

## EXECUTIVE BOARD

WEDNESDAY, 4TH MARCH, 2009

**PRESENT:** Councillor A Carter in the Chair

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

Councillor J Blake – Non Voting Advisory Member

### 207 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 1 to the report referred to in minute 211 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 Council's commercial interests by prejudicing sensitive negotiations currently underway with private sector investors to secure a contribution to the schemes.
- (b) Appendix 1 to the report referred to in minute 214 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 disclosure on the grounds that it contains commercially sensitive information about the respective financial and business affairs and commercial positions of the Council and Bidders.
- (c) The appendix to the report referred to in minute 225 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that it contains information relating to ongoing negotiations that are confidential and/or commercially sensitive. In these circumstances it is considered that the public interest in not disclosing this information outweighs the interests of disclosure.

### 208 Declaration of Interests

Councillor Brett declared a personal interest in the item relating to Brooksbank – Completion of Residential Care Strategy (minute 223) as a member of Burmantofts Senior Action Management Committee.

Councillor Wakefield declared personal interests in the items relating to The National Challenge and Structural Change to Secondary Provision (minute 217) and the Machinery of Government Changes and 14-19 Commissioning (minute 218) as a governor of Leeds City College and Brigshaw School.

Councillors J Procter, Harrand and Blake declared personal interests in the item relating to the City Varieties Music Hall (minute 222) as members of the Grand Theatre and Opera House Board.

Councillor Blake declared a personal interest in the items relating to the Joint Strategic Needs Assessment (minute 224) and Joint Service Centres (minute 225) as a non-Executive Director of Leeds NHS Primary Care Trust.

Councillor Finnigan declared, in relation to minute 225, that as a member of the Plans Panel (East) he had been involved in the planning approvals for the Chapeltown Centre.

**209 Minutes**

**RESOLVED** – That the minutes of the meeting held on 13<sup>th</sup> February 2009 be approved.

**210 Chair's Announcement**

The Chair reported on discussions which he had had with ITV in connection with local job losses at the company and the intention of the Council to work with the company and former employees to ameliorate the situation.

**DEVELOPMENT AND REGENERATION**

**211 Refurbishment of Kirkgate and Bond Street, Leeds City Centre**

The Director of City Development submitted a report on the proposed scheme design for the refurbishment of the pedestrianised section of Kirkgate that is bounded by Briggate and Vicar Lane and the refurbishment of Bond Street. Following consideration of appendix 1 to this 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 approval be given to the scheme design as outlined in the report.
- (b) That approval be given to the injection of funding into the Capital Programme together with authority to incur expenditure as identified in the exempt appendix to the report.

**212 Legible Leeds Project**

The Director of City Development submitted a report on proposals to improve the legibility of Leeds City Centre by investing in the pedestrian wayfinding system.

**RESOLVED –**

- (a) That approval be given in principle to the phased implementation of a new contemporary on-street wayfinding system, the first phase focusing on the central retail area, as indicated in the report;
- (b) That the Director of City Development be requested to work up a detailed design and costed programme of works, and to progress funding proposals to a total cost of £1,200,000.

**213 The Former Headingley Primary School**

Referring to minute 115 of the meeting held on 14<sup>th</sup> November 2007 the Director of City Development and the Director of Environment and Neighbourhoods submitted a joint report detailing a proposal of Headingley ward members, on behalf of the Headingley Development Trust, for the Council to provide £500,000 to enable the Trust to develop its 'Heart' proposal at the former Headingley Primary School.

The report contained officer commentary on the current proposal from the Trust, the risks associated with the proposal and the steps which the Council could take in mitigation of those risks should members be minded to support the proposal.

**RESOLVED –**

- (a) That, having regard to all that is said in paragraph 8 of the report:-
  - (i) the request from Headingley Development Trust for the transfer of the former Headingley Primary School to the Trust be approved; and
  - (ii) Council funding, in the amount of £500,000, be made available to support the scheme
- (b) That the transfer and the funding be subject to the imposition of the conditions outlined in paragraph 9.1 of the report.

**NEIGHBOURHOODS AND HOUSING**

**214 Little London and Beeston Hill and Holbeck Round 5 PFI Housing Project - Impact of Wider Economic Changes on Project Scope**

The Director of Environment and Neighbourhoods submitted a report providing an update on the procurement of the Housing PFI Project covering Little London and Beeston Hill and Holbeck, including issues arising from bids received at the 'Detailed Solutions' stage of the procurement exercise and proposed changes to the scope of the project.

The proposed changes to the scope of the project were summarised as follows:

- removal of the Development Agreement including the removal of disposal of land for construction of private homes for sale
- retention of Meynell Heights for refurbishment
- removal of three development sites in Beeston Hill and Holbeck (Waverley Garth, Malvern Rise/Grove, Cambrian Street) and two sites in Little London (Leicester Place and Cambridge Road)
- removal of parts of the Holbeck Towers and Carlton Gate sites

- reduction in PFI new build development in Beeston Hill and Holbeck from 350 to 275 units.

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 -**

- That approval be given to the changes to the PFI project scope as set out in the submitted report and in Appendices 2 and 3 thereto and that they be referred to the Homes and Communities Agency for approval.
- That the opportunity to consider land removed from the PFI project scope at this stage for alternative residential development be noted.
- That the revised timetable for the Invitation to Submit Refinement of Solutions and Final Tender stages of procurement be noted.
- That the Director of Environment and Neighbourhoods be requested to ensure that the annual review of the Lettings Policy considers options for the policy to be tailored to localised needs within the City.

**215 The EASEL and West Leeds Gateway Worklessness Project**

The Director of Environment and Neighbourhoods submitted a report outlining the approach taken to addressing worklessness following the Round Table discussions which had taken place with the Minister for Local Government, elected members, officers and partners.

**RESOLVED** – That the project, as outlined in the report, be endorsed and that a further report be brought to the Board on the outcome of the evaluation.

**216 Under Occupation Scheme**

The Director of Environment and Neighbourhoods submitted a report providing an update on the under occupation scheme launched in July 2008 and outlining proposals on how to encourage further customers who are currently under occupying to downsize.

**RESOLVED –**

- That, having noted that the scheme had released 27 homes up to January 2009, approval be given to the continuation of the scheme in 2009/10.
- That the Director of Environment and Neighbourhoods works with the Leeds ALMOs and the Belle Isle Tenants Management Organisation to increase the level of support offered to customers on the scheme.

**CHILDREN'S SERVICES**

**217 The National Challenge and Structural Change to Secondary Provision in Leeds - Progress Report**

The Chief Executive of Education Leeds submitted a report outlining recommended options for delivering the next phase in structuring secondary provision in Leeds, and in particular, the response to the National Challenge.

The report outlined options in relation to the individual elements of the Central Leeds Learning Federation, Primrose High School, City of Leeds High School, Parklands Girls' High School, Boston Spa School and Wetherby High School in Outer North East Leeds and presented two composite options dependent on the availability of BSF funding as follows:

### **OPTION A: If BSF Funding Is Available To Leeds**

#### The Central Leeds Learning Federation

To propose that the Federation be dissolved and that the possibilities and opportunities of Trust developments be explored as other structural options are developed.

#### Primrose High School

To consult on a proposal that Primrose High School should be closed and be replaced by an Academy which should open in September 2010.

#### City of Leeds

To consult on a proposal that City of Leeds School should be closed and be replaced by an Academy which should open on the City of Leeds site in September 2010. To propose that the Academy be moved to new build provision in East Leeds as soon as possible and using the current site for girls only provision.

#### Parklands Girls High School

To consult on a proposal that Parklands Girls' High School should be closed and replaced by an Academy which should open in September 2010. It is intended that the Academy sponsor and the associated partners would help the school focus on developing academic and vocational excellence. The Academy should be moved to the City of Leeds site as it becomes available. The current site would be further developed through BSF and used for new mixed secondary provision to meet the demand for secondary places in the area.

#### Outer NE Leeds

To consult on a proposal to establish a federation between Boston Spa School and Wetherby High School which would move into newly-built provision in Outer North East Leeds to cater for young people living in Boston Spa and Wetherby. Such a federation could also become a sponsor for a new build provision in East Leeds with full extended services provision and incorporating community and special educational needs provision.

### **OPTION B: If No BSF Funding Is Available To Leeds**

#### The Central Leeds Learning Federation

To propose that the Federation be dissolved and the possibilities and opportunities of Trust developments be explored as other structural options are developed.

#### Primrose High School

To consult on a proposal that Primrose High School should be closed and be replaced by an Academy which should open in September 2010.

#### City of Leeds

To consult on a proposal that City of Leeds School should be closed and be replaced by an Academy which should open in September 2010 and transfer to the Parklands site. To then propose to use the City of Leeds site for girls only provision.

#### Parklands Girls' High School

To consult on a proposal that Parklands Girls' High School should be closed and replaced by an Academy which should open in September 2010. It is intended that the Academy sponsor and the associated partners would help the school focus on developing academic and vocational excellence. The Academy should be moved to the City of Leeds site as it becomes available. The site would be used for a new Academy providing mixed secondary provision.

#### **RESOLVED –**

- (a) That, subject to additional BSF funding being available, option A above be adopted and that further reports be brought to the Board for final approval as each proposal moves to implementation.
- (b) That, in the absence of additional BSF funding, option B above be adopted and that further reports be brought to the Board for final approval as each proposal moves to implementation.

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

#### **218 Machinery of Government Changes and 14-19 Commissioning Arrangements: Leeds/Sub-Regional Proposals**

The Chief Executive of Education Leeds submitted a report on the proposed structures and governance arrangements that will form the basis for the next stage of local and sub-regional development work on the commissioning of 14-19 provision in Leeds.

#### **RESOLVED –**

- (a) That approval be given to the stage 2 Machinery of Government submission to the Department for Children, Schools and Families attached as annex 1 to the submitted report.
- (b) That the approach to establishing local authority and sub-regional level governance arrangements, as outlined in the report, be approved.

#### **219 Proposal to Close South Leeds High School on 31st August 2009**

Further to minute 142 of the meeting held on 3<sup>rd</sup> December 2008 the Chief Executive of Education Leeds submitted a report informing of the response to the statutory notice for the proposal to close South Leeds High School on 31<sup>st</sup> August 2009 and recommending the closure of the school on the same date.

**RESOLVED –**

- (a) That, noting that there were no responses to the statutory notice and having regard to the following four key reasons, approval be given to the unconditional closure of South Leeds High School on 31<sup>st</sup> August 2009:-
- The need to accelerate improvement, recognising that there has been improvement, but that there is a need to see this impact faster on the achievements of young people.
  - An academy would bring extra capacity (both professional expertise and other resources) to sustain improvement into the medium term.
  - In the School Partnership Trust (SPT) we have a local partner committed to sustaining and building upon South Leeds High School's contribution to the wider education community of Leeds.
  - SPT's knowledge and expertise involving local colleges, our universities, local health and social care services, the police and local businesses to improve opportunities and outcomes for young people is needed in South Leeds.
- (b) That the PFI development costs that will be incurred by the City Council arising from the closure of South Leeds High School and establishment of an Academy be noted.

**220 Proposal to Close Intake High School Arts College on 31st August 2009**

Further to minute 143 of the meeting held on 3<sup>rd</sup> December 2008 the Chief Executive of Education Leeds submitted a report informing of the response to the statutory notice for the proposal to close Intake High School Arts College on 31<sup>st</sup> August 2009 and recommending the closure of the school on the same date.

**RESOLVED –** That, noting that there were no responses to the statutory notice and having regard to the following four key reasons, approval be given to the unconditional closure of Intake High School Arts College on 31<sup>st</sup> August 2009:-

- The need to accelerate improvement. Whilst there has been improvement, there is a need to see this impact faster on the achievements of young people.
- An academy would bring extra capacity (both professional expertise and other resources) to sustain improvement into the medium term.
- Edutrust is an organisation that is geared up to maximise what Intake can learn from the family of schools in Leeds and that can supplement this with support from their network of academies.
- Edutrust's commitment to developing local communities means that there is an exciting opportunity, with a new state of the art school, to see learning becoming inspiring and accessible to everyone in Bramley, Stanningley, Armley and Kirkstall.

**221 Feedback on Executive Board Requests for Scrutiny**

The Head of Scrutiny and Member Development submitted a report providing feedback on the two requests made at the January meeting of the Board

Minutes approved at the meeting held on Wednesday, 1<sup>st</sup> April 2009

(Minute 175(b)) for work to be undertaken by the Scrutiny Board (Children's Services).

**RESOLVED** – That the response of the Scrutiny Board be noted.

## **LEISURE**

### **222 City Varieties Music Hall**

The Director of City Development submitted a report outlining the progress made on the refurbishment of the City Varieties Music Hall, advising of the Heritage Lottery Fund award and presenting proposals for further work to be undertaken.

**RESOLVED** –

- (a) That the HLF Stage 2 application award of £2,739,000 be noted.
- (b) That the Council enter into a grant agreement with the HLF on the terms and conditions detailed in the report subject to any further variations agreed by the Assistant Chief Executive (Corporate Governance).
- (c) That the decision of the Leeds Grand Theatre and Opera House Ltd Board of Management to increase their fundraising contribution to £1,261,000 to the project budget be noted.
- (d) That authority be given to incur expenditure of £8,210,000 on the refurbishment project including authority to enter into a building works contract.
- (e) That approval be given to an injection of £125,000 to the Capital Programme through an increase in the existing prudential borrowing arrangements for the purchase of the Swan Public house.
- (f) That a letter of intent be issued to carry out preliminary works, if required, to avoid delay to the project programme.
- (g) That the revised total project cost of £9,325,000 be noted.

## **ADULT HEALTH AND SOCIAL CARE**

### **223 Brooksbank - Completion of Residential Care Strategy**

The Director of Adult Social Services submitted a report providing an update on the progress made with respect to the Older People's long-term strategy and seeking specific approvals in respect of Brooksbank following external assessments of the building as life expired.

**RESOLVED** –

- (a) That the completion of the strategy approved in 2001 be noted.
- (b) That the Board agrees that Brooksbank as a building is life expired as a safe modern residential care home and declares it surplus to the requirements of Adult Social Care.
- (c) That the Director of Adult Social Care request the Asset Management Board to investigate alternative uses for the site, including its potential for an extra care scheme.

### **224 Joint Strategic Needs Assessment**



The Director of Adult Social Services and Director of Children's Services submitted a joint report presenting the Joint Strategic Needs Assessment report, the data pack and other qualitative information used to arrive at the current findings.

**RESOLVED –**

- (a) That the findings of the first phase of the Leeds Joint Strategic Needs Assessment be endorsed and that approval be given for publication of the report Implementing the Leeds JSNA;
- (b) That the Director of Adult Social Services and the Director of Children's Services produce further reports on at least an annual basis, to report the results of future JSNA work;
- (c) That all Directors, and in particular the Directors of Adult Social Services and Children's Services be requested to ensure that all future commissioning plans and service plans reflect the health and well being priorities identified through the Leeds JSNA process.
- (d) That the interest already shown by the three relevant Scrutiny Boards, be noted and that they be asked to keep an oversight of JSNA work within their work programmes.
- (e) That the final report of Implementing the Leeds Joint Strategic Needs Assessment Framework, as attached to the report, be circulated to all members of Council for information and reference.

**CENTRAL AND CORPORATE**

**225 Joint Services Centres at Chapeltown, Harehills and Kirkstall**

The Deputy Chief Executive submitted a report on progress on the procurement of the Chapeltown and Harehills elements of the Joint Service Centres Project and on a package of proposals from Community Ventures Limited to develop a joint service centre at Kirkstall.

Following consideration of the appendix 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 Stage 2 Offer for the Chapeltown and Harehills centres as prepared by Community Ventures Limited be acknowledged and that the Deputy Chief Executive be authorised to formally accept the offer on behalf of the Council subject to completion of a satisfactory value for money assessment, to be undertaken by the District Valuer.
- (b) That the Deputy Chief Executive be authorised to submit the Offer for the Chapeltown and Harehills centres to the Leeds Lift Strategic Partnering Board for Stage 2 Approval under the LIFT process subject to completion of a satisfactory value for money assessment, to be undertaken by the District Valuer.
- (c) That approval be given to the financial implications for the Council of entering into the Joint Service Centre Project for the Chapeltown and Harehills centres ("Project") and that the maximum affordability deficit

- to be funded by the Council for these two Centres as set out in Appendix 1 to the report be approved.
- (d) That the Deputy Chief Executive be authorised to submit the Final Business Case for the Project to the Department of Communities and Local Government subject to the District Valuer having completed a satisfactory value for money assessment, and that the Project remains within the maximum affordability ceiling set out in recommendation c, above.
  - (e) That approval be given to the arrangements to Financial Close and implementation of the Project to include (but not by way of limitation) the award of/entry into Lease Plus Agreements with Community Ventures Limited (CVL), and, in connection therewith, that the Deputy Chief Executive (or in his absence the Director of Resources) be authorised to
    - (i) make any necessary amendments to the Final Business Case.
    - (ii) give final approval to the completion of the Project, including (but not by way of limitation) the terms of the Lease Plus Agreements together with any other documentation ancillary or additional to the Lease Plus Agreements necessary for the completion of the Project (“Project Documents”), subject to
      - (C) CLG approval of the Final Business Case.
      - (D) the Deputy Chief Executive (or in his absence the Director of Resources) being satisfied that the Project remains within the affordability constraints set out in recommendation (c) above;
    - (iii) approve the signing of any necessary certificates under the Local Government (Contracts) Act 1997 in relation to the Project;
    - (iv) approve the execution of the Project Documents, by affixing the Council’s common seal and/or signature (in accordance with Articles 14.4 and 14.5 of Part 2 of the City Council’s Constitution) and to approve (or authorise any officer of the Council to take) any necessary further action following approval of completion of the Project to complete the Project including any final amendments to the Project Documents.
  - (f) That the Stage 1 Offer for the Kirkstall Joint Service Centre as prepared by Community Ventures Limited be acknowledged and that the Deputy Chief Executive be authorised to formally accept that offer on behalf of the Council subject to completion of a satisfactory value for money assessment, to be undertaken by the District Valuer and that the offer is affordable to the City Council.
  - (g) That the Deputy Chief Executive be authorised subject to a successful Value for Money Assessment and the Project being affordable to the City Council, to submit the Stage 1 Offer for the Kirkstall Joint Service Centre to the Leeds Lift Strategic Partnering Board for Stage 1 for Approval under the LIFT process;

- (h) That approval be given to the affordability ceiling for the Chapeltown and Harehills Project as shown in table 1 of the exempt appendix, with an affordability deficit of £396,000 to be funded by the Council in the first year of operations (2011/12);
- (i) That the affordability ceiling for the Kirkstall Joint Service Centre be approved at a maximum deficit of £245,000 in the first full year of operations (2012/13).

**226 Amendments to the Leeds Strategic Plan 2008-2011**

The Assistant Chief Executive (Policy, Planning and Improvement) submitted a report on a number of proposed amendments to the Leeds Strategic Plan 2008-11, the Local Area Agreement for Leeds.

**RESOLVED –**

- (a) That approval be given to Appendix 1 to the report as the Council's proposed revisions and additions to the 'Government Agreed' targets prior to submission to Government in time for 9 March 2009.
- (b) That the Assistant Chief Executive (Planning, Policy and Improvement) be authorised to make minor amendments, if required, prior to submission to Government. Should any revisions be required, the Assistant Chief Executive will inform Members of Executive Board prior to submission.
- (c) That future reports on the realism of targets in light of the impact of the economic recession be brought to the Board.

DATE OF PUBLICATION: 6<sup>TH</sup> MARCH 2009  
LAST DATE FOR CALL IN: 13<sup>TH</sup> MARCH 2009 (5.00 PM)

(Scrutiny Support will notify Directors of any items called in by 12.00 noon on 16<sup>th</sup> March 2009).