

EXECUTIVE BOARD

WEDNESDAY, 21ST JULY, 2010

PRESENT: Councillor K Wakefield in the Chair

Councillors S Golton, J Blake, P Gruen, R Lewis,
T Murray, A Ogilvie, L Yeadon and A Blackburn

Councillor J Dowson – Non-Voting Advisory Member

29 **Substitute Member**

Under the terms of Executive procedure Rule 2.3 Councillor J L Carter was invited to attend the meeting on behalf of Councillor A Carter.

30 **Exclusion of the Public**

RESOLVED – That the public be excluded from the meeting during consideration of the following parts of the agenda designated as 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 public were present there would be disclosure to them of exempt information so designated as follows:-

- a) The appended report to the report referred to in minute 47 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the information contained therein relates to the financial and business affairs of a particular person, and of the Council. This information need not be registered under statutes such as the Companies Acts, or the Charities Acts. The disclosure of this information would, or would be likely to prejudice the commercial interests of the particular person, as they are a major business and disclosing the information would reveal their future intentions to their competitors. In turn, this would be likely to jeopardise the Council's ability to pursue a phased delivery of the scheme. Whilst there is always some public interest in disclosure, there will be future reports to the Executive Board, placing more information in the public domain, as and when the phased delivery of the site progresses, and there will be further publicity for the scheme via the planning process. Therefore in all the circumstances of the case, it is considered that the public interest in maintaining this exemption outweighs the public interest in disclosing this information at this point in time.
- b) The report appended to the report referred to in minute 48 under the terms of Access to Information Procedure Rule 10.4(5) and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosure as the contents refer to proceedings before the Courts, and in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

31 **Late Items**

There were no late items as such but it was noted that supplementary information had been circulated subsequent to despatch of the agenda as follows:-

- a) With regard to the item relating to Neighbourhood Network Services (minute 34) revised recommendations had been circulated on 19th July and the minute of the Scrutiny Board (Adult Social Care) commenting on the report had been circulated on 20th July.
- b) With regard to the items relating to school proposals referred to in minutes 35, 36 and 37 succinct reasons for the recommended decisions had been circulated on 20th July 2010.

32 **Declaration of Interests**

- a) Councillors Wakefield, Murray, Yeadon, Ogilvie, Dowson, Blake and R Lewis declared personal interests in the item relating to Primrose High School (minute 35) as members of the Co-op.
- b) Councillor Murray also declared a personal interest in the item relating to the Aire Valley Leeds (minute 47) as a member of the Aire Valley Regeneration Board and a personal and prejudicial interest in the item relating to Scrutiny Board recommendations (minute 46) as the Chief Executive of Learning Partnerships.
- c) Councillors Ogilvie and Blake also declared personal and prejudicial interests in the item relating to Neighbourhood Network Services (minute 34) as members of organisations involved in the bidding process.
- d) Councillor A Blackburn declared personal interests in the item relating to expansion of primary provision (minute 38) as a governor of Ryecroft Primary School and in the item relating to ALMO annual reports (minute 50) as a member of West North West Homes.

33 **Minutes**

RESOLVED – That the minutes of the meeting held on 22nd June 2010 be approved as a correct record subject to the addition of the following words at the end of resolution a) in minute 5:- “but that a more detailed report, which also refers to further concerns expressed by market traders, be brought to a future meeting of the Board.”

ADULT HEALTH AND SOCIAL CARE

34 **Neighbourhood Network Services**

The Director of Adult Social Services submitted a report presenting an independent review of the commissioning process for the awards of contracts for Neighbourhood Network services, on options for the future development of such services and contracts to support them and on proposals for the award of contracts. A page containing revised recommendations and the minute of

the Scrutiny Board (Adult Social Care) had been circulated subsequent to the despatch of the agenda.

RESOLVED –

- a) That contracts be awarded in the areas listed in para 5.2 of the report (1,2,5,6,7,8,9,10,11,12,14,16,17,19,21,22,23,24,26,27,28,29,31,32,33,36,37).
- b) That contracts be awarded in areas 18,20,30,25 and 35 for one year and that officers seek to resolve the award of long term contracts as soon as possible.
- c) That negotiations be held with Irish Health & Homes and the five existing providers in the east area, with a view to concluding an appropriate partnership or other similar arrangement as outlined in paragraph 5.7 through 5.10 of the submitted report, failing which, a further report be brought back to this Board.
- d) That action to ensure continuity of service as outlined in para 5.3 above in respect of areas 1 and 7 be supported.
- e) That the actions that will be taken in relation to learning from the procurement process be noted and that a further report on the integration of those actions into the Council's wider procurement processes be brought to this Board.
- f) That the operational links to Neighbourhood Networks be strengthened and that the implementation of the funding formula be reviewed annually.

(Under the provisions of Council Procedure Rule 16.5 Councillor Golton required it to be recorded that he abstained from voting in respect of part c) of the resolution.)

(Councillors Blake and Ogilvie, having declared personal and prejudicial interests, left the meeting.)

CHILDREN'S SERVICES

35 Outcome of Statutory Notices for Proposal to Close Primrose High School in 2011, Conditional upon Establishing an Academy

Further to minute 221 of the meeting held on 7th April 2010 the Chief Executive of Education Leeds submitted a report detailing the representations received in response to the statutory notices previously published with respect to Primrose High School and proposing the closure of the school and its replacement with an academy sponsored by the Co-operative Group of Companies (the Co-op) in September 2011.

RESOLVED –

- a) That the responses to the statutory notices be noted.
- b) That the views of School Organisation Advisory Board in regard to the proposal be noted.
- c) That, having considered the future of Primrose High as part of the national challenge, the Board judged that closure of the school and replacing it with an academy sponsored by the Co-Operative Group would deliver sustainable change and improvement in governance, leadership, the quality of teaching, and ultimately the outcomes achieved by young people attending the school.
- d) That approval be given to the discontinuance of Primrose High School on 31 August 2011 conditional upon the making of an agreement between the Secretary of State and the Co-op to establish an Academy on the same site on 1 September 2011.

36 Outcome of Statutory Notices for Proposal to Close City of Leeds School in September 2011

Further to minute 223 of the meeting held on 7th April 2010 the Chief Executive of Education Leeds submitted a report detailing the representations received in response to the statutory notices previously published with respect to City of Leeds School and proposing the retention of an 11-16 school on the site, supported by a collaborative trust.

RESOLVED –

- a) That the closure of City of Leeds School be not proceeded with.
- b) That an 11-16 school be retained on the site.
- c) That, having proposed to close City of Leeds as no other viable structural solutions had been identified as part of the response to the national challenge, during the course of the consultation process, wider partners, who were committed to the school, developed compelling alternative proposals and having asked a project team to explore and develop options, the Board is minded to accept the recommendation of this project team to retain a school on the site and build a new governing body comprising strong partners who are committed to delivering a fresh vision for the school.
- d) That new governance arrangements be established by September 2011 at the latest, with a refreshed vision which fuses the contribution of key partners and which is focused on maximising the progression of learners.

37 Outcome of Statutory Notices For Proposal to Close Parklands Girls High School in 2011, Conditional Upon Establishing an Academy

Further to minute 222 of the meeting held on 7th April 2010 the Chief Executive of Education Leeds submitted a report detailing the representations received in response to the statutory notices previously published with respect to Parklands Girls High School and proposing the closure of the school and replacing it with a co-educational academy sponsored by E-ACT in September 2011.

RESOLVED –

- a) That the responses to the statutory notices be noted.
- b) That the views of the School Organisation Advisory Board in regard to the proposal be noted.
- c) That, having considered the future of Parklands girls High school as part of the national challenge, the Board judged that closure of the school and replacing it with a co-educational academy sponsored by the E-ACT would deliver sustainable change and improvement in governance, leadership, the quality of teaching, and ultimately the outcomes achieved by young people attending the school.
- d) That approval be given to the discontinuance Parklands Girls High School on 31 August 2011, conditional upon the making of an agreement between the Secretary of State and E-ACT to establish an academy on the same site on 1 September 2011.

38 Outcome of Statutory Notices for Proposals for Expansion of Primary Provision for September 2011

Further to minute 218 of the meeting held on 7th April 2010 the Chief Executive of Education Leeds submitted a report on the outcome of consultations on prescribed alterations to change the admission limits of Blackgates, Clapgate, Ryecroft and Windmill Primary Schools and proposing that the alterations be progressed.

RESOLVED –

- a) That it be noted that there were no responses to the statutory notice
- b) That the following proposed alterations be approved:-
 - i) increase the admission limit of Blackgates Primary School from 45 to 60 and overall capacity from 300 to 420 and
 - ii) increase the admission limit of Clapgate Primary School from 45 to 60 and overall capacity from 315 to 420 and
 - iii) increase the admission limit of Windmill Primary School from 45 to 60 and overall capacity from 315 to 420 and

- iv) increase the admission limit of Ryecroft Primary School from 30 to 60 and overall capacity from 210 to 420.

39 Outcome of Statutory Notices for Changes to Primary Age Provision in Horsforth for September 2011

Further to minute 217 of the meeting held on 7th April 2010 The Chief Executive of Education Leeds submitted a report on the outcome of consultations on prescribed alterations to change the age ranges and admission limits of Horsforth Featherbank Infant School and Horsforth Newlaithes Junior School from September 2011 and proposing that the changes be progressed.

RESOLVED –

- a) That the response to the statutory notices be noted
- b) That the views of School Organisation Advisory Board in regard of the proposals be noted
- c) That the following proposed alterations be approved:-
 - i) decrease the lower age range of Horsforth Newlaithes Junior School from 7-11 to 4-11, with an admission limit of 60, and with an overall capacity of 420 children and
 - ii) increase the age range of Horsforth Featherbank Infant School from 4-7 to 4-11, and decrease the admissions number from 60 to 30, with an overall capacity of 210 children.

40 Provision of New Sports Facilities at St Mary's School, Menston

The Chief Executive of Education Leeds submitted a report on the proposed implementation of the scheme at St Mary's Catholic Comprehensive School to provide a new fenced and floodlit artificial surface football pitch and drainage works to existing grass pitches.

RESOLVED –

- a) That approval be given to the proposed scheme at St. Mary's Catholic Comprehensive School to provide a new fenced and floodlit 3G artificial surface football pitch with drainage works to existing pitches.
- b) That approval be given to the injection of a DCSF Specialist Sports Colleges Facilities grant in the sum of £350,000, and a Football Foundation grant in the sum of £325,000 into the approved capital programme.
- c) That expenditure from capital scheme number 16126/000/000 in the sum of £675,000 be authorised.

DEVELOPMENT AND REGENERATION

41 Housing Appeals

(a) Housing Appeals – High Court Decision

The Director of City Development submitted a report providing an update on the progress made in relation to a number of appeals against the Council's refusal of planning permission for housing on Greenfield sites, with specific reference to the recent outcome of a High Court case regarding land at Greenlea, Yeadon.

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

RESOLVED –

- a) That the decision not to challenge the Court's judgement on Greenlea, Yeadon be endorsed.
- b) That the legal challenges on the cases at Pudsey Road, Swinnow; Milner Lane, Robin Hood; Selby Road, Garforth and Bagley Lane, Farsley be withdrawn.
- c) That this decision is exempt from the provisions of Call In because of the need to advise the Court of the Council's stance on these matters at the earliest opportunity.

(b) Housing Appeals – Issues arising from the Proposed Abolition of the Regional Spatial Strategy and Regional Housing Budgets

The Director of City Development submitted a report outlining a proposed approach towards those planning appeals which remain in the system, still to be determined, in light of the new coalition government's proposals to abolish the Regional Spatial Strategy (RSS) and its associated housing targets.

Copies of a letter from the Home Builders Federation were circulated in the meeting. The letter submitted for the Board's consideration a counter position to the one contained in the submitted report and extended to some ten pages in length. The Board were not able to give proper consideration to the proposals contained in the letter and agreed to therefore express a provisional view based on the submitted report pending the submission of a further report to the Board.

RESOLVED – That, in the absence of a Regional Spatial Strategy and in the context of the latest government advice, the Council's provisional view on land supply and the 5-year requirement be based on the annual requirement of 2,260 p.a. net set out in the Draft Regional Spatial Strategy.

ADULT HEALTH AND SOCIAL CARE

42 Personalisation of Adult Social Care: Update on Implementation of Self Directed Support

The Director of Adult Social Services submitted a report on ongoing work in developing and implementing self directed support, a key element of the Putting People First agenda around increasing choice and control for service users and on proposals for the adoption of new assessment and care management processes to enable new customers to be offered a personal budget from August 2010.

RESOLVED –

- a) That the Board notes the good progress made in Leeds ,towards the development of a more personalised system of social care through the Self Directed Support project and other initiatives, having met and exceeded the Government Office target for SDS for 2009/10.
- b) That the Board acknowledges the scale and scope of the transformation agenda, the challenge it represents and endorses the approach taken in Leeds to deliver successful change and roll out the SDS model to existing and new service users.
- c) That the Board notes the impact SDS 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.
- d) That further progress reports be brought to this Board in support of the continuing direct engagement of elected members in these developments, together with member involvement in workshops, seminars and conferences.
- e) That the adoption of new business processes from July 2010, that will enable all new customers and those requesting reassessment following a review to be offered a Personal Budget, be endorsed.

RESOURCES AND CORPORATE FUNCTIONS

43 Treasury Management Annual Report 2009/2010

The Director of Resources submitted a report on a review of treasury management strategy and operations 2009/10

RESOLVED – That the treasury management outturn position for 2009/10 be noted.

44 Financial Support to Leeds City Credit Union

Prior to consideration of this matter the Assistant Chief Executive (Corporate Governance) offered advice as to the nature of the interests of those

members of the Board who were members of the Credit Union. Upon receipt of the advice Councillors Blake, Dowson, R Lewis, Murray and Ogilvie declared personal and prejudicial interests as members of Leeds City Credit Union and left the meeting during the consideration of this matter.

The Deputy Chief Executive submitted a report on the support given by the Council to the Credit Union, on a proposal to use Yorkshire Forward financial inclusion funding to reduce the Council loan commitment to the Union and proposed further work in relation to branch network requirements.

RESOLVED -

- a) That the continued support being provided by officers of the Council to the credit union be noted.
- b) That the further information in the report in relation to LCCU and the promotion of financial inclusion be noted.
- c) That the intention for LCCU to maintain a 7 branch cash network for the rest of the year and the financial support package which has been developed for this purpose be noted.
- d) That approval be given to the use of Yorkshire Forward financial inclusion funding to reduce the £2m Council loan commitment to LCCU by £900,000 to £1,100,000.
- e) That the intention to undertake further work which will consider the branch network requirements post March 2011 (including potential funding), taking into account both LCCU's future vision and the Council's financial inclusion objectives, be noted.

45 Marketing Leeds - Annual Report 2009

The Assistant Chief Executive (Planning, Policy and Improvement) submitted a report on progress of the work of Marketing Leeds and its contribution to the city's priorities.

Deborah Green, the Chief Executive of Marketing Leeds attended the meeting and presented the report.

RESOLVED – That the report be noted.

46 Scrutiny Board Recommendations

The Chief Democratic Services Officer submitted a report providing a summary of responses to Scrutiny Board recommendations received since the last Executive Board meeting.

RESOLVED – That the responses to Scrutiny Board recommendations be noted and that the one recommendation addressed specifically to this Board be agreed.

(Councillor Murray, having declared a personal and prejudicial interest, left the meeting during consideration of this matter.)

DEVELOPMENT AND REGENERATION

47 Update Report on Aire Valley Leeds and Accelerated Development Zone

The Directors of Resources, City Development and of Environment and Neighbourhoods submitted a report outlining the progress made with respect to proposals promoting the sustainable development of the Aire Valley Leeds area (AVL) and seeking support of the Board to the principle of an urban-eco settlement.

RESOLVED –

- a) That the impact the Urban Eco Settlement proposals have for the Area Action Plan be noted and that approval be given to the proposed revisions to the boundary for the Aire Valley Leeds AAP area.
- b) That the proposed Leeds City Region Urban Eco Settlement programme and the opportunity to deliver an Urban Eco Settlement in the Aire Valley Leeds area be noted.
- c) That the Directors of City Development and Environment and Neighbourhoods be authorised to undertake development work on the Urban Eco Settlement in the Aire Valley Leeds.
- d) That the Board notes the funding that may be provided to the Council through the Leeds City Region from the department for Communities and Local Government for the low carbon retrofit testing, which should prove to be a high priority capital investment for Leeds City Region, which also needs revenue support for appropriate monitoring.
- e) That the key funding, risk and governance issues associated with Accelerated Development Zones be noted.
- f) That the Director of Resources be authorised to develop and submit proposals for a pilot Accelerated Development Zone in the Aire Valley Leeds subject to a further report to this Board at the outline business case stage for the project.

48 Leeds South Bank Planning Statement and City Centre Park

The Director of City Development submitted a report on the preparation of a Planning Framework for the redevelopment of the Leeds South Bank and on progress made to date on the proposal for a new City Centre Park.

RESOLVED –

- a) That the content of the report be noted.

- b) That approval be given to the Draft South Bank Planning Statement as a basis for public consultation and that the outcome, including any changes to the statement, be reported back to this Board.
- c) That officers continue to liaise with the principal landowners concerning their specific development proposals to ensure that they are complementary to the City's aspiration for a City Centre Park.
- d) That officers open discussions with land owners in relation to the development of these proposals.
- e) That an Outline Business Case for the City Centre Park based on a phased implementation plan be developed.

49 Development Proposals for the Sovereign Street Site

The Director of City Development submitted a report providing an update on the work undertaken on the potential redevelopment of Sovereign Street and on proposals to progress the development.

Following consideration of the appended report to the covering 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 a Draft Planning Statement be prepared, based on the mix of uses outlined in the report, including high quality greenspace.
- b) That officers progress the phased delivery of the site for redevelopment based on the proposals outlined in the exempt report and report back to this Board once greater certainty has been obtained on the capital and revenue values that may be generated.

NEIGHBOURHOODS AND HOUSING

50 ALMO Annual Reports 2009/2010

The Director of Environment and Neighbourhoods submitted a report presenting the annual reports for the three ALMOs and the Belle Isle Tenant Management Organisation.

RESOLVED – That the contents of the 2009/10 ALMO and Belle Isle Tenant Management Organisation annual reports be noted.

51 Homeless Prevention Fund and Breathing Space Initiative

The Director of Environment and Neighbourhoods submitted a report outlining a proposed amendment to the criteria for the Homeless Prevention Fund, in addition to the proposed participation of Leeds City Council in the Breathing Space home loss prevention initiative, administered by Wakefield District Council.

RESOLVED –

- a) That approval be given to change the existing Homeless Prevention Fund arrangements so that an affordable loan option can be offered to households to prevent their homelessness.
- b) That Leeds City Council becomes a member of the Breathing Space scheme.

52 Leeds Supporting People Programme

The Director of Environment and Neighbourhoods submitted a report providing an update on the Leeds Supporting People programme, highlighting its achievements to date and the challenges it faces during 2010/2011.

RESOLVED – That the report be noted and that annual reports be brought to the Board on this subject.

53 Area Committees: Amendments to Well Being Funds Allocations

The Director of Environment and Neighbourhoods submitted a report on options and implications of a revised weighting between population and deprivation, the determination of the allocation of well-being resources to Area Committees and a proposed amendment to the current weighting.

RESOLVED – That current formula of 75% per capita and 25% level of deprivation be changed to 50% per capita and 50% level of deprivation, for the allocation of well-being resources to Area Committees, with immediate effect.

(Under the provisions of Council Procedure Rule 16.5 Councillors A Blackburn and Golton required it to be recorded that they voted against this decision.)

DATE OF PUBLICATION: 23rd July 2010
LAST DATE FOR CALL IN: 30th July 2010

(Scrutiny Support will notify Directors of any items called in by 12.00 noon on 2nd August 2010)