spend.
- Interface with and contribution to the public domain.
- Contribution to unlocking further development.

ii) **Technical Capability (20%)**

- Compliance with operator's requirements.
- Location and environment ie accessibility to public transport, city centre, car parking etc.
- Design and quality ie compliance with specification, design quality, functionality, whole life cycle cost etc.

iii) **Deliverability (20%)**

- Land ownership ie site assembly, acquisition and availability.
- Town planning.
- Site development capacity ie ability of the site to accommodate the arena and any required enabling development.
- Buildability ie complexity of the site from a construction perspective.
- Dependence on enabling development.
- Transport and access.
- Timing and programme ie overall timescale for delivery, when site would be available to allow development to commence etc.
- Response to contractual documentation ie comments on proposed contract with the proposed operator and the Council and its partners with regard to the proposed public sector investment etc.

2.4 At its meeting on 4 July 2007 Executive Board, authorised the Director of City Development under the Council's scheme of delegation, to approve both the long and short list of potential developers of the arena during the Competitive Dialogue process, but with Executive Board ultimately determining the selection of the preferred and reserve developer/site.

3.0 CURRENT POSITION

3.1 In July 2007, an OJEU Notice advertising the proposed arena development sought expressions of interest from potential arena developers. A Pre-Qualification Questionnaire (PQQ) was issued to all parties expressing an interest in the project. Three (3) PQQ submissions were received from companies, were evaluated and the Director of City Development in September 2007 authorised taking forward two companies to the Invitation to Participate in Dialogue (ITPD) Stage of the procurement process.

3.2 The aim of the ITPD stage of the procurement process was to enable the Council to discuss all aspects of the project with the bidders, so that a solution may be reached which is capable of satisfying the Council's needs and requirements. The two companies selected to participate in the ITPD Stage were:-

i) **Montpellier Estates**

3.3 The Company is an established property investment company that has brought together a professional advisory team that has been involved in the delivery of arena schemes in the UK.

ii) **GMI**

3.4 GMI is an established property development company which has carried out numerous development projects ranging in size up to £360m. It also has an established construction company which is used to deliver development schemes in the UK.

3.5 Submissions were subsequently received from the two bidders. In February 2008, following detailed evaluation of the developer submissions, the Director of City Development authorised that both bidders should be taken forward to the Invitation to Continue Dialogue (ITCD) stage of the procurement competition. This period would enable bidders to develop their scheme proposals, deal with identified areas of weakness in their respective ITPD submissions and, would allow the Council's retained consultants to work with the bidders to formulate a proposal that could meet the gap funding available.

3.6 The developer ITCD submission requirements comprised three main evaluation criteria as previously agreed by Executive Board namely, technical (20%), deliverability (20%) and financial/economic (60%). These criteria were split to further sub criteria (reflecting the information required from bidders in their proposals at the ITCD Stage) and weighted to reflect the relative importance of each area as identified in table 1 below:

Table 1: ITCD Developer Evaluation Criteria and Weightings

Criteria	%Weight
Technical (20%)	
Site and Location	4
Development Proposal-Scheme Master Plan and Arena Design	6
Accessibility	4
Neighbourhood and Amenity	2
Environmental	4
Deliverability (20%)	
Land Assembly	4
Arena Facilities and Services Requirement	4
Contractual Terms	4
Scheme Deliverability and Project Risk	6
Programme	2
Financial and Economic (60%)	
Financial Appraisal	25
Arena and Associated Cost Plan	10

Funding	5
Cashflow	5
Economic Impact	10
Social Impact	5
Total	100%

- 3.7 Early in the ITCD Stage, bidders were advised as to the potential for public sector funding through prudential borrowing supported by the guaranteed rental income from SMG. Bidders were, therefore, invited to submit optional variant bids. The purpose of introducing the potential for prudential borrowing was to secure the optimum proposal from the potential developers by utilising the Council's ability to secure borrowing at very competitive rates.
- 3.8 During the ITCD Stage of the procurement process, feedback from bidders given the worsening economic climate indicated that proposals and the required public sector gap funding were likely to be at a level that would challenge project viability. Accordingly, the Project Board decided that the dialogue process should focus on working with bidders to establish an understanding of their best possible commercial bid position and introduced an interim Commercial Submission. The bidders were invited to focus on their commercial proposals and to submit a shortened version of the ITCD requirements on 10 September 2008. The emphasis was for bidders to focus on submitting their best commercial offers.
- 3.9 Bidders were requested to submit the following information:
- Scheme and arena design proposals.
 - Arena costs (based on Quarter 1 2008 prices)
 - Financial appraisals to support their base bid and any optional variant bid(s)
 - Outline contract structure to deliver the arena and any associated scheme
 - Economic and social impact information
- 3.10 The bidders were advised that their submission would be compared with the Council's Public Sector Comparators in order to assess value for money. On the basis of that evaluation, the Council would then determine whether to continue to full tender with bidders or to close down the existing competition with no contract awarded. Appendix 1 of the report, the contents of which are Exempt/Confidential under Access to Information Procedure Rules 10.4 (3), provides an evaluation summary of the bidder's interim commercial submissions compared with the Public Sector Comparators to identify to what extent the developer competition is likely to yield value for money for the Council.

4.0 COMPLIANCE WITH COUNCIL POLICIES

- 4.1 The Vision for Leeds 2004 to 2020 identifies a major project to improve the cultural life of the city, including developing a new, large scale international facility such as an arena.
- 4.2 The development of a multi purpose arena is key to the delivery of the Council's Strategic Plan, which has as one of its strategic outcomes the provision of enhanced cultural opportunities through encouraging investment and development of high

quality facilities of national and international significance.

5.0 LEGAL AND RESOURCE IMPLICATIONS

- 5.1 Upon selection of the preferred site for the arena, it is proposed that the City Council will need to enter into a number of legal agreements to facilitate the development of the arena on terms detailed in Appendix 1 of the report, the contents of which is Exempt/Confidential under Access to Information procedure Rules 10.4(3).
- 5.2 Members of Executive Board should note that Yorkshire Forward have been actively involved with the Council in the process to select a developer for the Leeds arena and are currently minded to provide financial support for its development. The Yorkshire Forward Board will consider a report on 30 October 2008 which will seek approval to provide gap funding support towards the construction of the arena. The outcome of the Yorkshire Forward Board meeting will be reported to the Executive Board at the meeting, the details of which are Exempt/Confidential under Access to Information Procedure Rules 10.4 (3).

6.0 CONSULTATIONS

- 6.1 The Arena Project Board has been consulted throughout the developer procurement process and in the formulation of the public sector comparators. The Project Board supports the recommendations contained in the report.
- 6.2 Yorkshire Forward, which is represented on the Leeds Arena Project Board, has been fully consulted and is supportive of the recommendations contained in the report.

7.0 CONCLUSION

- 7.1 Having regard to the best commercial offers received from developers on 10 September and the comparison of such bids with the Council's evolving Public Sector Comparators, a preferred and reserve site for the proposed development of the arena is recommended to members.

8.0 RECOMMENDATIONS

- 8.1 Executive Board is recommended to;
- (i) Determine the developer procurement competition for the proposed arena as detailed in Appendix 1 of the report, which is Exempt/Confidential Under Access to Information Procedure Rules 10.4(3).
 - (ii) Approve the preferred site for the proposed arena as detailed in Appendix 1 of the report, which is Exempt/Confidential under Access to Information Procedure Rules 10.4(3).
 - (iii) Approve the reserve site for the proposed arena as detailed in Appendix 1 of the report, which is Exempt/Confidential under Access to Information procedure Rules 10.4(3).
 - (iv) Authorise that in the event that the preferred site for development of the arena as detailed in Appendix 1 of the report, which is Exempt/Confidential under Access to Information Procedure Rules 10.4 (3) cannot be delivered, ceases to

be the most economically viable, or no longer offers the best value for money to the Council, that the Director of City Development with the concurrence of the Executive Member for Development and Regeneration may take appropriate action to pursue the development of the arena at the reserve site.

- (v) Authorise the Director's of Resources and City Development to enter into legal agreements that are economically advantageous to the City Council and which will financially support the to development of an arena on the preferred site the details of which are contained in Appendix 1 of the report, which is Exempt/Confidential Under Access to Information Procedure Rules 10.4 (3).
- (vi) Authorise the incurring of expenditure from existing Capital Scheme No. 13307 to progress the development of the arena on the preferred site as detailed in Appendix 1 of the report, which is Exempt/Confidential Under Access to Information Procedure Rules 10.4 (3).
- (vii) Instruct officers to report back on the proposed project delivery model and scheme proposals/costs for the development of an arena on the preferred site.
- (viii) Authorise the transfer of funding from the Strategic Development Fund into existing Capital Scheme No. 13307 as detailed in Appendix 1 of the report, which is Exempt/Confidential Under Access to Information Procedure Rules 10.4 (3).
- (ix) Authorise an injection of funds as detailed in Appendix 1 of the report, which is Exempt/Confidential Under Access to Information Procedure Rules 10.4 (3) into existing Capital Scheme No. 13307, comprising funding from Yorkshire Forward (subject to the formal approval of the Yorkshire Forward Board) with the balance in the first instance to be funded from unsupported borrowing.

Supporting Documentation; Leeds Arena Marketing Brief

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Originator: M Darwin

Tel: 75302

Report of the Director of City Development

Report to: Executive Board

Date: 5 November 2008

Subject: Adoption of the Supplementary Planning Document of the Street Design Guide and Response to the Deputation of the National Federation of the Blind

Electoral Wards Affected:

All

Ward Members consulted (referred to in report)

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

1. A new Street Design Guide has been prepared following the principles of the Government's recent publication, Manual for Streets and our own Neighbourhoods for Living which is supplementary planning guidance. The Street Design Guide ensures that the principles in Manual for Streets are applied to Leeds and used as a basis for new housing design and for adoption of the highway. Consultation on the document has now taken place and a report setting out the issues raised, and how these issues have been dealt with, has been produced.
2. One issue raised is the concerns of disabled people on the provision of shared space and shared surface streets.
3. After extensive consultations a solution has been reached which provides for a safe route through these areas when they serve through routes or cul-de-sacs serving over 25 dwellings and follows advice from the Guide Dogs for the Blind Association. The document has been amended accordingly. Shared surface streets are being restricted to use in residential schemes serving 25 dwellings or less in short cul-de-sacs only.
4. The measures set out in the report provide a safe route through a shared area and is intended to address concerns raised in the deputation of the National Federation of the Blind.

5. This report seeks approval for the adoption of the Street Design Guide as a Supplementary Planning Document. This SPD amplifies the UDP (Review) Policy T2 which has been saved as part of the LDF process.

1.0 Purpose Of This Report

- 1.1 The purpose of the report is to inform members of the outcome of the consultation on the Street Design Guide and to endorse the contents of the amended document. The report also seeks approval for the adoption of the Street Design Guide as a Supplementary Planning Document.

2.0 Background Information

- 2.1 The West Yorkshire Highway Design Guide was written in 1979 and adopted by Leeds City Council in 1986 as guidance on the design of residential streets. Since the publication of the HDG "Design Bulletin 32 - Design of Residential Streets" (1992) (DB32) and "Places Streets and Movement" (1998) have been published by the government. Most recently the "Manual for Streets" (2007) (MfS) has been produced by the government.
- 2.2 A requirement of MfS is that local authorities amend their existing guidance. A new design guide has therefore been produced which incorporates the appropriate principles in these documents and embraces "Neighbourhoods for Living", our own document produced in 2003. The draft document is called the "Street Design Guide" and as the new title suggests it puts emphasis on the road as a place rather than a highway, as set out in the new guidance. All new residential streets serving less than 200 dwellings will have a speed limit of 20mph.
- 2.3 Shared surfaces have always been one of the options for the design of a street, the old guide restricting the use to a cul-de-sac serving a maximum of 25 dwellings. In the HDG the streets were known as 'access ways' and 'mews courts' as opposed to Shared Surfaces in the Street Design Guide.
- 2.4 'Places, Streets and Movement' allowed for through routes of up to 50 dwellings to be served off a shared surface, which was informally adopted by Leeds. Manual for Streets suggests that shared surfaces serving up to 100 vehicular movements in the busiest hour are acceptable, which is equivalent to approximately 120 houses or 200 apartments.
- 2.5 In the draft Street Design Guide it was determined that our own criteria for shared surfaces, 25 dwellings off culs-de-sac or 50 dwellings off through routes, was more appropriate, rather than the guidance in MfS. MfS does not give guidance for the provision of "Home Zones", which are similar to shared surfaces but are more irregular in shape and have a maximum speed of 10mph. It is proposed that these areas will be allowed to serve up to 120 dwelling or 200 apartments.
- 2.6 As the draft Street Design Guide was produced as a Supplementary Planning Document consultation was carried out following the requirements of the Statement of Community Involvement.
- 2.7 A number of comments have been received and a report setting out the various comments, and how each comment has been acted on, produced. The report is attached as appendix A

3.0 Main Issues

- 3.1 The Street Design Guide has been proposed to amplify the following saved policy of the adopted revised UDP:-
- Policy T2 (New developments should be served adequately by existing or programmed highways)
- 3.2 The main issue arising out of the consultation was the concern regarding 'shared surfaces', raised by a number of groups representing disabled people and in particular blind and partially sighted people, one group being the Alliance of Users and Carers. Their concern was that in a shared surface environment they felt vulnerable to being knocked down by other users. They requested that a designated safe route through a shared area is provided.
- 3.3 Research has been carried out by the Guide Dogs for the Blind Association in conjunction with University College London, to try and determine a suitable delineator to demarcate pedestrian paths in a shared space environment. Unfortunately the conclusion reached was that "whilst none of the delineators emerged as meeting the needs of both groups of users [blind and partially sighted people and wheelchair users] two were identified by the researchers as warranting further research..." As that report was only published recently no further information is available.
- 3.4 Another piece of research entitled 'Designing for Disabled People in Home Zones' has also been produced in conjunction with the Guide Dogs for the Blind Association. This sets out a number of recommendations for designing such areas.
- 3.5 Several meetings have been held with the Alliance of Users and Carers to determine an acceptable solution. At a meeting held on 29 April 2008 an agreement was reached that resolved this issue. The proposal was that a shared surface could be provided on a cul-de-sac serving a maximum of 25 dwellings. Any shared surface serving a higher number of dwellings, either as a cul-de-sac or a through route, would have at least one designated safe area, being a minimum of 2.0m in width. It was determined that the safe area be delineated by a kerb with an up-stand of 30mm and that at each end, and other appropriate locations, a flush kerb with tactile paving would be provided. The material used in the safe area would be of contrasting colour to the remaining surface. This area would be designated as a Shared Space as opposed to a Shared Surface.
- 3.6 A request for the safe area to be constructed of a material with a smooth surface, such as a bituminous material, as opposed to block paving, was made. However as this would defeat the overall objectives of providing a shared area, this proposal was not accepted.
- 3.7 A further request was that a delineation feature be provided at the back of the footway, such as a garden wall or an edging raised to a height of 30mm was also made. As this would depend on the proposed development this has been incorporated within the Street Design Guide as a further consideration when dealing with any proposal.
- 3.8 It was also agreed that when designing Home Zones the recommendations within Designing for the Disabled in Home Zones would be followed.
- 3.9 Following this agreement further representation has been made by letter on 29 May 2008. The letter is from the same association stating that they now feel that they did

not reach a satisfactory solution and further research should be undertaken before they can agree to any proposals.

- 3.10 As the document is an SPD, which requires regular monitoring, and is reviewed where appropriate, it is proposed that the above provisions be included in the Design Guide and monitored accordingly.
- 3.11 There has been a deputation submitted to the Council, by the National Federation of the Blind, outlining concerns with the provision of Shared Spaces and requesting that such areas are not provided. The deputation was presented to Full Council meeting on the 10 September 2008 where it was resolved that the matter should be considered by the Executive Board on 5 November 2008.
- 3.12 The concerns raised in the submitted deputation are the same as those raised by the Alliance of Users and Carers, that is, that *“Shared Space has very serious implications for the health, choices, independence and mobility of disabled people...”* However the title of the deputation is “Say no to Shared Spaces”. This does conflict with the advice given by The Guide Dogs for the Blind Association in their document entitled “Shared Surface Street Design Research Project”. In the forward to that document it states *“At the heart of the issue is the need to distinguish between Shared Space and Shared Surfaces. The former can be successful in meeting everyone’s needs provided that physical ‘clues’ including kerbs and tactile surfaces are retained....”*
- 3.13 The proposals set out above address this issue by the provision of kerbs and tactile paving, when appropriate, within shared areas. It is considered that these provisions provide a safe and defined route for disabled people through a Shared Space.

4.0 Compliance with the Regulations

- 4.1 In accordance with the statutory regulations and the Leeds City Council SPD Production Procedural Requirements, the following documents/statements have been prepared and cleared by Legal and Democratic Services:-
- Adoption Statement
 - Sustainability Statement
 - Statement confirming compliance with SCI

5.0 Conclusions

- 5.1 The draft Street Design Guide follows the principles of Government guidance set out in the recently published Manual for Streets.
- 5.2 Objections to the provision of Shared Surface have been received from groups representing disabled people.
- 5.3 A solution was initially reached which provides for a safe route through shared areas which are either through routes or serving developments of over 25 dwellings. This agreement was later rescinded by letter dated 29 May 2008. However officers consider that this solution is acceptable and provides a safe area for disabled people to pass through these areas.

5.4 The document is a Supplementary Planning Document and thus subject to monitoring and therefore Shared Surfaces will be monitored to determine if the provisions are adequate or require revising.

6.0 Recommendations

6.1 That the Executive Board approves the Street Design Guide, as now drafted, as a Supplementary Planning Document.

7.0 Background Papers

- The Street Design Guide
- Report of Consultation
- Minutes of meeting 29 April 2008
- Letter from the Alliance of Careers and Users dated 29 May 2008
- Shared Surface Street Design Research Project

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**STREET DESIGN GUIDE
SUPPLEMENTARY PLANNING DOCUMENT (SPD)**

SUSTAINABILITY STATEMENT

1.0 PURPOSE OF REPORT

- 1.1 A Sustainability Appraisal of the Draft Street Design Supplementary Planning Document (SPD) was undertaken by the City Council in September/ October 2007. This report summarises how the SPD has changed during the Sustainability Appraisal process, the reasons for choosing the adopted SPD and the measures decided regarding monitoring.

2.0 BACKGROUND TO THE STREET DESIGN GUIDE SPD

- 2.1 The SPD has been prepared by Leeds City Council to amplify policies in the existing adopted UDP that refer to detailed planning considerations of access, drainage, landscaping, parking and design and also to maximise highway safety. This SPD when approved will form part of the Local Development Framework (LDF) for Leeds.
- 2.2 The objective of the Street Design Guide SPD is to provide detailed guidance on how to create street designs which achieve high quality, accessible and safe residential and commercial places, and which facilitate sustainable travel and construction.

3.0 CONSULTATIONS

- 3.1 Consultation has been carried out during preparation of the SPD and sustainability appraisal as follows:
- Consultation on the Sustainability Appraisal Scoping Report in May 2006 with the Countryside Agency, English Nature, Environment Agency and English Heritage.
 - Consultation on the Draft SPD and Sustainability Appraisal report in September / October 2007 (extended to November for blind and partially sighted groups) with the above consultees and local councillors, parish councils, neighbouring local authorities, Government Office for Yorkshire, Metro, local planning and highway consultants and other interested parties. The Draft SPD and Sustainability Report were also published on the Leeds City Council website.
- 3.2 The comments received are reported in the representations statement along with the Leeds City Council response and proposed amendments to the SPD. The SPD has been amended in accordance with the representations statement.

4.0 REASONS FOR CHOOSING THE ADOPTED SPD

- 4.1 The Sustainability Appraisal considered the following options:
- the Do Nothing option (No SPD),
 - the SPD option

4.2 The SPD option was chosen as the preferred option as it was assessed as having a greater positive impact on a number of sustainability objectives than the no SPD option.

5.0 MONITORING

5.1 The purpose of monitoring is to assess the actual effects of the SPD compared with those predicted in the Sustainability Appraisal and to identify any unforeseen effects. The Sustainability Appraisal report sets out how the effects of the SPD will be monitored. This monitoring will be linked to monitoring activities undertaken for the LDF as a whole.

6.0 CONCLUSION

6.1 The Sustainability Appraisal of the Street Design Guide SPD indicated that the SPD will generally have positive or neutral impacts on sustainability.

6.2 The purpose of the Sustainability Appraisal was to ensure that social, environmental and economic considerations have been taken into account in developing the SPD. A review of the relevant plans and programmes revealed some of the objectives that the SPD needed to take on board and the baseline compilation helped to identify challenges and opportunities facing street design issues in Leeds. The Sustainability Appraisal process has also helped in comparing the SPD options and highlighting the benefits the new SPD will bring.

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**STREET DESIGN GUIDE
SUPPLEMENTARY PLANNING DOCUMENT (SPD)**

ADOPTION STATEMENT

The Supplementary Planning Document (SPD) for the Street Design Guide was adopted by Leeds City Council on 2 September 2008. The Street Design Guide provides guidance, in line with Council's "Neighbourhoods for Living" and the Government's "Manual for Street", for the design of residential, and other, streets.

Any person with sufficient interest in the decision to adopt the SPD may apply to the High Court for permission to apply for judicial review of that decision. Any such application must be made promptly and in any event not later than 3 months after the date on which the SPD was adopted.

The SPD, the Sustainability Appraisal, a statement summarising the main issues raised during the formal consultation period and how these were addressed in the SPD and a copy of this Adoption Statement can be viewed on the Council's website at www.leeds.gov.uk/ldf or at the Development Enquiry Centre, Development Department, Leonardo Building, 2 Rossington Street, Leeds, LS2 8HD (Monday – Friday, 8:30am – 5:00pm) (Wednesday 9:30am – 5:00pm).

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**Alliance of Service Users and Carers
Shared Space Subgroup**

29th April 2008

Leeds Involvement Project

**Notes of a Shared Space Meeting with the Alliance Shared Space Sub
Group and Officers of Leeds City Council**

Present:

Barry Naylor, Mary Naylor, Alan Oldroyd, Joyce Rogers, Keith Spellman, Joy Fisher, Victor Jackson

Mike Darwin and Gillian McLeod – Leeds City Council Highways

In attendance:

Joseph Alderdice (LIP minute taker)

Mags Barrett (Reed Social Care) Personal Assistant

Meeting opened 10.30am

Keith accepted the invitation to chair the meeting and welcomed everyone. Introductions were made.

Mike offered an update. He has met with his counterparts in eight 'core cities', discussing the issue of Shared Space and different authorities' approaches to it. He reported that they are all going ahead with it, although two are looking at using contrasting paint.

Mike has also met with West Yorkshire's County Councils who are willing to have small cul de sacs made into shared space, with any other shared spaces having a designated route through for disabled people. This proposal was endorsed by the Highways Authority, taking into account recommendations from today's meeting and emerging publicity and guidance.

Mike referred to a Guide Dogs publication containing various design proposals for guidance paving, including kerbs of various shapes and sizes and raised painted lines. There is no consensus on what is the best design as yet, which Mike said is why he is here. Group members felt that, until a suitable delineation method was devised, no changes should be made to the existing pavement system. One member suggested that to do anything else would be a failure in their duty of care.

Gillian responded to this by stressing that they are compelled to follow Government proposals and that by consulting the group today they are considering their safety. Mike elaborated that he is formulating a policy which he is inviting the group's input on today. If he doesn't produce this policy, the development will be based on Government policy instead (without the group's input).

One member raised the practical issue of cane users requiring a minimum radius to swing their canes.

Mike talked about the designated area for pedestrians and the options for delineating it from the road, including kerbs and white lines.

It was asked how much opposition there is to the scheme in other cities. Mike had the impression that there was a similar level of opposition in other cities.

There was a discussion around Kensington High Street (a London Shared Space area), the various demarcations used and its improved safety record.

A number of group members accepted that there are times when traffic needs to use pedestrian areas in towns and cities, such as to make deliveries. However, it was stressed that to open up pedestrian areas to traffic around the clock in suburban areas is a different matter altogether.

Mike brought the discussion back to marking the border between pedestrian and traffic areas. He asked again for a recommendation to take back, since the research presented earlier hadn't reached a conclusion. He listed the options again. The border will not necessarily be marked between the pedestrian areas and gardens.

It was felt that the demarcation must clearly designate the area to motorists, yet no matter what the system is some people will always park illegally.

There was a general agreement that it would be best to have a strong colour contrast between the areas, complimenting a raised (30mm) kerb between them. It was also felt that there should be designated crossing areas at which the kerb is lowered, with tactile paving beside it.

It was felt that walls, gardens and kerbs acts as tactile landmarks for cane users and that to make areas uniform would be disorientating. A further issue was raised, of knowing where Shared Space ends and a busy main road might begin.

Various issues of garden walls, children's play areas and supervised play were raised. Mike explained that these issues were nothing to do with his work, or Shared Space.

The group recommended that the borders between pedestrian areas and the roads are mirrored by a border at the edges of gardens. Mike accepted that this would be useful, but argued that the edges of gardens are private property. He did offer to take the issue back for further discussion.

The group recommended that the paths are smooth, to contrast with the block paving on the road. Mike said that research has shown that having block paving in both areas causes drivers to slow down. Group members stressed that to navigate block paving with a cane can be quite painful. Mike made it clear that the issue of block paving was beyond negotiation.

There was a discussion around motorists obeying speed limits.

Concerns were expressed around maintaining block paving and the dangers of replacing them unevenly when private telecommunications companies dig them up. It was feared that such a tripping hazard would be the "cobblestones of the future". Mike reported again that block paving is the preferred option for other interested parties. He offered to take the group's concerns back, although he warned that it is overwhelmingly likely that block paving will be used. He offered the consolation that the policy is "not set in stone" and will be reviewed every two years.

Gillian offered the group opportunities to observe the first Shared Space projects in Leeds when they are completed.

There was a discussion around the lack of coordination between the various bodies that dig up highways. It was addressed in the Traffic Management Act, which gives the responsibility for maintenance to the Statutory Undertakers. It was felt that they regularly fail in these responsibilities.

Mike will ask his equivalents in other cities if they are willing to be contacted by group members interested in how Shared Space is progressing elsewhere. One group member warned against losing focus on Leeds.

The issue of training engineers on access rights and legislation was raised, along with the issue of penalising contractors for non-compliance. This is beyond Mike's remit.

There was a discussion around street contractors "cutting corners" and ill-placed street furniture. Mike reported that the intention is for all replacement street lighting to be installed at the back of the pavement if at all possible.

Mike will report the agreed demarcation design to the Planning Board and Highways. He thanked the group and was thanked in return. He is willing to be contacted at any time.

Mike and Gillian left at 12.00 noon.

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**"An Alliance of Service Users and Carers,
experts by experience, who work in
partnership to inform and influence health
and social care services"**



Thursday, 29 May 2008

Dear Mike

Thank you for meeting with members of the Alliance of Service Users and Carers on 29th April 2008, to discuss "Shared Space".

Unfortunately we feel that we did not reach a satisfactory conclusion at this meeting and we think we should have more knowledge of the area before it becomes instituted and not afterwards when it is too late. Can you confirm the exact specifications you will be applying?

To help us better understand the issues involved, we would like to see a copy of the criteria by which the council approach the present planning application for Shared Space Developments.

Regarding surfaces, we have concerns about the inner and outer saw lines. In particular your reference to the inner saw line, as we think this can be evidenced without infringing on private property. You mentioned that two metres should be clearly marked for pedestrian use, we would like more clarification on this, and for example does this mean one metre on either side?

Hence we feel if there is an area elsewhere in the country with the same or similar design features that it would be worthwhile for your department to sponsor a group to look at this.

As there were several points that we did not reach agreement on we reserve the right to challenge any plans or proposals that that are put forward and hope that you will be able to brief us on any new design features that would affect us.

Yours Sincerely

Barry Naylor
Alliance Working Group Member

CC. Councillors

K Wakefield
Richard Brett
Andrew Carter
Brenda Lancaster

D Coupar
P Harrand
Ralph Pyk

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RESPONDENT	COMMENT	RESPONSE	ACTION
Alan Baxter and Associates	Road safety audit should be part of street quality audit (2.9)	Quality audits will have an over-arching control over all audits	Reword document
	Level of development served off street type shouldn't be limited (3.2.1.4 – 3.2.1.5)	Rewrite to relate development to traffic flows. Also to state that this does not apply to distributor roads.	Reword document
	Width of bus routes should not be set at 6.75m (3.2.2.12 iv)	Discussed with Metro who require 6.75m, but will discuss reduction on site specific basis.	No action
	Anticipated speed as opposed to design speed should be used for forward visibility (3.2.2.12 vii)	Design speed already reduced as well as centreline radius. Safety concerns with further reductions.	No action
	There should not be a minimum centreline radii (3.2.2.12 viii)	Speed control bends allow for further reduction in centreline radius. (3.3.4 [ii])	No action
	Reversing from private drive onto a type 1 street should be allowed (3.2.2.12 ix)	Type 1 streets have higher level of pedestrian movement. A number of personal injury accidents occur in this situation	No action
	Verges should not be a requirement on type 1 streets (3.2.2.14)	The aspiration is to increase street environment, therefore verges should remain a requirement	No action
	There should be flexibility on shared surfaces with no minimum width (3.2.2.21 iv)	The minimum width is necessary to retain vehicle access whilst allowing access to service trench.	Amend wording to provide reason
	There should be a flexible approach to forward visibility (3.2.2.33)	The document does allow for reduced visibility	No action
	DMRB should not be used for streets not covered by this document(3.2.2.36)	There is no other guidance for design. A standard has to be provided	No action
	Higher quality materials should be used on adopted streets (3.2.3.3)	High quality materials are acceptable on adopted streets; however there are cost implications that could restrict the use without commuted sums.	Amend wording to reflect this

RESPONDENT	COMMENT	RESPONSE	ACTION
	Central features such as roundabouts should be allowed (3.3.5)	Roundabouts are an acceptable feature except as a traffic calming feature.	Amend wording
	Gradients greater than 5% should be allowed due to the topography of Leeds(3.4.1 – 3.4.2)	Any gradient greater than 5% is classed as a ramp. The 5% is a government standard.	No action
	The K values proposed are unnecessary (3.4.8)	K values are necessary to prevent vehicles from grounding as well as comfort	No action
	Parking bays should be allowed within sightlines (3.5.21)	With the very short visibility splays proposed they should be protected	No action
	Crossroads should be allowed for speeds of 20mph (3.5.26)	They are allowed	Amend table to confirm this
	Garages should be allowed without drives (3.9.20)	To prevent garage doors overhanging footway the garage is required to be set back 1m.	Alter 3.9.22 to have a 1m strip behind back of highway if drives are not provided.
	The pedestrian inter-visibility is too great (3.9.21)	2x2m is considered that absolute minimum. Most cars are reversing out of drives.	No action
	Carriageway widening is not necessary (3.10.9)	It is considered that widening on bends is required but the table requires to be revised to cater for the appropriate radii	Amend table
	The emphasis is on through routes not cul-de-sac hence down play turning heads (3.10.10 – 3.10.15)	Culs-de-sac will be provided where appropriate and therefore turning heads still necessary although emphasis on through routes	No action
	Large areas of landscaping should be adopted (3.12.3)	The highway authority will not adopt large landscaping areas.	No action
	Location of street lighting should be considered early in process (3.13.1)	Agreed the statement says exactly that.	No action

RESPONDENT	COMMENT	RESPONSE	ACTION
	Type I streets should be designed to 20mph to reduce the number of signs (3.17.4)	If the actual speed of the street could be maintained at 20mph this would be acceptable. However to-date this has not been achieved	No action
	Do features within a 30mph zone require signing if provided from new	Yes as required by TSRGD	No action
Bryan G Hall	No specific reference for objection other than the guide is too restrictive and does not follow the principles of MfS	Cannot address the comments raised in this letter as no direct comment or any proposals are provided. The consultants do not agree with the whole document as written.	No action
Calderdale Council	Parking provision proposed is not in line with PPG13 (P59 footnote)	The proposals accord with the inspectors decision on the revised UDP	No action
	Better consideration of sustainable drainage systems required.	The guidance on sustainable drainage is considered appropriate	No action
Leeds Civic Trust	Do not want a hierarchy of streets (3.2.2.8) (Q1)	Developers need advice on what to construct. The way forward is to provide alternative, hence there has to be various 'types' of street.	No action
	Does not want specific criteria as set out in tables (Q3 & Q4)	Developer has to be provided with guidance.	No action
	Speed restraints are not required if they are well laid out. (Q5)	Advice on restraints is provided to assist designers to achieve speed control.	No action
	Suggests very tight radii to control speed (Q6)	Tight radii are proposed.	No action
	Requests more flexibility in junction spaces (Q7)	Following meeting with LCT they have retracted this comment.	No action
	Prefers method 1 for car parking	Noted	

RESPONDENT	COMMENT	RESPONSE	ACTION
	Requests that 'dry laid clay bricks' to list of approved materials	Clay bricks do not meet the required skid resistance	No action
	The guide is not flexible and does not reflect MfS	The guide provides adequate flexibility for developers to provide a range of varied layouts	No action
	The document is old fashioned	Noted	
METRO	Reference to SPD Developer Contribution should be made (2.9)	Agreed	Amend document
	Refer to travel plan SPD (2.9 iv)	Agreed	Amend document
	Adjacent development should be considered to allow possibility of bus routes (3.2.2.6)	Agreed	
	Only horizontal traffic calming measures on bus routes (3.3)	Vertical calming can be used on bus routes subject to dimensions. See below	No action
	Minimum length of speed table to be 6m (3.3.4 iv)	Agreed	Amend document
	Minimum use of guardrail (3.6.17)	Agreed	Amend document
	Reference to SPDs (3.16)	Agreed	Amend document
	Metro to be consulted on proposals that affect bus stops (3.16)	As set out in 3.16	No action
	Add addition wording 'on the matters below' (3.16.2)	Agreed	Amend document
	SPD para requires up-dating (3.16.10)	Agreed	Amend document
Sanderson Associates	Should use equation to calculate 'Y' distance (3.5.17)	Agreed to use equation on existing network	Amend document
	High number of dwellings should be allowed for shared surfaces (3.2.2.21)	There is a major concern for the provision of shared surfaces. Subject to the provision of a safe pedestrian route a higher level will be acceptable	Amend document

RESPONDENT	COMMENT	RESPONSE	ACTION
	There should be flexibility on shared surfaces with no minimum width (3.2.2.21 iv)	The minimum width is necessary to retain vehicle access whilst allowing access to service trench	No action
	Conflict between adoption procedures and appendix B (3.17.11)	Agreed	Amend the appropriate section
	Commuted sums on all materials not acceptable	Government are producing guidance on commuted sums. The wording within the document to be altered at allow for this.	Amend document
	The proposal that garages are equal to 0.5 space will result in more car parking/visual intrusion	Subject to a garage being of a certain size a garage will be counted as a space	Amend document
	National guidance should be referred to (1.12)	Add 'and national guidance'	Amend document
	Agrees with the flexible approach but considered document is too rigid [visibility/shared surfaces](2.5)	General supporting comment. Other issues dealt with elsewhere.	
	Shared surfaces require careful consideration of delineation of different functions needed to avoid patchwork effect (p18)	Delineation of areas has been agreed with the appropriate bodies	Amend document accordingly
	Concern raised about the removal of ransom strips (3.2.2.6)	Noted but will retain statement	No action
	Treatment of areas of margins outside c/way & margins unclear. Can length of shared surface street increase?(3.2.2.21)	Area outside c/way & margins would be private. The length of shared streets can be increased if a safe pedestrian route is provided	Amend document
	Contradiction between approach for type 3 & type 4 (p20 & 21)	Do not consider any contradiction.	No action
	The term private street is inappropriate in light of case law (3.2.3)	.The term private street is correct. However there is inconsistency with the section	Amend wording to address inconsistency in statement but the term 'private street' is correct
	Replace 'any gate' with 'where	Agreed	Amend document

RESPONDENT	COMMENT	RESPONSE	ACTION
	permitted, gates..' (3.2.3.6)		
	The highway authority has no rights of adoption (3.2.4.717)	The highways authority considers that the appropriate way to ensure maintenance is to adopt the highway	No action
	There appears to be conflicting guidance on trees within the adopted highway (p31)	It is considered that no conflicting advice is given.	No action
	Do archways require 'height signs? (p32)	If the highway underneath an archway is to be adopted then signage would be required. Guidance given in 3.4.5	No action
	Speed control bends diagram would be helpful (p32)	Diagram required.	Amend document
	Carriageway width – is this acceptable to the fire authority?(p32)	Fire brigade consulted and have not objected	no action
	Ramp gradient too shallow (3.3.4)	Amend gradient to 1:18	Amend document
	No advice given on roundabout/minis (3.3.5)	There is no need to repeat government guidance	No action
	Who will carry out the consultation (3.3.7)	The developer should undertake consultation and provide the appropriate correspondence to the LA. Amend the wording	Amend document
	Are K values necessary? (3.4.8)	K values are necessary to prevent vehicles from grounding as well as comfort	No action
	Will the authority accept traffic management measures to provide visibility splays where such facilities fit in with the general road environment?	Yes, if the proposals conform with existing traffic management measures	No action
	Who maintains areas adjacent to footpaths (3.6.1)	Site specific but could be adopted	No action

RESPONDENT	COMMENT	RESPONSE	ACTION
	Clarification on areas of parking that could be adopted (p60)	Site specific	
	The proposal is contrary to MfS (3.9.21)	The guidance is to clarify/amend MfS where appropriate as the MfS requires	No action
	Example of visitor parking does not work in practice. (3.9.30)	The example shown does work as noted on site	No action
	Turning head difficult to maintain (3.10.11)	Will amend the detail	Amend document
	Suggest MfS(p75) be used. [3.2.3.4] is worded differently (3.11.3)	agreed	Amend document
	Widths proposed differ from those given earlier (3.4.11)	Will amend	Amend document
	Max growth height should be 0.6 (3.12.8)	Agreed but will remove reference to walls for paragraph	Amend document
	How do the dimensions fit in a 3.1m road narrowing? (3.13.2)	Can be accommodated if public sewer is located out of carriageway	No action
Councillor Harrand	The provision of a raised white line be required for type 3 & 4 streets	Considered as part of shared street debate	Amend document
Peter Barnett	Terminology of disabled people/elderly etc (2.6, 3.1.1)	Amend terminology if necessary	Amend document
	Para 2.8 slightly confusing	Para reads OK	No action
	Should refer to Leeds City Council Planning Services or LPA (2.9)	Amend para	Amend document
	2.9(ii) needs footnote/bibliographical ref to explain guidance on TA	Not required	No action
	Poor diagram 3.5.12	Agreed	Amend document
	Prefers method 1 simpler 3.9.9 etc	Noted	
Joint Highways Advisory Group	Tactile Paving – should add ‘the use of tactile is to be considered based upon the issues of all road users and the likelihood of damage’	Not included	No action

RESPONDENT	COMMENT	RESPONSE	ACTION
Sport England	Raises a number of questions as to whether the guide addresses accessibility.	The answer to each question raised is 'yes'	No action
Jacobs	Suggests that a sustainability appraisal be added to the list documents (2.9)	A sustainability appraisal is not required in planning terms.	No action
	Suggests 20mph on type 1 roads	If this can be achieved then it would be acceptable but a 30mph street is expected to be the norm.	No action
	Provision for cyclists on all routes	Cyclist would be expected to use the same space as others. Widening to provide a separate cycle lane would increase the speed of traffic.	No action
	Provision for public transport facilities (Qu.4)	Public transport facilities are encouraged where appropriate.	No action
	Speed restraints provided over distances that drivers find acceptable. Recommends changes in horizontal & vertical alignment and short cul-de-sac. Metro to agree calming measures (qu.5)	The provision of restraints is covered by a plethora of guidance which has to be followed. Metro have provided their own comments.	No action
	Recommends that visibility be in range of 1.05 – 2.0 (qu.6)	Add diagram or reference appropriate document	Amend document
	Junction spacing should be 30m [same side] and 15m [opposite side] on 100 – 300 dwellings. Not within 20m of junction with distributor road. (qu.7)	The guide allows for crossroads as per MfS. The 20m from distributor roads will be added.	Amend document
	Method 1 preferred	noted	
Morley Town Council	Concern at the high level of traffic for	The guide follows government	No action

RESPONDENT	COMMENT	RESPONSE	ACTION
	a home zone, suggests a lower level (3.2.2.8)	guidance	
	Requires two accesses for over 200 dwellings and preferred for over 100 dwelling (3.2.2.13)	This is already included within the guide.	No action
	States type 3 is lowest order to be adopted but contradicted with type 4 (3.2.2.18/3.2.2.32)	agreed	Amend document
	Supports the max of 5 off a private road. (3.2.3.1)		No action
	Does not support the use of speed tables (3.3.4)	These are necessary to control speeds below 20mph.	No action
	Does not support the reduction in sightlines (3.5)	The document is following government guidance on this issue.	No action
	Does not support the over provision of cycle facilities (3.7)	The document is following the LTP and government guidance.	No action
	Requires the provision of 2 spaces per dwelling no matter what size (3.9)	The document is following the current planning policy.	No action
	Para 3.9.32 is not logical	Reword the last sentence	Amend document
	Supports commitment to natural paving in conservation areas	Agreed	No action
Steve Gombocz	Figure 1 in appendix C requires reconfiguring for two boxes	Accept	Amend document
Sam Grimwood	Generally supportive of the document but provides comment on issues not covered by it. Suggests increase in trees within the highway	Provision of trees is supported and covered in the landscape section	No action
Alan Taylor	Suggests the document is called "Residential Street Design Guide"	The document covers industrial streets as well as residential	No action

RESPONDENT	COMMENT	RESPONSE	ACTION
		streets.	
	The term 'mixed use' appears in a number of places but no definition (1.11)	??	
	The term 'local centre' is wrongly used and should be 'town/district centre' (3.9.12)	agreed	Amend document
	"S2 local centre" should be "S2 town/district centre" (p59)	agreed	Amend document
Brian Ablett	Wants 20mph speed limit on all roads	If this can be achieved then it would be acceptable but a 30mph street is expected to be the norm.	No action
	Requires street lighting to be efficient	This is controlled by the PFI project.	No action
	Requires the document to accord with the Nottingham Declaration	Transport policy is dealt with through LTP	No action
Yasin Raja	Add 'residential' to car parking guidelines (p58)	Agreed	Amend document
	Add ' to try and achieve aims and objectives of the car parking guidelines in the UDP and subsequent LDF's (3.9.9)	agreed	Amend document
	City centre 'core' average 0.6 (3.9.12)	agreed	Amend document
Jonathan Eyre	Concerned at lack of mention of recycled material in section 4	Materials covered in 'specification for highway works'	No action
	Requires the use of permeable pavement for car parking areas	Agreed	Amend document
	Should refer to the SPD on sustainable design and construction	Agreed	Amend document

RESPONDENT	COMMENT	RESPONSE	ACTION
Leeds Property Forum	The guide should provide more emphasis on place making	The guide is read in conjunction with Neighbourhoods for living which sets out the principles of place making	No action
	The document is negative (2.6)	Reward to put a positive slant on comment	Amend document
	Provide a distinction between guidance required for safety and these related to quality of place which could be more flexible	The carrying out of quality audits will address this issue	No action
	Type 1 is over restrictive (3.2.2.12)	It is considered that there is adequate flexibility within the document to allow designers to produce good designs	No action
	Design speeds outside schools should be 10mph	Government guidance is 20mph	No action
	Footways on type 2 should vary in width from 1.2 to 3.5 (3.2.2.17)	The minimum width of footways is 2.0m to cater for statutory undertakers' equipment.	No action
	Would like home zone standards without designation.	A home zone, and hence standards, are as designated in the Transport Act 2000	No action
	More flexibility in shared surface design	The provision of a safe pedestrian route will allow more flexibility	Amend document
	Agrees with speeds should be self enforcing but requires clear examples on how this can be achieved (3.3.2)	Speeds are self enforcing if designed is correct	No action
	Agrees with reduced visibility splays		No action
	Proposes method 1 but also supports car ownership figures!! Suggests worked examples	agreed	Amend document
	Wants more interesting materials than just the standard pallet	Nothing was put forward as a suggestion. Willing to discuss	No action

RESPONDENT	COMMENT	RESPONSE	ACTION
		alternative materials with developers.	
	Should be written in a positive language not negative and requires better illustrations and clear examples	Agreed	Amend document
Sue Speak	Supports method 1. Concern at distinction between owned/rented	noted	No action
Tim Parry	Concern at type 2 footway width for shared with cyclists is not wide enough. (3.2.2.17)	Propose 3.0m for shared footways.	Amend document
	Raises concern about a through route on shared surfaces (3.2.2.19)	The provision of a safe pedestrian route will allow more flexibility	Amend document
	Reword 3.2.4.1 to "...public transport stops, <i>housing and other nearby walking and cycle routes</i> "	Agreed	Amend document
	Diagram not correct (3.7.15)	Agreed	Amend document
	Dimensioned diagram not correct (3.7.15)	Agreed	Amend document
	3.2.2.1 it's should be its	Agreed	Amend document
	3.2.2.12 dependant should be dependent	Agreed	Amend document
	3.22.36/37/38/39 & 41 tolerance should be clearance/clear space/gap	agreed	Amend document
Magda Lezama	Suggests new words for para 4.3 & 6.2 of appendix E	agreed	Amend document
Andy Wheeler	Shared streets should be limited to 25 dwellings	Shared street criteria altered after extensive consultations	Amend document
John Wilson	Street lighting should have the ability	This is governed by the PFI project.	No action

RESPONDENT	COMMENT	RESPONSE	ACTION
	to have lower levels of luminaries during low levels of pedestrian flow		
Andrew Smith	Section 3.11 – Emergency Access Para 3.11.4 should be expanded to mirror the comments in MfS (para 6.7.3)	agreed	Amend document
<p>Disabled Peoples groups including: An Alliance of Service Users and Carers, Leeds Involvement, British Retinitis Pigmentosa Society, Talking Newspaper for the Blind for Otley, The National Federation for the Blind, Access Committee for Leeds, RNIB Shire View Centre Leeds, Leeds Jewish Blind Society, Vision is not Essential, Leeds Society for Deaf and Blind People, Transport Access Group, Mrs Ruth Holder</p>	<p>General concern that the provision of Shared Space does not provide adequately for blind, partially sighted and disabled people</p>	<p>A solution to provide a safe route through shared streets of over 25 dwellings by means of a 2m wide area delineated by means of a 30 mm up-stand and appropriate designated crossing points has been included in the document.</p> <p>The recommendations of the document ‘designing for disabled people in home zones’ to be included in the document</p>	Amend document

**Representations Statement
(Regulation 18)**



STREET DESIGN GUIDE

Representations Statement

(relating to the main issues raised during the formal consultation period in accordance with Regulation 18(4)(b) of the Town and Country Planning (Local Development) (England) Regulations 2004).

Statement Confirming Compliance with Statement of Community Involvement

National regulations governing the preparation of LDF plans requires a consultation period of 6 weeks and notification to be sent to those organisations who the Council considers will be interested in or affected by the proposals. It is also required that the documents be made available at public places and on the internet.

The consultation undertaken complied with the City Council's Statement of Community Involvement. Formal consultation on the Preferred Option was carried out for a 6 week period (commencing on the 14 September 2007), the 6 week consultation period was extended by 4 weeks to 23 November 2007 for groups representing disabled people to give them time to discuss the issues at convened meetings and prepare their responses.

Documents were made available on the LCC website and in hardcopy at the Leonardo Building, and at libraries and one-stop shop centres within Leeds District.

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**Leeds City Council Meeting Wednesday 10th September 2008
Deputation to Council by Alan Oldroyd of the
National Federation of the Blind Leeds**

Thank you Lord Mayor and Elected Members.

My name is Alan Oldroyd and I am Chair of the National Federation of the Blind Leeds Branch and the other members supporting my deputation are:

Barry Naylor, Joy Fisher, Martin Bingley, Tim McSharry

The title of my deputation is "SAY NO TO SHARED SPACES"

I am here today with a deputation that represents disability organisations from across the whole of Leeds to make a heartfelt plea to all City Councillors to support the cause of social inclusion for all disabled people by saying no to all highways and planning policies that are designed on the grounds of Shared Space.

The local and national evidence clearly demonstrates that the policy of Shared Space has very serious implications for the health, choices, independence and mobility of disabled people within this great City of Leeds and reinforces social segregation and isolation of already vulnerable people.

Blind, deaf blind and partially sighted people already experience enormous barriers to their basic freedom and mobility within society and the introduction of the flawed and discriminating concept of shared spaces reinforces these barriers in a way that is unacceptable for any City that truly values the diversity, inclusion and equality of all citizens.

All local authorities in the UK now have clear public duties to promote disability equality and to meet their obligations under Part 3 of the Disability Discrimination Act (DDA) 2005 in relation to their policies, practices and services, and the function of the highways and planning departments are fundamental to achieving this.

The whole idea of planning areas within this City that exclude disabled people and where their public safety is being seriously compromised should not be supported by elected members of this Council.

When considered from the viewpoint of a non-disabled person, it may first appear on paper that there is nothing wrong with the concept of "Shared Spaces", but in reality the loss of public footpaths and pedestrian rights of way within housing and other public developments can have a devastating impact on the lives, mobility and independence of not only blind, deaf blind and other disabled people, but also young children, families and older people who all face potential increased risks and dangers through being forced to mix with cars, vans, lorries and cyclist's.

From my own experience as a totally blind person the difficulties and stress that I face in negotiating my way through Leeds is a price I accept to maintain my independence and dignity, but when it comes to negotiating my way through a shared space complex the barriers that are inherent to the design, deny my rights to independence and completely disable me by demonstrating a total lack of consideration for my mobility and safety needs as a blind person.

Shared space excludes disabled people by default, it makes many blind, deaf blind and partially sighted people prisoners in their own homes, unable to independently make their own way out and makes many people wholly reliant of the good will of others to go out into the community.

Leeds City Council should not be party to increasing the number of victims of the flawed policy of shared space. Leeds must continue to develop its work with disabled people's representatives to ensure that inclusion, mobility and diversity are truly celebrated through a total commitment to supporting the independence, choices and equality of disabled people across the whole of this great City.

I call on this Council to place a moratorium on any development that involves shared spaces and to ensure footpaths and pedestrian rights of way are at the heart of highways planning in the name of equality, inclusion and independence.

Thank You

Alan Oldroyd

To Email copy, please contact
Email: emediversitymatters@yahoo.co.uk

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Alan Oldroyd

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Agenda Item:

Originator: Brian Lawless

Tel: 2474686

Report of Director of City Development (Asset Management Service) to Executive Board

Date: November 2008

Subject: Design & Cost Report

Scheme Title: Former Horsforth Library – Refurbishment for Youth Centre and Area Management Team Accommodation

Capital Scheme Number:13221

Electoral Wards Affected:
Horsforth

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

Youth Services presently provides its services in the Horsforth area from the Stanhope Drive Community Centre, which is a building that is at the end of its useful life and is no longer fit for purpose. This proposal to refurbish the ground floor of the former Horsforth library will allow the replacement of that out-dated facility and provide a youth centre that is available to all of the young people of Horsforth rather than the very restricted locality service that is currently the case. There are some other community-based organisations that use the Stanhope Drive building as well and their needs will also be addressed by this particular proposal.

North West and West Area Management is presently operating from two buildings, one of which is entirely unsuitable in locational terms being in the heart of the city centre and which was only ever intended as a temporary solution and the other being at Pudsey Town Hall. The two halves of the team do need to be physically integrated, following the recent reorganisation of the Area Management structure.

The former Horsforth library, shown on the attached plan, provides an ideal solution to these two accommodation requirements. It was originally intended that this property should be sold and the capital receipt used to support the cost of the provision of the very successful new Horsforth Library. However, its immediate proximity to the new library, the Horsforth Mechanics Institute and a local health centre does mean that a real community focus can be created on Horsforth Town Street.

The disposal of the site of the Stanhope Drive Centre will replace the previously planned disposal of the former library in the Capital Receipts programme.

1.0 PURPOSE OF THIS REPORT

1.1 The purpose of this report is to request an injection of £895,000 into the 2008/09 Capital Programme and the authority to spend. This is made up of:

- £575,000 from the Town & District Centre Regeneration Budget
- £250,000 from the Area Management Accommodation Budget (Scheme 1387)
- £40,000 Priority Major Maintenance (Scheme 13221 Horsforth Library Stanhope Youth Club)
- £30,000 Area Committee Wellbeing Fund

2.0 BACKGROUND

2.1 Leeds Library & Information Service identified the former Horsforth Library as being no longer fit for purpose and it was replaced with the new library which opened almost 3 years ago. The capital receipt from the disposal of the former library was originally intended to support the cost of the new library but the property has not been sold because of the very strong wish of Ward Members to see it used as part of a strong community focus made up of the new library, the adjacent Mechanics Institute (which now houses the Town Council and provides a wide range of community spaces) and the local Health Centre.

2.2 The Stanhope Drive Community Centre, also in Horsforth, is the base for the Youth Services operation and also a number of community organisations. It is a pre-fabricated concrete structure built some 60 years ago and, despite some repairs, is now at the end of its useful life.

2.3 The West and North West Area Management team has recently been formed as part of a restructure of the Area Management service.

3.0 MAIN ISSUES

3.1 Design Proposals / Scheme Description

3.1.1 The refurbishment will provide space on the ground floor of the former library for use by the young people of Horsforth as a youth centre. The detailed fit-out will be designed in consultation with the Youth Service and with those young people. It will be fully accessible.

3.1.2 The refurbishment will provide space on the first floor for the Area Management team and for use by the Area Committee. The service will incorporate a new approach to the way that staff will occupy the office space with an emphasis on new ways of working and desk-sharing. It is important to say that the Area Team will maintain facilities at Pudsey Town hall to ensure that an appropriate level of service is provided across the whole area.

3.1.3 The building will be more accessible, featuring a lift and toilets on both floors.

- 3.1.4 The building refurbishment will, so far as is feasible within the constraints of the existing structure, comply with the Council's developing policy on sustainability. The floor-space within the building will be maximised through the infill of a void to the first floor.
- 3.1.5 Refurbishing the building will allow for the youth centre and Area Management to be housed in the same building. When linked with the other facilities and services available in the new library and the Mechanics Institute, this will provide a more convenient service for the public, especially for the young people of the town. It will create a coherent and more focussed centre for the town and add to the vitality and economic life of this important street bringing back into use a building which has been a feature of local life since 1974.
- 3.1.6 The provision of the new office accommodation will provide an opportunity for co-location with the Environmental Action Team if needed and there would still be co-location at Pudsey with the EAT and those Area Management staff remaining there.

3.2 Consultations

- 3.2.1 There has been extensive consultation with Ward Members and they are fully supportive of the proposal.
- 3.2.2 The Area Committee is showing its support for the proposal through the commitment of £30,000 from the Wellbeing Fund.
- 3.2.3 The young people of Horsforth have been consulted regarding the preferred location of a youth centre in the town. Although there was an understandable preference for the retention of the existing facility from those young people from the immediate neighbourhood, the overwhelming preference was for a new facility in the heart of the town.
- 3.2.4 Some other users of the Stanhope Drive Centre also expressed a preference for the retention of the existing centre but, again, these were very specific local residents. It is felt that, through a better planned use of the facilities within the new library, the Mechanics Institute and the new youth centre that all of the user groups can be catered for without any real detriment and, in most cases, to a higher standard.
- 3.2.5 It should be noted that concerns have been expressed about the future use of the site of the Stanhope Drive Centre. These concerns related to the protection of the war memorial, the trees on the site and the perceived overdevelopment of the site. Although these concerns are not specifically related to the subject of this report, it can be noted that any subsequent development of the site, following disposal, will be subject to a full planning brief and the normal planning process.

3.3 Implications for Council Policy and Governance

- 3.3.1 The Youth Centre and Area Management team accommodation will support the delivery of the strategic outcomes and improvement priorities in The Vision for Leeds 2004 to 2020, the city's community strategy:
- 3.3.2 Cultural Life: the new youth centre improved services will attract new users who previously felt the Stanhope Drive Centre was not for them
- 3.3.3 Learning: The improved youth facilities will be used to encourage young people to learn in the adjacent new library
- 3.3.4 Enterprise and the Economy: The refurbishment of the former library will bring back into use this important feature on Town Street encouraging additional visitors to help support the local economy.
- 3.3.5 Harmonious Communities: the combined facilities of the youth centre, the new library and the Mechanics Institute will encourage all Horsforth communities to be more involved in the social and cultural life of the town

3.4 Health & Safety

3.4.1 In accordance with the Council's corporate Health and Safety Policy, the Youth Service and the Area Management team will take all reasonable steps to provide safe and healthy conditions for employees, service users and other visitors to the premises and deliver safe services in a safe manner.

3.5 Transport

3.5.1 This project supports the Council's Local Transport Plan. A Travel Plan will be written for users of the new building. The plan's aim is to encourage users of the building to travel there by more sustainable means:

- Staff will be encouraged to share cars when they travel to work.
- No dedicated parking is to be provided.
- Travel plan champions will raise awareness of green travel issues to both staff and service users.

3.6 Equal Opportunities

3.6.1 The Youth Service and the partners involved in this project are fully committed to supporting the Council's Equality and Diversity Policy. The Library & Information Service has an Access strategy supporting the Council's Equality and Diversity Policy.

3.6.2 Monitoring of new youth centre users will be undertaken at events and learning sessions give clear data on who is using the centre. This year new categories of sexuality and religion will be added to the current equality monitoring in support of level 4 of the Equality Standard.

3.6.3 The building will allow access to and use by people with disabilities in accordance with Building Regulations, DDA and BS 8300. It will feature:

- Ramped access.
- A lift.
- Induction loops.
- Disabled toilets on the ground and first floors.
- Door openings to all public spaces throughout the building wide enough to accommodate wheelchair users.
- The planned consultations with the young people who will use the centre will be used to inform the design of the ground floor.

3.7 Customer Care

3.7.1 In accordance with Leeds City Council's Corporate Plan users of the youth centre will receive excellent services which are efficient and effective and meet their needs.

3.7.2 The creation of a single site in Horsforth for a variety of users, albeit with more than one building, will provide an easier route to a range of Council services.

3.8 Council Constitution

3.8.1 This report is subject to Call-In.

3.9 Community Safety

- 3.9.1 That the proposals contained in the report do have implications under Section 17 of the Crime and Disorder Act 1998 and these are as follows:-
- 3.9.2 Anti-social behaviour is often committed by bored young people. The Youth Service, sometimes in partnership with the Library Service, can offer young people an opportunity to take part in positive activities. The improved youth facilities and the proximity to the Horsforth Library will encourage more young people to use the library for IT access, learning, activities and events. This will hopefully reduce the likelihood of their involvement in anti-social behaviour.

3.10 Legal and Resource Implications

- 3.10.1 The Council owns the freehold of the former Horsforth Library and the site is shown on the attached plan
- 3.10.2 The Youth Service currently meets the cost of providing the service from the Stanhope Drive Centre and the budget will be transferred to the new location.
- 3.10.3 The West and North West Area Management teams currently occupy premises in both the city centre and Pudsey Town Hall. The budgets will be transferred to the refurbished former library with the exception of that amount required to maintain a presence at Pudsey. The lease of the city centre premises will be terminated as soon as possible through the exercise of a break clause. There is the opportunity to exercise this break clause in June 2009 with vacation to follow in December 2009. This fits well with the proposed programme. The lease saving would be £23,914 per annum and a saving on service charges would also accrue. If the break were not to be exercised at that time, the Council would be committed to meeting these cost for a further three years.
- 3.10.4 The Council will reduce the number of operational premises within its portfolio
- 3.10.5 A fully refurbished former library building will limit the call upon revenue spending on repairs for a period of years.

4.0 PROGRAMME

4.1 The project strategic programme dates are:

- Tenders Out February 2009
- Tender return March 2009
- Tender Acceptance March 2009
- Start on site May 2009
- Practical completion December 2009

5.0 SCHEME DESIGN ESTIMATE

- 5.1 The estimated cost of the refurbishment programme is based upon the results of a Feasibility Study undertaken by the Strategic Design Alliance in June 2006.
- 5.2 The estimated cost was £606,000 inclusive of the works to infill the first floor void and an eight passenger lift but exclusive of fees or the cost of a planning application.
- 5.3 The original SDA estimate has been updated to reflect the change in the proposed start on site date to the second quarter of the (calendar) year 2009 using BCIS rates for building industry inflation.

- 5.4 Fees have also been included at a rate of 16% to reflect the value of the work that was undertaken in the original Feasibility Study.
- 5.5 The incorporation of the decking over the central atrium, to maximise the space on the first floor, has imposed a need to introduce a more complex ventilation system to the ground floor than would otherwise have been the case but this passive system will lead to lower running costs when the building is in use.
- 5.6 At ground floor level, all of the required accommodation has been included in an economical, user-friendly configuration and a large flexible multi-use activity space has been achieved.
- 5.7 The current scheme estimate comprises

Item	Estimate (£)
Construction	722,000
Fees	123,000
Planning	1,000
Contingency	49,000
TOTAL	895,000

- 5.8 The effect is a call upon Capital Programme resources from Town & District Regeneration, Priority Major Maintenance, Unsupported Borrowing and the Area Committee Wellbeing fund

6.0 CAPITAL FUNDING AND CASHFLOW

Previous total Authority to Spend on this scheme	TOTAL £000's	TO MARCH 2008 £000's	FORECAST				
			2008/09	2009/10			
			£000's	£000's	£000's	£000's	£000's
LAND (1)							
CONSTRUCTION (3)							
FURN & EQPT (5)							
DESIGN FEES (6)							
OTHER COSTS (7)							
TOTALS							

Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2008 £000's	FORECAST				
			2008/09	2009/10			
			£000's	£000's	£000's	£000's	£000's
LAND (1)							
CONSTRUCTION (3)	722.0			722.0			
FURN & EQPT (5)							
DESIGN FEES (6)	123.0			73.8	49.2		
OTHER COSTS (7)	50.0			1.0	49.0		
TOTALS	895.0			74.8	820.2		

Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2008 £000's	FORECAST				
			2008/09	2009/10			
			£000's	£000's	£000's	£000's	£000's
Town & District Regeneration	575			74.8	500.2		
Unsupported borrowing	250.0				250.0		
Priority Major Maintenance	40.0				40.0		
Area Committee Wellbeing Fund	30.0				30.0		
Total Funding	895.0			74.8	820.2		

Parent scheme number: 13221

title: Horsforth Youth Centre and Area Management Office

7.0 REVENUE EFFECTS

- 7.1 The revenue effects will be contained within existing budgets

8.0 RISK ASSESSMENTS

- 8.1 Despite the initial design and estimating work that has been undertaken, there remains the risk that cost over-runs may arise as the scheme progresses. The scheme design is not completed and there will be the need to consult the young people who will be using the centre.
- 8.2 In order to mitigate the risks identified in 8.1, it is proposed that further design work should be commissioned from the SDA allow tenders to be sought. A contingency provision of £49,000 has been made in the scheme estimate.
- 8.3 Should the tenders received be higher than expected, the scope of the scheme proposed will be re-evaluated to accommodate the changes in circumstances.

9.0 COMPLIANCE WITH COUNCIL POLICIES

- 9.1 The contract for the works will comply with Council policies on health and safety, environmental matters, equal opportunities, customer care and the Considerate Contractor scheme.

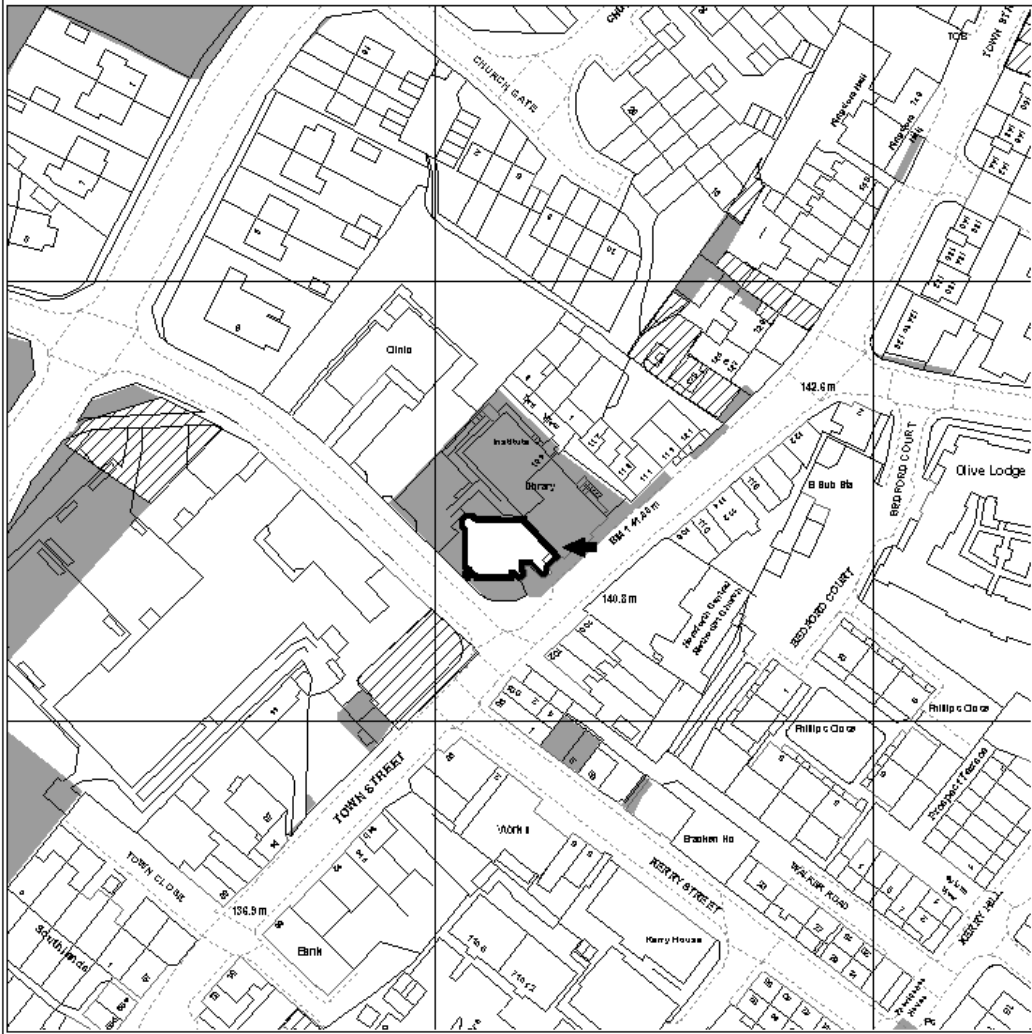
10.0 RECOMMENDATION

- 10.1 Executive Board is requested to give authority to spend in the amount of £895,000.

Background Papers

Asset Management files

**FORMER HORSFORTH LIBRARY
TOWN STREET
HORSFORTH
LEEDS LS18**



 ← SUBJECT SITE	 LAND OWNED BY LEEDS CITY COUNCIL	 LAND LEASED OUT BY LEEDS CITY COUNCIL
 LAND SOLD BY LEEDS CITY COUNCIL	 LAND OWNED BY APPLICANT	




Leeds
CITY COUNCIL

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Leeds City Council 100019667 2008

PREP BY ANNA GINNAW
DATE 02/10/08
OS No SE2338SE
Scale 1:1,250

PLAN No 11609



Map Document: (G:\LANDRECORDS\Land Records Plans\11600 - 11699\11609 Former Horsforth Library.mxd)
02/10/2008 - 14:13:23

Note: plan not to scale



Report of the Director of City Development

Executive Board

Date: 5 November 2008

Subject: Proposed take over of HBOS by Lloyds TSB

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

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)

1. PURPOSE OF REPORT

1.1 To update Executive Board on action being taken locally relating to the proposed takeover of HBOS by Lloyds TSB; the takeover of Bradford and Bingley by the Government, and sale of some of its assets.

2. BACKGROUND

2.1 On 17 September 2008 it was announced that Lloyds TSB would be acquiring HBOS and subsequently the Government announced the nationalisation of the Bradford and Bingley and the sale of some of its assets including the branch network to Bank Santander.

2.2 Since that time there has been further turmoil in the financial markets worldwide culminating in major injection of capital into the banking system across the globe. This was hoped to bring some stability to the markets, however, fears of a major recession has meant continued volatility, and a further decline in share prices.

2.3 Following October Executive Board, the Leader of the Council, Councillor Brett convened an all party meeting together with officers and Yorkshire Forward to assess the current situation.

3. ACTION CURRENTLY BEING TAKEN

3.1 Following a meeting with the Minister for Yorkshire, Rosie Winterton and the Chancellor, Yorkshire Forward has convened a Financial Services Task Group. The task group comprises:

- Yorkshire Forward
- The Chief Executives of Leeds, Bradford and Calderdale Councils
- Leeds Financial Services Initiative
- The Private Sector
- The Financial Skills Academy (at Park Lane College)

The Task group's function is two fold:

- To make the case for Leeds and the City-Region as a critical part of the UK's financial services sector and as a location with significant competitive advantages for presentation both to the Chancellor and to senior executives of Lloyds TSB and HBOS
(Yorkshire Forward is commissioning a comprehensive report on the strengths of financial services in Leeds and the City-Region and the economic impact or multiplier and this is expected before Christmas)
- To consider how best to respond to increased job losses in the financial services sector

3.2 It should be noted that the Government had guaranteed that there would be no job losses at Bradford and Bingley for six months. It is also the case that the takeover of HBOS is still a proposal that will need to be approved by shareholders. It is estimated that this will take at least three months. Further, it is recognised that job losses in the financial services sector are likely to involve people with higher skilled levels (level 3 and above) than in the general economy, and that the agencies involved in dealing with redundancies may need to adapt their services to meet the needs of such a client group.

3.3 The current situation has been discussed at the City-Region Leaders Board, and it has been agreed that a co-ordinated approach be pursued.

4. CONCLUSIONS

4.1 Whilst it is recognised that a co-ordinated approach at the City-Region level is the best way forward, the Party leaders on the Council have agreed that there would be value in Leeds requesting a meeting with the minister to emphasise cross party concern, and seek support for continued investment in the City. This is being arranged.

4.2 Both the Council and the Leeds financial sector are represented on the Task Group being co-ordinated by Yorkshire Forward and the reputation of the City and surrounding areas as a location for financial and business services is critical to the case being assembled.

4.3 Further discussions will be pursued with Job Centre Plus concerning the approach to redundancies both in the financial services sector, and the wider economy.

4.4 The impact of the credit crunch, the crisis in the property market and financial turmoil is now feeding through to the wider economy. It is therefore proposed a further report be brought to the December meeting of the Executive Board.

RECOMMENDATIONS

Executive Board is asked to note this update and endorse the action being taken.

Background Papers

There are no background papers to accompany this report.

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Report of the Director Environment and Neighbourhoods

Executive Board

Date: 05th November 2008

Subject: Waste Solution for Leeds – Residual Waste Treatment PFI Project - Evaluation Methodology and Update

Electoral Wards Affected: All

Specific Implications For:
Equality and Diversity <input type="checkbox"/>
Community Cohesion <input type="checkbox"/>
Narrowing the Gap <input type="checkbox"/>

Eligible for Call In

Not Eligible for Call In

EXECUTIVE SUMMARY

1. The report provides Members with an update as to the progress of the project since the Executive Board approval of the principles of the evaluation methodology in July 2008.
2. The report details the proposed criteria and sub-criteria for evaluation, their weightings, and key aspects of the Evaluation Methodology, for approval by Members.
3. The report identifies a Price Ceiling above which Bidders may be excluded.
4. The report details the proposed approach to dealing with third party waste.

1.0 Purpose of This Report

1.1 The purpose of this report is to:

- (a) Obtain Executive Board approval for the criteria, sub-criteria and weightings for the evaluation of bids received during the procurement phase of the Residual Waste Treatment PFI Project and;
- (b) Provide an update to the Residual Waste Treatment PFI Project affordability and project scope since the Executive Board paper in July 2008.

2.0 Background Information

2.1 In November 2007, the Executive Board approved the submission of the Outline Business Case for the Residual Waste Treatment Project to DEFRA and HM Treasury for approval. This approval was received in March 2008 and subsequently work proceeded to prepare the project for commencement of the procurement stage.

2.2 In July 2008 the Executive Board authorised Officers to begin procurement of the Residual Waste Treatment PFI Project through the placement of an OJEU and other contract notices, as well as giving approval to the principles of the methodology to evaluate the bids received. This report deals with the progress of the procurement since this time.

3.0 Contract Objectives and Project Scope

3.1 The Council continually monitors and reassesses its waste flow model, which forecasts future growth in waste arisings, and incorporates projected increases in recycling, and resulting processing capacity requirements. This is responsive to the reductions in waste observed in recent years. The size of the residual waste treatment capacity requirement identified by the waste flow model is 160,000 tonnes of processing capacity per annum, some 20,000 tonnes less than previously estimated. The revised financial figures outlined in section 8.0 of this report reflect the new waste flow assessment.

3.2 The proposed contract will not cover the collection of waste, nor the processing of recycling streams segregated for recycling by householders or through other front-end initiatives. However, the evaluation framework will incentivise additional recycling that can be achieved through the treatment of residual waste, as outlined in section 6.0, criteria 1.1 of this report.

3.3 The provision of a transfer station will be included within the scope of the contract. This is necessary to ensure that collection services can be provided in an efficient and sustainable manner. It is intended that the existing facility on Evanston Avenue, off Kirkstall Road, becomes the Council's reference site for this purpose. A detailed feasibility report has been undertaken which has concluded that there are no constraints to proceeding with this as a reference site for the procurement, and site selection work has shown that there is not an obvious alternative site in the Council's control which would be appropriate. The tonnages of residual waste that the transfer station would manage (and the associated vehicle movements) would be significantly less than when the facility was previously fully operational.

3.4 However, it is emphasised that the Council does not have a preference for a particular transfer station location, providing any proposal does not have a significant impact on the efficiencies for the collection service, and bidders will be permitted to submit their own sites. Any proposed sites will be assessed in terms of their location, suitability and the likely success of any planning application, in a similar way to sites for the main plant.

3.5 A planning application for the new transfer station facility will be necessary and this is expected to be developed and submitted by the successful bidder at an appropriate stage.

4.0 Residual Waste Treatment Project Progress

- 4.1 The Official Journal of The European Union (OJEU) notice was released on schedule on Wednesday 30th July 2008, together with the Memorandum of Information and Pre-Qualification Questionnaire (PQQ).
- 4.2 Thirteen PQQ responses were received by the 5th September 2008, and were considered by the Project team. Two of the respondents were not successful in meeting the criteria evaluated in the Pre-Qualification Questionnaire and one consortium subsequently withdrew from the procurement.
- 4.3 The Project Board met on 15th October 2008 and approved the selection of Bidders who passed the PQQ evaluation. All Bidders have been informed of the outcome by letter.
- 4.4 The following table lists the 10 Bidders to be taken forward to the next stage, Invitation to Submit Outline Solutions (ISOS):

	Consortia
1	AmeyCespa Waste
2	Biffa Waste Services Ltd.
3	Joint venture between Covanta Energy Ltd and Kelda Water Services Ltd.
4	Joint Venture between Interserve Investments Ltd and United Utilities PLC
5	MVV Umwelt GmbH
6	Joint Venture between Shanks Group PLC and Scottish and Southern Energy Generation Ltd.
7	Urbaser S.A.
8	Veolia ES Aurora Ltd.
9	VT Environmental Engineering Ltd.
10	Waste Recycling Group (WRG) Ltd.

- 4.5 The Competitive Dialogue phase of the process will begin on 13th November 2008. Bidders are required to submit, as part of the first stage of the Competitive Dialogue, a response to the Invitation to Submit Outline Solutions (ISOS) by 21st January 2009. It is intended that 3 or 4 Bidders, on completion of the outline solutions evaluation, will be selected to move forward to the subsequent Invitation to Submit Detailed Solutions (ISDS) stage. On completion of the evaluation at ISDS stage (estimated to be November 2009), 2 of the remaining Bidders are expected to be selected to go forward to the subsequent stage of the procurement process, the Invitation to Submit Final Tenders (ITSFT). On completion of the ITSFT stage, a Preferred Bidder will be identified by the Council. The Council has reserved the right to include additional stages within the procurement process should it be deemed necessary.

5.0 Evaluation Strategy

- 5.1 A report was submitted to the Executive Board in July 2008 which contained the proposed criteria for evaluation.
- 5.2 The price/quality split was agreed by the Executive Board to be:

Table 1

Criteria	% Score Allocated
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Quality Score	60%
Price Score	40%
Total	100%

5.3 The criteria against which the qualitative score will be assessed were agreed by the Executive Board as detailed below:

Table 2

Quality Criteria	Allocation
Sustainability	36
Bid Integrity	4.5
Commercial and legal	9
Finance and Corporate Structure	6
Payment mechanism	4.5
Total	60

5.4 Following the completion of each bidding round the evaluation results will be reported to the Project Board who will determine the outcome of the evaluation in accordance with the approved criteria and the format of the subsequent bidding stage of the competitive dialogue.

5.5 Following the end of the competition when the preferred bidder has been identified, a further report will be submitted to the Executive Board setting out the results of the procurement and seeking approval of the Final Business Case and to enter into a contract.

6.0 Evaluation Sub Criteria

6.1 The qualitative criteria for the ISDS and subsequent stages have now been subdivided into further sub criteria with weightings allocated. It is not anticipated that these will change through the procurement process; however it may be necessary to provide further sub divisions of weightings to reflect any development of the bid deliverables required from Bidders. The approval for any additional detail will be sought from the Project Board via its existing delegations. The additional detail is however unlikely to materially affect the evaluation. The breakdown is shown in the table below.

Criteria	Question as a % Total of Overall Score
1. Sustainability	
1.1 Technology	
Overall Capacity and Flexibility	3.60%
Deliverability of Proposed Solutions	4.50%
Landfill Diversion, Recycling and Composting	
• Landfill Diversion	2.40%
• Recycling/Composting Performance	1.80%
Section Total	12.30%
1.2 Management Systems	
Contingency and Maintenance Planning	3.60%
• Contingency Planning	

<ul style="list-style-type: none"> Maintenance Plan 	
Management Systems	
<ul style="list-style-type: none"> Operation Proposals 	
<ul style="list-style-type: none"> Health and Safety Plan/Quality Plan 	
Section Total	3.60%
1.3 Design, Sites, Planning and Permitting	
Design	2.10%
Planning and Permitting	4.50%
Section Total	6.60%
1.4 Social	
Education and Engagement with Local Community and Wider Stakeholders	1.80%
Section Total	1.80%
1.5 Environmental Impacts	
WRATE (Waste and Resources Assessment Tool for the Environment)	
Environmental Impact Control Plan and Carbon Management Plan	4.80%
Continuous Improvement	
Section Total	4.80%
1.6 Economic	
Energy and Resource Efficiency	1.80%
Third Party Income Proposals	1.80%
Security of Outlets for Residues and End Products (including recycle and energy)	
<ul style="list-style-type: none"> Ability to meet quality requirements for markets 	3.30%
<ul style="list-style-type: none"> Contractual robustness of market proposal and financial risk to Council 	
Section Total	6.90%
Sustainability Section Total	36.00%
2. Bid Integrity	
Completeness and Strategy	1.125%
Bid Team and Cohesiveness	1.125%
Partnership Working with the Council and Contractors delivering other elements of the Waste Solution	1.125%
Management of Advisers and Sub-contractor(s)	1.125%
Section Total	4.50%

3. Legal and Commercial	
Commercial Acceptability and Risk Transfer	4.50%
Land (including Title, Ground Conditions and Contamination)	0.90%
Consents (including planning and associated contractor issues)	0.90%
Termination, Compensation on Termination, Refinancing, Treatment of asset on expiry	0.90%
General (incl. Indemnities, Insurance, IPR, Payment, Change Protocol etc, but excl. above matters)	1.80%
Section Total	9.00%
4. Finance and Corporate Structure	
Financial Robustness of Bid	1.50%
Deliverability of Funding Packages	3.00%
Strength of Commitment	1.50%
Section Total	6.00%
5. Payment Mechanism	
Payment Mechanism	4.50%
Section Total	4.50%
6. Price Evaluation	
Price Evaluation (see section 7.0 below for methodology)	40.00%
Section Total	40.00%
Total Overall	100.00%

6.2 Following the direction given by Executive Board that the methodology should be technology neutral, detailed testing of the different technology solutions likely to be offered by the market has been undertaken. This testing has involved the hypothetical scoring of a range of technologies against the technical, sustainability and price criteria within the evaluation matrix using data provided by the Council's advisors, based on their knowledge of the marketplace, to ensure a representative range of scenarios have been covered.

6.3 The work has shown there to be no appreciable bias towards any particular technology. However, the evaluation framework has been designed to ensure that Leeds selects a technology that is reliable and deliverable, within the price ceiling agreed by the Council, and fully assesses the environmental impact of solutions.

7.0 Price Evaluation Methodology

7.1 As shown at 5.2 above the price evaluation will account for 40% of the overall evaluation score and will assess the cost of each bid solution to the Council.

7.2 The evaluation methodology set out below has been developed such that:

- The cost to the Council does not exceed the cost of the 'do nothing' scenario (see para 8.2);
- Bidders are incentivised to price competitively, and will receive more evaluation marks for a lower price; and
- There is an appropriate balance between the quality and price evaluations (with the objective that different technologies are not inappropriately excluded from the competition on the grounds of price alone).

8.0 Price Ceiling

8.1 The Price Ceiling, which has been revised following the further waste flow modelling referred to in section 3.1 of this report, will set the maximum price acceptable to the Council, in total cash terms, from 1st April 2010 (i.e. the year in which the Contract is expected to be signed) to 31st March 2039 (i.e. the contract expiry date). The reference project assumes an operational start date of April 2014. The proposed approach enables the Council to assess the relative cost of bids which assume different operational start dates, and will take into account the Council's own residual waste disposal costs prior to the commencement of the facility.

8.2 The cost of the 'do nothing' scenario from 2014 to 2039 (in which all service developments take place to achieve recycling targets, but with no residual waste treatment facility) is £514.577m in total cash terms. The table below calculates the maximum unitary charge that could be payable by the Council in total cash terms to ensure that the 'do nothing' cost is not exceeded.

	Total Cost to Council (2014 to 2039) £m
Total Cost of 'do nothing' scenario	514.577
PFI Revenue Support Grant	132.641
PFI Contract Management Costs	(3.416)
Cost of Processing Residual Waste not suitable for treatment	(70.258)
Maximum Unitary Charge Payable	573.544

8.3 The Price Ceiling is therefore calculated as being:

- the total unitary charge payable over the assumed operational life of the Contract (from 2014 to 2039) of £573.544m; plus
- the expected cost of residual waste processing by the Council between 2010 and 2014 of £59.556m.

This gives a Price Ceiling of £633.101m in nominal terms.

8.4 Bidders will be required to meet the Price Ceiling from the ISDS stage of procurement onwards. The Council will reserve the right to adjust bidders' prices in the event that the bidder places additional financial risk on the Council which is not reflected in the unitary charge. The Council will be able to exclude any bidders from the procurement process if they do not price below the Price Ceiling.

8.5 In addition to the Unitary Charge, the Council will also reimburse the Contractor for relevant National Non Domestic Rates ('NNDR') charges. The Council anticipates that these costs will total circa £15m over the life of the project, although the actual charge will not be known until the facility has been constructed. Therefore an estimated cost of £15m will be added to all bidders' prices. Bidders will be required to meet the Price Ceiling after this adjustment has been made.

9.0 Evaluating Price at ISDS

9.1 All bidders pricing within the Price Ceiling will receive a price evaluation score. The price evaluation will assess the Net Present Value ('NPV') of the total cost to the Council over the life of the 25 year contract.

9.2 Bidders' prices will be assessed by reference to a Minimum Price Threshold. Any bidder pricing on or below the Minimum Price Threshold will receive a price evaluation score of 100%. The Minimum Price Threshold will be set at a level which will be sufficient to promote competitive pricing, but will discourage bidders from seeking an inappropriate advantage under the scoring system by bidding a price which is too low and therefore not robust. The actual percentage used will be confirmed to bidders once the ISOS proposals have been reviewed.

9.3 Bidders pricing above the Minimum Price Threshold will be scored on a linear basis, using a pre-determined formula, such that the higher the price bid, the lower the score received. As described in section 8.4, bids received above the Price Ceiling will be recommended to the Project Board for rejection.

10.0 Evaluating Price at ISOS

10.1 A simplified approach to price evaluation will be undertaken at the ISOS stage of procurement. This is to reflect the fact that bidders will not be expected to provide a fully priced financial model at this stage. As a result, bidders will be required to provide some basic elemental cost data, and an overview of their approach to pricing, which will be used to ascertain a price evaluation score.

11.0 Programme

11.1 Due to the complexity and level of public interest in the Residual Waste Treatment PFI, it is recommended that the strategy for informing Members is formalised.

11.2 The future programme and the levels of delegation in respect of the decisions necessary to progress the procurement is shown below, together with those decisions already taken which are shown with a grey background:

Decision	Estimated Date	Decision Making Body
Commencement of procurement (OJEU notice)	July 2008	Executive Board
Outcome of PQQ evaluation	October 2008	Project Board
Approval of detailed	November 2008	Executive Board

Decision	Estimated Date	Decision Making Body
evaluation criteria and sub-criteria		
Approval of full evaluation methodology and minimum price threshold	November 2008 – April 2009	Project Board
Outcome of ISOS Evaluation	March 2009	Project Board
Outcome of ISDS evaluation	Third quarter 2009	Project Board
Final Tender – leading to preferred bidder	First quarter 2010	Project Board subject to PUK review assessment
Approval of FBC and authority to contract with preferred bidder	Mid 2010 – early 2011	Executive Board
Contract finalisation and award	Mid 2010 – mid 2011	Deputy Chief Executive (under delegated powers)
Final approval of project funding	Mid 2010 – early 2011	DEFRA
Planning permission	Early 2011	Plans panel

12.0 Third Party Waste

- 12.1 A report was submitted to the Executive Board in July 2008 which highlighted that there may be benefits to the Council and stakeholders in Leeds in allowing for bids to propose additional capacity, beyond that required to treat Leeds' household municipal waste, in order that the facility may be capable of treating other waste generated in Leeds (e.g. commercial waste).
- 12.2 The current arrangements for the management of municipal waste involve a small proportion of waste generated in surrounding Local Authority areas being processed in Leeds and also similar levels of waste from Leeds being processed in surrounding districts and Local Authorities. The arrangements for processing third party waste within Leeds when the Residual Waste processing technology is operational in Leeds are expected to reflect the current profile of managing municipal waste in terms of the proportion of this waste that arises within the Leeds area. The future arrangements are not anticipated therefore to significantly change the volumes of waste crossing the Leeds City boundary.
- 12.3 Bidders will be provided with data on the Council's current waste arrangements and their bids will be evaluated on the principle that the scope of the new facility will be limited to primarily processing Leeds' waste and that any waste derived from across the City boundary will be reflective of current volumes. Bidders proposing to include third party waste will be evaluated within sections 1.3, 1.5 and 1.6 of the evaluation framework which will consider sustainability, proximity, planning, environmental impact and any additional benefits which their proposal offers to the Council.

13.0 Recommendations

13.1 Members of Executive Board are recommended to:

- a) Note the contents of this report.
- b) Approve the criteria, sub criteria and weightings for the evaluation of bids received for the project.
- c) Note the revised Price Ceiling resulting from the change in the waste flow model, described in section 8.0, and approve that bids received above this ceiling may not proceed further in the procurement.
- d) Approve the approach towards third party waste.

Background Papers

Report of the Director Environment and Neighbourhoods to Executive Board, 14th November 2007: *“Waste Solution for Leeds – Submission of the Outline Business Case for the Residual Waste Treatment Project”*.

Report of the Director Environment and Neighbourhoods to Executive Board, 16th July 2008: *“Waste Solution for Leeds – Residual Waste Treatment PFI project - Evaluation Methodology and Update”*.