



A meeting of the Council will be held in the Civic Hall, Leeds on Wednesday, 10th September, 2008 at 1.30 pm

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

1. Minutes

To confirm the minutes of the Council Meeting held on 2nd July 2008.

2. Declarations of Interest

To receive any declarations of interest from Members

3. Communications

To receive such communications as the Lord Mayor, the Leader, Members of the Executive Board or the Chief Executive consider appropriate

4. Deputations

To receive deputations in accordance with Council Procedure Rule 10

5. Reports

To consider reports as follows (the Chief Executive considers that these reports are appropriate to be received at this meeting in accordance with Council Procedure Rule 2.2(f)):

- (a) That the report of the Chief Democratic Services Officer on Members' Allowances be approved.

R BRETT

- (b) That the report of the Assistant Chief Executive (Corporate Governance) on appointments be approved.

J PROCTER

6. Questions

To deal with questions in accordance with Council Procedure Rule 11

7. Recommendations of the Executive Board

- (a) That the report of the Assistant Chief Executive (Corporate Governance) on recommendations of the Executive Board in relation to a Key Decision taken under Special Urgency Provisions be approved.

R BRETT

- (b) That the report of the Assistant Chief Executive (Corporate Governance) on the Revision of byelaws for pleasure grounds, public walks and open spaces be approved (*to follow).

R BRETT

8. Minutes

That the minutes be received in accordance with Council Procedure Rule 2.2(m)*

R BRETT

9. White Paper Motion - Members' Allowances

This Council agrees to freeze all Councillors allowances for the next two years.

R FINNIGAN

10. White Paper Motion - Strategic Housing Land Availability Assessment

This Council expresses its concern at the Government imposed requirement for all Local Planning Authorities to compile a Strategic Housing Land Availability Assessment – Call for sites (SHLAA).

Noting Government advice, Local Planning Authorities cannot exclude green belt, greenfield sites or any other land protected by Council policy from the assessment.

This Council reinforces its commitment to vigorously protect its green heritage and to continue working within its established planning policies. It condemns the enforced stealth tactics employed by the Government which seeks to undermine the local planning policy which protects such areas of land and calls on the Government to reassess its unsustainable housing targets.

This Council is also concerned that the SHLAA will raise false aspirations and may be misinterpreted by some that all land contained can be potentially built upon. Therefore the SHLAA for Leeds must state that its contents will not determine land allocated for housing development or undermine the Council's pre-approved policies.

A CARTER

11. White Paper Motion - Proposed Increases in Charges for Community Care Services

This Council notes with serious concern the performance of Adult Social Care and the proposed increases in charges for community care services, which could see people unfairly charged an extra £170 per week for services they already receive.

This Council therefore calls upon the Adult Social Care Department to review all alternative sources of funding to prevent this disgraceful tax on the elderly.

D COUPAR

12. White Paper Motion - Access to Adult Training

This Council condemns the ruling administration for the way it has allowed access to adult training across the city to be destroyed.

J McKENNA

13. White Paper Motion Submitted Under the Provisions of Council Procedure Rule 3.1(d) - Great Britain's Olympic Team

This Council congratulates Great Britain's Olympic team on their fantastic achievements in Beijing and in-particular Leeds based athletes Alistair Brownlee, Joanne Ellis, Tandi Gerrard and Rebecca Gallantree.

This Council also wishes the GB Paralympics Team and Leeds based athletes Cathy Mitton and David Stone every success at their forthcoming games in Beijing this month. Furthermore we hope this Council will use the achievements of the GB Olympic Team as a positive tool with which to inspire more young people to become active at all levels of sport.

R HARINGTON

Chief Executive

Civic Hall
Leeds
LS1 1UR

NOTE – The order in which White Paper motions will be debated will be determined by Whips prior to the meeting

* The minutes of the Executive Board meeting held on 2nd September and the report on the byelaws will be circulated as late items as it is considered desirable that the Council be given timely opportunity to comment upon the minutes and as the byelaw recommendation arises from those minutes.

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Proceedings of the Meeting of the Leeds City Council held at the
Civic Hall, Leeds on Wednesday, 2nd July, 2008

PRESENT: The Lord Mayor Councillor Frank Robinson in the Chair

WARD

ADEL & WHARFEDALE

Barry John Anderson
John Leslie Carter
Clive Fox

ALWOODLEY

Ronald David Feldman
Ruth Feldman
Peter Mervyn Harrand

ARDSLEY & ROBIN HOOD

Karen Renshaw
Jack Dunn
Lisa Mulherin

ARMLEY

Alison Natalie Kay Lowe
James McKenna
Janet Harper

BEESTON & HOLBECK

Angela Gabriel
Adam Ogilvie
David Congreve

BRAMLEY & STANNINGLEY

Angela Denise Atkinson
Neil Taggart

BURMANTOFTS & RICHMOND HILL

Ralph Pryke
Richard Brett
David Hollingsworth

WARD

CALVERLEY & FARSLEY

Joseph William Marjoram
Frank Robinson

CHAPEL ALLERTON

Eileen Taylor
Mohammed Rafique
Jane Dowson

CITY & HUNSLET

Elizabeth Nash
Patrick Davey
Mohammed Iqbal

CROSS GATES & WHINMOOR

Suzi Armitage
Pauleen Grahame
Peter John Gruen

FARNLEY & WORTLEY

David Blackburn
Ann Blackburn

GARFORTH & SWILLINGTON

Andrea McKenna
Mark Dobson
Thomas Murray

GIPTON & HAREHILLS

Alan Leonard Taylor
Arif Hussain
Roger Harington

GUISELEY & RAWDON

Graham Latty
Stuart Andrew
John Bale

HAREWOOD

Ann Castle
Rachael Procter
Alec Shelbrooke

HEADINGLEY

Jamie Matthews
James John Monaghan
Martin Hamilton

HORSFORTH

Christopher Townsley
Andrew Barker
Brian Cleasby

HYDE PARK & WOODHOUSE

Penny Ewens
Kabeer Hussain
Linda Valerie Rhodes-Clayton

KILLINGBECK & SEACROFT

Graham Hyde
Veronica Morgan
Brian Michael Selby

KIPPAX & METHLEY

John Keith Parker
James Lewis
Keith Ivor Wakefield

KIRKSTALL

Lucinda Joy Yeadon
John Anthony Illingworth
Bernard Peter Atha

MIDDLETON PARK

Geoffrey Driver
Judith Blake
Debra Ann Coupar

MOORTOWN

Mark Daniel Harris

Richard Harker

MORLEY NORTH

Robert Finnigan
Robert William Gettings
Thomas Leadley

MORLEY SOUTH

Judith Elliot
Terrence Grayshon
Christopher James Beverley

OTLEY & YEADON

Graham Peter Kirkland
Colin Campbell
Ryk Downes

PUDSEY

Josephine Patricia Jarosz
Richard Alwyn Lewis

ROTHWELL

Donald Michael Wilson
Steve Smith
Barry Stewart Golton

ROUNDHAY

Matthew Lobley
Valerie Kendall
Paul Wadsworth

TEMPLE NEWSAM

William Schofield Hyde
Jacqueline Langdale
Michael Lyons

WEETWOOD

Ben Chastney
Susan Bentley
Judith Mara Chapman

WETHERBY

Gerald Wilkinson
Alan James Lamb
John Michael Procter

14 Announcements

- (a) The Lord Mayor welcomed Councillors Chastney, Marjoram, Matthews, E Taylor and Yeadon to this their first ordinary meeting of Council.
- (b) The Lord Mayor referred to the recent death of Pat Regan and members bowed their heads in respect.
- (c) The Lord Mayor displayed to Council the 2008 National Health Service, Health and Social Care Award which had been awarded to the Council for its Dignity in Care Campaign.
- (d) The Lord Mayor referred to the imminent 90th birthday of Nelson Mandela, a Freeman of the City, and informed Council that greetings had been sent to him on behalf of the City.

15 Minutes

It was moved by Councillor J Procter seconded by Councillor Gruen and

RESOLVED – That the minutes of the Annual Council meeting held on 22nd May 2008 be approved.

16 Declarations of Interest

The Lord Mayor announced that a list of written declarations submitted by Members was on deposit in the public galleries and had been circulated to each Member's place in the Chamber.

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

- (a) Members declared personal interests in minute 24 of this meeting as follows:
 - Councillor Anderson - Governor- Holy Trinity Primary School
 - Councillor J L Carter - Governor, Adel Primary School
 - Councillor Castle - Governor, Talbot Primary School
 - Councillor Mrs R Feldman - Governor, Alwoodley Primary School
 - Councillor R Feldman - Governor, Brodetsky Primary School
 - Councillor Fox - Governor, Allerton High School
 - Councillor Fox - Governor, Leeds College of Technology
 - Councillor Harrand - Governor, Wigton Moor Primary School
 - Councillor W Hyde - Governor, Temple Moor High School
 - Councillor W Hyde - Governor, Colton Primary School
 - Councillor Kendall - Governor- Roundhay School
 - Councillor Lamb - Governor- Ninelands Lane Primary School, Garforth
 - Councillor Lamb - Governor, Wetherby High School
 - Councillor Lamb - Trustee, Schools Partnership Trust

Councillor Shelbrooke	- Foundation Governor, Strawberry Fields Primary School, Garforth - East Garforth Primary School
Councillor Wadsworth	- Governor, Allerton Grange High School - Governor, Gledhow Primary School
Councillor Wilkinson	- Governor, Lady Hastings Primary in Collingham - Member, Children's Advisory Panel
Councillor Harker	- Governor, Moortown Primary School
Councillor Pryke	- LEA Governor of Primrose and City of Leeds Federated High Schools and Ebor Gardens Primary School
Councillor Lancaster	- LEA Governor for Carr Manor High School - LEA Governor for North West SILC
Councillor Murray	- Trustee of Garforth School Trust - CEO Learning Partnerships
Councillor Rafique	- Employee of Education Leeds - Governor of Chapel Allerton Primary School
Councillor Cleasby	- Governor of Benton Park Secondary and Westbrook Lane Primary Schools
Councillor D Blackburn	- Governor of Whingate Primary and Lower Wortley Primary Schools
Councillor A Blackburn	- Governor of Lawns Park and Ryecroft Primary Schools
Councillor Barker	- Governor of Horsforth Featherbank School
Councillor Bentley	- Governor of Iveson Primary School and Lawnswood High School
Councillor Campbell	- Governor of Queensway Primary School, Yeadon
Councillor Chapman	- Governor of Weetwood Primary School
Councillor Chastney	- Governor of Ireland Wood Primary School
Councillor Downes	- Governor of Prince Henry's Grammar School, Rufford Park Primary School, Yeadon and Ashfield Primary School, Otley
Councillor Ewens	- Governor of City of Leeds High School - Governor of North West Specialist Inclusive Learning Centre
Councillor Golton	- Governor of Oulton Primary School - Governor of Asquith Primary School
Councillor Harris	- Governor of Roundhay High School
Councillor Hollingsworth	- Governor of Brownhill Primary School - Governor of Shakespeare Primary School
Councillor Kirkland	- Governor of Prince Henry's Grammar School, Otley

Councillor Smith	- Governor of Royds High School - Governor of Oulton Primary School, Oulton
Councillor Taylor	- Governor of Oakwood Primary School - Governor of Harehills Primary School
Councillor Townsley	- Governor of Horsforth High School
Councillor Wilson	- Governor of Haigh Road Primary School, Rothwell - Governor of Rothwell Primary School
Councillor Armitage	- Governor of Grimes Dyke Primary School
Councillor Blake	- Governor of Westwood Primary School
Councillor Congreve	- Governor of Cockburn College of Arts
Councillor Coulson	- Governor of Pudsey Tyersal Primary School and Pudsey Grangefield High School
Councillor Coupar	- Governor of Corpus Christi Catholic College and Sharp Lane Primary School
Councillor Davey	- Governor of St Francis of Assisi Catholic Primary School
Councillor Dobson	- Governor of Garforth Green Lane Primary School and Swillington Primary School
Councillor Dowson	- Governor of Bracken Edge Primary School
Councillor Driver	- Governor of Windmill Primary and Middleton Primary Schools and South Leeds High School
Councillor Dunn	- Governor of Thorpe Primary School
Councillor Gabriel	- Governor of Hugh Gaitskell Primary and St Anthony's Catholic Primary Schools
Councillor Grahame	- Governor of St Gregory's Catholic Primary School, John Smeaton High School and Swarcliffe Primary School
Councillor Gruen	- Governor of Hillcrest Primary School and John Smeaton High School
Councillor Hanley	- Governor of Intake High School
Councillor Harington	- Governor of Bankside Primary and Oakwood Primary schools
Councillor Harper	- Governor of West Leeds High School
Councillor K Hussain	- Rosebank Primary School
Councillor A Hussain	- Governor of Woodlands Primary School
Councillor G Hyde	- Governor of Seacroft Grange Primary and Parklands Primary Schools
Councillor Illingworth	- Governor of Kirkstall Valley Primary School
Councillor Iqbal	- Governor of Low Road Primary School

Councillor Jarosz	- Governor of Pudsey Tyersal Primary School and Pudsey Grangefield High School
Councillor Langdale	- Governor of Temple Moor School Science College
Councillor J Lewis	- Governor of Kippax North Primary, Mickelfield Primary and Methley Primary Schools
Councillor R Lewis	- Governor of Greenside Primary and Southroyd Primary and Nursery Schools
Councillor Lowe	- Governor of Raynville Primary and Intake High Schools
Councillor Lyons	- Governor of Mount St Mary's Catholic Primary School
Councillor A McKenna	- Governor of Swillington Primary and Raynville Primary Schools
Councillor J McKenna	- Governor of West SILC and Christ the King Catholic Primary School
Councillor Morgan	- Governor of Grange Farm Primary School and Our Lady of Good Counsel Primary School
Councillor Mulherin	- Governor of Robin Hood Primary School
Councillor Murray	- Governor of Garforth Community College
Councillor Ogilvie	- Governor of Cockburn College of Arts and Cottingley Primary School
Councillor Parker	- Governor of Kippax Greenfield Primary School and Brigshaw High School
Councillor Renshaw	- Governor of Rodillian School Performing Arts College and East Ardsley Primary School
Councillor Selby	- Governor of Cross Gates Primary and Grange Farm Primary Schools
Councillor Taggart	- Governor of Bramley Primary School and West SILC
Councillor Wakefield	- Governor of Kippax Ash Tree Primary and Brigshaw High Schools

(b) Councillor Murray declared a personal and prejudicial interest in minutes 24 and 27 of this meeting as the Chief Executive Officer of Learning Partnerships.

(c) Councillor Harris declared a personal and prejudicial interest in minutes 26 and 28 of this meeting in connection with his business interests.

(d) Members declared personal interests in respect of the second reference back referred to in minute 23 of this meeting as follows:

Councillor D Blackburn	- Mother in receipt of Social Care Services
Councillor A Blackburn	- Mother in Law in receipt of Social Care Services

Councillor Bale - Daughter in receipt of Social Care Services

(e) Members declared personal interests in minute 28 of this meeting as follows:

Councillor Anderson - Member of the National Society for Clean Air Divisional Council
- Director of Green Leeds Ltd
- Member of the Investigation of Air Pollution Standing Conference
- Member of the Investigation of Air Pollution Standing Conference
- Member of the Environment Agency Ridings Area Environment Group

Councillor Bale - Society for the Environment (Chartered Environmentalist)

(f) Further declarations made during the meeting are referred to in minutes 18 (Councillor McKenna) and 23 (Councillor Illingworth).

17 Deputations

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

- 1 GMB Trade Union Regarding the Current Dispute on Equal Pay
- 2 Friends of Woodhouse Moor Regarding the Provision of Park Wardens on Woodhouse Moor
- 3 Newton Futures Residents Group Regarding the Condition of Former Council Property at 9 Newton Grove
- 4 Designated Public Places Order Consultative Committee Regarding the Designated Public Places Order Proposed for Hyde Park and Woodhouse
- 5 Kirkstall Valley Community Association Regarding the Proposed Sale of St Ann's Mills and Abbey Mills in Kirkstall

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

18 Reports

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

(a) The Leeds Award

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

RESOLVED – That the following nominations for receipt of the Leeds Award be approved and that the Lord Mayor be requested to undertake an appropriate award ceremony.

Sir Jimmy Saville OBE
Mr Stanley Cundle
Stuart Firth
Sheila Miller
Kim Milner
Dawn Newsome

(Councillor J McKenna declared a personal interest in this matter as a close friend of Dawn Newsome).

(b) Scrutiny Board's Annual Report to Council 2007/08

It was moved by Councillor Grahame seconded by Councillor W Hyde and

RESOLVED – That the Scrutiny Boards' Annual Report to Council prepared in accordance with Article 6 of the Constitution be approved.

(c) Appointments

It was moved by Councillor J Procter seconded by Councillor Bentley and

RESOLVED – That the report of the Assistant Chief Executive (Corporate Governance) on appointments be noted.

19 Questions

1 Councillor Harington to the Leader of Council

Can the Leader of Council confirm his parties' commitment to 'listening to Leeds residents and involving them in decision that affect them?

The Leader of Council replied.

2 Councillor Matthews to the Executive Member (Children's Services)

Would the Executive Member for Children's Services like to comment on some of the key messages from the now published Joint Area Review of Children's Services in Leeds?

The Executive Member (Children's Services) replied.

3 Councillor Marjoram to the Executive Member (City Development)

Would the Executive Member for City Development explain what impact the Planning Bill will have on democracy and local accountability.

Councillor Anderson replied on behalf of the Executive Member (City Development)

4 Councillor Rafique to the Executive Member (Neighbourhoods and Housing)

Will the Executive Board Member for Environment & Neighbourhoods reassure Council that crime prevention and reduction remains a priority for his administration?

The Executive Member (Neighbourhoods and Housing replied)

5 Councillor Downes to the Executive Member (Learning)

Prince Henry Grammar School in Otley is celebrating its 400th year. Would the Executive Board Member with responsibility for Learning like to comment on what this Council has been able to do to help in this important year

The Executive Member (Learning) replied.

6 Councillor Wakefield to the Executive Member (City Development)

Can the Executive Board Member for City Development confirm the cost to the Council of pursuing its Private Street Peddling Bill?

Councillor Anderson replied on behalf of the Executive Member (City Development)

7 Councillor Barker to the Executive Member (Central and Corporate Services)

Could the Executive Board Member for Corporate Services please advise council of current areas of development within the PPPU?

The Executive Member (Central and Corporate) replied.

8 Councillor Lowe to the Leader of Council

Does Councillor Brett believe like his predecessor that if his administration has made a mistake they should apologise and take the appropriate steps to rectify the problem immediately?

The Leader of Council replied

9 Councillor Rhodes-Clayton to the Executive Member (Learning)

Could the Executive Board Member with responsibility for Learning tell me how Leeds has fared in delivering the Positive Activities for Young People scheme?

The Executive Member (Learning) replied.

10 Councillor Lyons to the Executive Member (Environmental Services)

Can the Executive Member for City Services please tell me where his administration plans to site their proposed incinerator?

The Executive Member (Environmental Services) replied.

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

11 Councillor J Lewis to the Executive Member (City Development)

12 Councillor Rafique to the Executive Member (Neighbourhoods and Housing)

20 Recommendations of the Executive Board

(a) The Safer Leeds Partnership Plan

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

RESOLVED - That the recommendations of the Executive Board as detailed in the report of the Assistant Chief Executive (Corporate Governance) in relation to the Safer Leeds Partnership Plan be approved

(b) The Council Business Plan

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

RESOLVED – That the report of the Assistant Chief Executive (Planning Policy and Improvements) on recommendations of the Executive Board in relation to the Council Business Plan be approved

(c) The Leeds Strategic Plan

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

RESOLVED - That the report of the Assistant Chief Executive (Planning Policy and Improvements) on recommendations in relation to the Leeds Strategic Plan be approved

21 Recommendations of the Standards Committee

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

RESOLVED - That the report of the Assistant Chief Executive (Corporate Governance) on the recommendations of the Standards Committee that the annual report of the Committee be received be approved

22 Recommendations of the Corporate Governance and Audit Committee

It was moved by Councillor Bale seconded by Councillor Campbell and

RESOLVED - That the report of the Assistant Chief Executive (Corporate Governance) on the recommendations of the Corporate Governance and Audit Committee that the annual report of the Committee be received be approved

23 Minutes

(a) It was moved by Councillor Brett seconded by Councillor Procter.

That the minutes submitted to the Council in accordance with Council Procedure Rule 2.2(m) be received.

(b) An amendment (reference back) was moved by Councillor Coupar seconded by Councillor Wakefield

To add the following words at the end of item 10:

"but to ask the Executive Board to reconsider the decision in relation to the Income for Financial Performance – Outturn 2007/8 as contained in Minute 22 of the Executive Board minutes of the 11th June 2008

(c) Under the provisions of Council Procedure Rule 13.2 (g) it was moved by Councillor J L Carter seconded by Councillor J Procter and

RESOLVED – That the debate be adjourned for a period of ten minutes.

(The meeting was suspended at 3.35 pm and resumed at 3.50 pm).

(d) With the consent of the mover and seconder of the reference back it was moved by Councillor Gruen seconded by Councillor Lyons and

RESOLVED – That leave of Council be given for the withdrawal of the reference back in relation to minute 22 of the Executive Board of 11th June 2008.

(e) It was moved by Councillor J Procter seconded by Councillor Gruen and

RESOLVED – That Council Procedure Rule 13.2 be invoked to give precedence to a second amendment (reference back) in the name of Councillor Coupar.

- (f) It was moved by Councillor Coupar seconded by Councillor Wakefield

To add the following words at the end of item 10:

"but to ask the Executive Board to reconsider the decision in relation to the Income for Community Care Services – Proposals for Consultation as contained in Minute 17 of the Executive Board minutes of the 11th June 2008.

- (g) Following a response by the Executive Member (Adult Health and Social Care) to the effect that the consultation period referred to in the minute would be extended to the end of October 2008, it was moved by Councillor Gruen seconded by Councillor Coupar (with the consent of the seconder) and

RESOLVED – Unanimously that leave of Council be given for the withdrawal of the reference back in relation to minute 17 of the Executive Board of 11th June 2008.

- (h) With the consent of Council, Councillor Brett forwent his right of response under his portfolio to allow for further comments to be heard prior to his exercise of his right of final reply at 4.45 pm.

- (i) Upon the motion to receive the minutes being put to the vote it was

RESOLVED – That the minutes submitted to the Council in accordance with Council Procedure Rule 2.2 (m) be received.

Council Procedure Rule 4 providing for the winding up of business was applied prior to all notified comments on the minutes having been debated.

(During the discussion of the minutes Councillor Illingworth declared a personal interest in minute 5 of the Executive Board minutes of 11th June 2008 as an employee of Leeds University).

(The meeting was suspended at 5.00 pm and resumed at 5.30 pm).

24 **White Paper Motion - Levels of Truancy in Schools**

It was moved by Councillor Mulherin seconded by Councillor Dowson:

That this Council condemns the Conservative and Liberal Democrat coalition for the current unacceptably high levels of unauthorised absence in many schools in Leeds and is appalled that two of the three schools with the worst records for truancy in England are in Leeds.

Recognising that high levels of truancy have an enormous impact on outcomes for young people and their communities, council therefore instructs the Conservative and Liberal Democrat administration to make tackling truancy a key priority, so that levels of unauthorised absence in Leeds schools are substantially reduced.

In addition, Council requests that the Executive Board members for Learning and Environment and Neighbourhoods work together and investigate the links between high levels of truancy, low educational performance, and incidents of crime and anti social behaviour, and report their findings to the Executive Board this autumn.

An amendment was moved by Councillor Harker seconded by Councillor Lamb.

Delete all after "This Council..."

Replace with

"...This Council accepts that the level of unauthorised absence in a number of Leeds schools is unacceptable. Council further notes the extensive partnership working which is taking place between officers of Education Leeds, various council departments and voluntary and community groups.

This Council recognises that high levels of truancy are one of several factors which have an enormous impact on educational outcomes for young people which in turn are part of a wider cycle of social problems including anti social behaviour. It is a key priority of this administration to reduce the level of unauthorised absence and to tackle all the factors which will improve the educational outcomes of young people in Leeds.

The partnerships currently in place between officers of Education Leeds and various council departments is beginning to show signs of success. It is important that we continue to educate parents and carers of the damage done if they encourage or condone unauthorised absence.

This administration is committed to continuing this work, to ensuring that all young people achieve positive educational outcomes and to reducing related crime and anti social behaviour."

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

RESOLVED – That this Council accepts that the level of unauthorised absence in a number of Leeds schools is unacceptable. Council further notes the extensive partnership working which is taking place between officers of Education Leeds, various council departments and voluntary and community groups.

This Council recognises that high levels of truancy are one of several factors which have an enormous impact on educational outcomes for young people which in turn are part of a wider cycle of social problems including anti social behaviour. It is a key priority of this administration to reduce the level of unauthorised absence and to tackle all the factors which will improve the educational outcomes of young people in Leeds.

The partnerships currently in place between officers of Education Leeds and various council departments is beginning to show signs of success. It is

important that we continue to educate parents and carers of the damage done if they encourage or condone unauthorised absence.

This administration is committed to continuing this work, to ensuring that all young people achieve positive educational outcomes and to reducing related crime and anti social behaviour.”

25 White Paper Motion - Control of Lap Dancing Clubs

It was moved by Councillor Blake seconded by Councillor Wakefield

That this Council welcomes the moves by Roberta Blackman-Woods MP and the Licensing Minister Gerry Sutcliffe to give local authorities more power to control the number of lap-dancing clubs within their boundaries, and urges Leeds City Council to support these proposed changes

In moving the motion Councillor Blake indicated that the amendment in the name of Councillor Brett was acceptable to her.

An amendment was moved by Councillor Brett seconded by Councillor Wilson

add as a final paragraph:-

“The Council notes the proposed changes are via a Private Members Bill, therefore urges all Leeds MPs to support it and asks for Government time to see it enacted into law.”

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

RESOLVED UNANIMOUSLY - That this Council welcomes the moves by Roberta Blackman-Woods MP and the Licensing Minister Gerry Sutcliffe to give local authorities more power to control the number of lap-dancing clubs within their boundaries, and urges Leeds City Council to support these proposed changes

The Council notes the proposed changes are via a Private Members Bill, therefore urges all Leeds MPs to support it and asks for Government time to see it enacted into law.

(The provisions of Council Procedure Rule 3.1(d) were applied prior to all notified comments in respect of this motion having been heard.

26 White Paper Motion - Fish Migration

In moving the motion in his name Councillor Illingworth sought and received the consent of Council under the provisions of Council Procedure Rule 14.10 (a) to alter it to the effect of accepting the amendment in the name of Councillor W Hyde.

The amended motion was seconded by Councillor J Lewis and it was

RESOLVED UNANIMOUSLY - That this Council notes that prior to the Industrial Revolution the local rivers were famous for their fish, and that recent

improvements in water quality have resulted in salmon re-colonising the lower reaches of the River Aire. Unfortunately further fish migration to potential spawning grounds in the Yorkshire Dales is impeded, principally by Knostrop Weir and by other smaller weirs in the Kirkstall Valley.

Council considers that it would add considerably to Leeds reputation if salmon were often seen to jump the local weirs, and that this could bring economic and environmental benefits to the entire city.

Council therefore instructs the Chief Executive to undertake a review of all costs which are likely to be associated with the provision of any necessary infrastructure in order to achieve this objective and to report back on his findings to the Executive Board together with a list of all potential funding sources.

27 White Paper Motion - Levels of Child Poverty and Life Expectancy in Deprived Areas

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

That this Council notes the Government's recent changes to the tax system hitting the poorest in society, the unacceptably high levels of child poverty and lower life expectancy in the most deprived areas of Leeds and the high level of demand for social housing in the city.

This Council calls for the government to devote resources from the WNF for Leeds

An amendment was moved by Councillor R Lewis seconded by Councillor Yeadon

Delete all after

"This Council notes"

and add

"the Conservative and Liberal Democrat administration's recent increases in charges for services all of which target the most vulnerable people in our communities.

Council furthermore notes that despite significant efforts and notable achievements nearly 150,000 people are still classified as living in poverty in Leeds and to help tackle this problem this Council calls for the government to devote resources from the WNF for Leeds."

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

RESOLVED - That this Council notes the Government's recent changes to the tax system hitting the poorest in society, the unacceptably high levels of child poverty and lower life expectancy in the most deprived areas of Leeds and the high level of demand for social housing in the city.

This Council calls for the government to devote resources from the WNF for Leeds.

28 White Paper Motion Submitted Under the Provisions of Council Procedure Rule 3.1(d) - Plastic Carrier Bags

It was moved by Councillor Brett seconded by Councillor Smith

That this Council recognises the growing public concern about the environmental damage caused by Britain's use of an estimated 13 billion single use plastic carrier bags every year. This Council therefore calls on the government to act on its pledge to legislate to end the provision of free plastic bags.

Council further resolves to minimise its own use and promotion of plastic bags, including investigating promoting the use of bags for life in our own outlets and promoting the use of domestic green bins for the disposal of plastic bags.

Council resolves to take a lead in reducing free bag provision by launching a Leeds-wide campaign to gain voluntary agreement between the Council, business, and other interested parties to end the practice of providing free plastic bags within the City.

In moving the motion Councillor Brett Indicated that the amendment in the name of Councillor Taggart was acceptable to him.

An amendment was moved by Councillor Taggart seconded by Councillor Lowe

Please Add

“should business not move forward with the voluntary controls which the government are working towards.”

After

“End the provision of free plastic bags.” In paragraph 1.

And also please delete all after “our own outlets” in paragraph two.

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

RESOLVED - That this Council recognises the growing public concern about the environmental damage caused by Britain's use of an estimated 13 billion single use plastic carrier bags every year. This Council therefore calls on the government to act on its pledge to legislate to end the provision of free plastic bags should the business not move forward with the voluntary controls which the government are working towards

Council further resolves to minimise its own use and promotion of plastic bags, including investigating promoting the use of bags for life in our own outlets

Council rose at 7.15 pm.

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Originator: N de la Taste

Tel: 24 74560

Report of the Chief Democratic Services Officer

Report to Council

Date: 10th September 2008

Subject: Members Allowances

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 INTRODUCTION

1.1 This report advises Council of the receipt of a report from the Independent Remuneration Panel and asks Council to make a number of changes to the Members' Allowances Scheme.

2.0 BACKGROUND

2.1 Council is required to determine a Members' Allowances Scheme, having regard to recommendations from an Independent Remuneration Panel.

2.2 In determining or varying its Members' Allowances Scheme, Council may modify, accept or reject any such recommendations from the Independent Remuneration Panel as it considers appropriate.

2.3 Council is advised that the Independent Remuneration Panel published a report in July 2008, a copy of which is attached at appendix A.

2.4 The Administration has indicated that it would wish to recommend to Council the following response to the recommendations made by the Panel in its July report.

"That the recommendations of the Independent Remuneration Panel Report dated July 2008 be approved and adopted subject to the following amendment:

- (i) In recommendation a) of the Independent Remuneration Panel report *add* following the wording “the two non-parish council independent members of the Standards Committee should receive a co-optees’ allowance of £2,310” the words “all of which will be effective from the beginning of the 2008-09 municipal year;”
- (ii) In recommendations b - d of the Independent Remuneration Panel report *add* at the end of the current sentence the words “with effect from the beginning of the 2008-09 municipal year”

2.5 The effect of the amendment is that Council would adopt the following:

“That the recommendations of the Independent Remuneration Panel dated July 2008, as amended above, be approved and adopted as follows:

- a) The Chair of the Standards Committee should receive a co-optees’ allowance of £6,929; the two non-parish council independent members of the Standards Committee should receive a co-optees’ allowance of £2,310; all of which will be effective from the beginning of the 2008-09 municipal year; and the Panel should review the allowances in twelve months time.
- b) The Chair of the Corporate Governance and Audit Committee should receive a special responsibility allowance of £6,929 with effect from the beginning of the 2008-09 municipal year.
- c) A special responsibility allowance should no longer attach to the Chair of the Overview and Scrutiny Committee but that the number of special responsibility allowances paid to the Chairs of the Scrutiny Boards be increased from six to seven with effect from the beginning of the 2008-09 municipal year.
- d) The number of special responsibility allowances attaching to an opposition group with more than 10% of membership of the Council be increased from four to five with effect from the beginning of the 2008-09 municipal year.
- e) No change be made to the Special Responsibility Allowance attaching to the Chair of the Development Plans Panel.
- f) Payment of a residents’ parking fee should be regarded as covered by the Basic Allowance.

3.0 FINANCIAL IMPLICATIONS

The net effect of these proposals will be an increase of £12,536 in Members Allowances at current rates.

4.0 RECOMMENDATIONS

- 4.1 Council is asked to approve amendments to the Members' Allowances Scheme as detailed in paragraphs 2.4 and 2.5 of this report.
- 4.2 Council is asked to authorise the Assistant Chief Executive (Corporate Governance) to make any consequential changes to the Members' Allowances Scheme.

LEEDS CITY COUNCIL

Report of Panel on Members' Allowances

July 2008

Introduction

1. The Independent Panel on Members' Allowances was appointed by the Council to make recommendations on Members' Allowances in accordance with the relevant Regulations and the Government's statutory guidance. Until Spring 2008 the Panel comprised Sir Rodney Brooke CBE DL (Chair), Trevor Nuttall, Carolyn Stephenson (now Lord) and Gordon Tollefson. The term of office of Trevor Nuttall, a member of the original Panel, has come to an end and the remaining members of the Panel would like to express their appreciation of the participation of Mr Nuttall in the Panel's work. In his place the Council (after open advertisement and a competitive process) has appointed Mr Matthew Knight, Head of Human Relations at Leeds University.
2. The Panel issued its first report in May 1999. It updated its recommendations in October 2002 following new Government guidance. The Council adopted those recommendations with modifications. In subsequent reports the Panel has made further recommendations which again have been accepted, in some cases with modifications. A number of issues have now been referred to the Panel. They are set out below.

STANDARDS COMMITTEE

3. The Standards Committee has an independent chair and includes in its membership two further independent members (as well as two parish council independent members). Its chair currently receives a special responsibility allowance of £4,828 and the four independent members a co-optees' allowance of £557.
4. From 8 May 2008 local Standards Committees have been required to assume responsibility for the initial assessment of complaints

about councillors and determine whether such complaints should be investigated. This function was previously dealt with by the Standards Board for England. The local Standards Committee must now therefore:

1. review such complaints and determine if any should be investigated;
 2. decide any appeals where a decision not to refer for investigation has been made; and, as now,
 3. conduct hearings in appropriate cases;
- .
5. Stages 1 and 2 must be dealt with by a sub committee drawn from the Standards Committee. Each of these sub committees must be chaired by an independent member who has not chaired an earlier stage of the same complaint. The Standards Committee has had to put in place appropriate procedures for the responsibility and members have undertaken appropriate training. While it is too soon to draw conclusions, it seems possible that the workload could be substantial.
 6. The Panel fully accepts that the new responsibilities justify an increase in the allowances paid to the three independent members of the Standards Committee. Until a view can be established of the long-term workload, the Panel believes that for the Chair an allowance analogous to that of the Chair of the Licensing Committee would be appropriate. Given their new responsibilities for chairing stages of the complaint, the Panel believes that the two non-parish council independent members should receive 33% of the allowance paid to the chair of the Committee. Accordingly the Panel recommends that **the Chair of the Standards Committee should receive a co-optees' allowance of £6,929; the two non-parish council independent members of the Standards Committee should receive a co-optees' allowance of £2,310; and the Panel should review the allowances in twelve months time when a better view can be formed of the long-term workload.**

CHAIR OF CORPORATE GOVERNANCE AND AUDIT COMMITTEE

7. The Corporate Governance and Audit Committee has the major task of acting as the council's formal Audit Committee as well as its formal decision-taking body on issues of corporate governance. The formal audit requirements impose considerable responsibility on the Committee. After consideration, we believe that these justify a higher special responsibility allowance for the Chair of the Committee. Having regard to other comparators, such as the allowance paid to the Chair of the Licensing Committee, we recommend that **the Chair of the Corporate Governance and Audit Committee should receive a special responsibility allowance of £6,929.**

CHAIRS OF SCRUTINY BOARDS

8. The introduction into local authority management of the Cabinet system has greatly increased the need for scrutiny, a process to which the Government properly attaches considerable importance. The scrutiny function is the way in which councillors not participating in the Executive can question the decisions of that body and contribute to policy formation and review. During 2007-08 the council had six Scrutiny Boards and one Overview and Scrutiny Committee. The workloads and levels of responsibility of the seven bodies were considered to be equal and they attracted the same special responsibility allowance (£19,311). For 2008-09 the Overview and Scrutiny Committee has been discontinued but the number of Scrutiny Boards has been increased by one. In effect a new Scrutiny Board has assumed the workload left by the former Overview and Scrutiny Committee. There is a clear justification for increasing to seven the number of special responsibility allowances payable to the Chairs of Scrutiny Boards and removing from the Members' Allowances Scheme the Chair of the Overview and Scrutiny Committee. Accordingly we recommend that **a special responsibility allowance should no longer attach to the Chair of the Overview and Scrutiny Committee but that the number of special responsibility allowances paid to the Chairs of the Scrutiny Boards be increased from six to seven.**

OPPOSITION GROUP OFFICE HOLDERS

9. The Members' Allowances Scheme makes provision for a Special Responsibility Allowance (£4,619) to be paid to four members of an Opposition Group with more than 10% of membership of the Council. The only group to meet this criterion is the principal opposition group, which is the largest group on the City Council, though not having portfolio responsibilities on the Council's Executive Board. The principal opposition group proposes to appoint five shadow spokespersons for, respectively, resources; skills and adult education; children's services; adult social care; and the local environment. The Panel is very conscious of the national advice that not more than half the members of a Council should receive a special responsibility allowance and appreciates that the Council is on the cusp of failing that test. Nevertheless, in the current political situation in Leeds, it believes that the request (which is accepted by the other Group Whips) is reasonable in order to allow the principal opposition group to function effectively as an opposition, a function vital to the democratic process. Accordingly the Panel recommends that **the number of special responsibility allowances attaching to an opposition group with more than 10% of membership of the Council be increased from four to five.**

CHAIR OF THE LOCAL DEVELOPMENT PLANS PANEL

10. In our report of June 2007 we considered the appropriate Special Responsibility Allowance which should attach to the Chair of the Development Plans Panel. We considered that a Special Responsibility Allowance of £4,378 would be appropriate. Updated for inflation, that figure is now £4,619. We have re-considered the amount of the Special Responsibility Allowance for this post but see no reason to change the amount allocated to it.

RESIDENTS' CAR PARKING PERMITS

11. The Basic Allowance, payable to all councillors, includes an element for travel and subsistence within the City. There is no doubt that this has greatly simplified administration both for councillors and officers and has been generally welcomed. However, in a number of central area wards in the City, street parking is restricted to residents who pay an annual fee of £50.

Councillors who have to visit constituents in those wards have asked that the Council reimburses the annual fee. The panel rejects this request. The inclusion of travel and subsistence within the Basic Allowance relies on councillors taking the rough with the smooth. Those in outlying wards may not have to pay a £50 parking fee, but they must incur greater travel costs because of the greater distance to the Civic Hall. The Panel accepts that it may not always be possible for councillors to visit constituents by public transport, but believe that they should regard the payment of a residents' parking fee as being covered by the Basic Allowance.

SUMMARY OF RECOMMENDATIONS

(a) the Chair of the Standards Committee should receive a co-optees' allowance of £6,929; the two non-parish council independent members of the Standards Committee should receive a co-optees' allowance of £2,310; and the Panel should review the allowances in twelve months time.

(b) the Chair of the Corporate Governance and Audit Committee should receive a special responsibility allowance of £6,929.

(c) a special responsibility allowance should no longer attach to the Chair of the Overview and Scrutiny Committee but that the number of special responsibility allowances paid to the Chairs of the Scrutiny Boards be increased from six to seven.

(d) the number of special responsibility allowances attaching to an opposition group with more than 10% of membership of the Council be increased from four to five.

(e) No change be made to the Special Responsibility Allowance attaching to the Chair of the Development Plans Panel.

(f) Payment of a residents' parking fee should be regarded as covered by the Basic Allowance.

**Rodney Brooke
Matthew Knight
Carolyn Lord
Gordon Tollefson
10 July 2008**



Report of the Assistant Chief Executive (Corporate Governance)

Council

Date: 10th September 2008

Subject: Appointments

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Whips' Allocations

1.1 At the Annual meeting group Whips were authorised to allocate vacant seats to members in accordance with the proportions set out in the schedules, subject to their subsequent report to Council.

1.2 The relevant Whips have allocated seats as follows:

Councillor Bale to the Scrutiny Board (Central and Corporate)
Councillor A Blackburn to the Scrutiny Board (Health)
Councillor Townsley to the Scrutiny Board (Children's Services)

2.0 Appointments by Council

2.1 Appointments to Boards, Panels and Committees are generally reserved to Council.

2.2 The relevant Whip has made nominations as follows:

Councillor Latty to be appointed to the Scrutiny Board (Health) following the resignation of Councillor Bale from that Board on 22nd July 2008.

Councillor Kendall to be appointed to the Scrutiny Board (Central and Corporate) in place of Councillor Latty.

Councillor Taylor to be appointed to the Scrutiny Board (Adult Social Care) in place of Councillor Kirkland.

Councillor Kirkland to be appointed to the Scrutiny Board (Environment and Neighbourhoods) in place of Councillor Taylor.

3.0 Recommendations

- 3.1 That the appointment in paragraph 1.2 be noted.
- 3.2 That the appointments in paragraph 2.2 be approved.



Originator: Ian Walton

Tel: 2474350

Report of the Assistant Chief Executive (Corporate Governance)

Council

Date: 10th September 2008

Subject: Recommendations of The Executive Board - Key Decision Taken Under Special Urgency Provisions

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

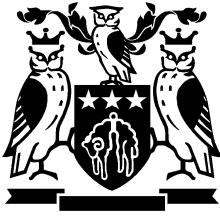
Community Cohesion

Narrowing the Gap

The attached report was approved by the Executive Board on 16th July 2008 and is referred to Council as the quarterly report in accordance with Access to Information Procedure Rule 16.3.

Recommendation

That the report of the Assistant Chief Executive (Corporate Governance) on a Key Decision Taken Under Special Urgency Provisions, as submitted to the Executive Board on 16th July 2008, be accepted as the quarterly report in accordance with Access to Information Procedure Rule 16.3.



Report of the Assistant Chief Executive (Corporate Governance)

Executive Board

Date: 16th July 2008

Subject: Key Decision Taken Under Special Urgency Provisions

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)

1.00 PURPOSE OF REPORT

To inform the Executive Board of a Key Decision taken under ‘Special Urgency’ provisions contained in the Constitution and to recommend the Board to forward this report to Council as the quarterly report on such decisions in accordance with paragraph 16.3 of the Access to Information Procedure Rules

2.00 BACKGROUND

2.01 The general requirement of the Council Constitution is that notice of Key Decisions will be given in the Forward Plan of Key Decisions. There is also provision for the five day notification of the intention to take a decision by general exception where it has not been entered on the Forward Plan.

2.02 Paragraph 16 of the Access to Information Procedure Rules allows for ‘Special Urgency’ and states: “If by virtue of the date by which a decision must be taken Rule 15 (general exception) cannot be followed, then the decision can only be taken if the decision taker (if an individual) or the chair of the body making the decision, obtains the agreement of the chair of a relevant Scrutiny Board that the taking of the decision cannot be reasonably deferred and the decision is urgent. If there is no chair of a relevant Scrutiny Board, or if the chair of the relevant Scrutiny Board is unable to act, then the agreement of the Lord Mayor of the Council, or in his/her absence the Deputy Lord Mayor will suffice”

- 2.03 Paragraph 16.3 of the Access to Information Procedure Rules requires that reports on special urgency decisions should be made in the following terms: "In any event, the leader will submit quarterly reports to the Council on the executive decisions taken in the circumstances set out in Rule 15 (special urgency) in the preceding three months. The report will include the number of decisions so taken and a summary of the matters in respect of which those decisions were taken"
- 2.04 The last decision taken under the special urgency provisions was in 2003 and in view of this the view was taken that the quarterly report requirement was superfluous until such time as such a decision might be taken.
- 2.05 The decision subject to the Special Urgency provisions relates to the invocation of a 6 months contract extension for the continuation of supported independent living services for vulnerable people with learning disabilities provided by UBU.
- 2.06 UBU are a well established provider of care and supported independent living in the North of England with services in Harrogate, York, Sheffield, Scarborough and Selby. They are currently contracted to provide 7 supported living services in Leeds for 27 people with a range of learning and physical disabilities to live in the community, as opposed to residential care. UBU are registered with CSCI (Commission for Social Care Inspectorate) as a domiciliary care provider.
- 2.07 The supported independent living services in Leeds are jointly funded through Supporting People Programme grant and Adult Social Care through the pooled learning disability budget. As a result the services are jointly contract managed by officers from both departments and the contract has been subject to quarterly performance reviews. The services are performing well and the quality of the services is good and continually improving against the Supporting People quality standards. The staff are well trained and the services are very enabling. An inspection by CSCI (Commission for Social Care Inspectorate) in August 2006 found that the services in Leeds were good and delivering very good outcomes for service users.
- 2.08 The Leeds Supporting People Commissioning Body agreed at its meeting in June to commission the UBU services for a further period of 18 months, when the extension to the existing contract expires in December 2008. Approval for the Council to enter into an 18 month contract will be sought through the Council's Delegated Decision process in August.

3.00 DECISION TAKEN

- 3.01 A decision has recently been taken under the special urgency provisions as follows:

The Director of Environment and Neighbourhoods approved the invocation of a 6 month contract extension to an existing Supporting People contract with an organisation called UBU. The contract is to provide accommodation and support services for vulnerable people with a learning disability.

The value of the six month extension is £350,000. The recent change in definition of a Key Decision and the new financial threshold means that the decision had just become Key. At the time of publication of the forward plan the decision was classified as Major. A decision of Council on 22nd May gave effect to the designation of the decision as Key and recording as such on the forward plan was not possible

- 3.02 The Chair of the Scrutiny Board (Environment and Neighbourhoods) agreed the urgency and the decision was taken on 6th June and recorded, following the receipt of full documentation, on 12th June 2008.
- 3.03 The provisions have been invoked because of a failure of the service to commence the process of initiating a contract extension in a timely way. Consequently, the Environment and Neighbourhoods Directorate have reviewed and revised existing procedures relating to such work, so that this error does not occur again. This has involved the development of a database holding detail of all Supporting People contracts, including contract expiry dates. This will enable contract lead officers to process contract extension requests more effectively in future.

4.00 RECOMMENDATION

- 4.01 That the Executive Board approve this report for submission to Council as the quarterly report in accordance with Access to Information Procedure Rule 16.3

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Revision of byelaws for pleasure grounds, public walks and open spaces be approved – Report to follow

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