

EXECUTIVE BOARD

WEDNESDAY, 25TH AUGUST, 2010

PRESENT: Councillor K Wakefield in the Chair

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

Councillor J Dowson – Non-Voting Advisory Member

57 Substitute Member

Under the terms of Executive Procedure Rule 2.3, Councillor Mulherin was invited to attend the meeting on behalf of Councillor Ogilvie.

58 Exempt Information - Possible Exclusion of the Press and 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) Appendix 1 to the report referred to in Minute No. 62, under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the information contained therein relates to the commercial position of the City Council in respect of the proposed procurement. Therefore, the public interest in maintaining the confidentiality outweighs the public interest in disclosing such information.

Appendix 4 to the report referred to in Minute No. 62, which has been placed in the Members' Library for inspection, under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that it contains information about the commercial position of the City Council. Therefore the public interest in maintaining confidentiality outweighs the public interest in disclosing such information.

- (b) Appendix 2 to the report referred to in Minute No. 71(b), under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that it contains information relating to the financial or business affairs of third parties and also contains information which is subject to ongoing negotiations. As such, the release of this information would be likely to prejudice the interest of all the parties concerned. Whilst there may be a public interest in disclosure, in all the circumstances of the case maintaining the exemption is considered to outweigh the public interest in disclosing this information at this time.

- (c) Appendix 2 to the report referred to in Minute No. 74, under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the public interest in maintaining the exemption in relation to this information outweighs the public interest in disclosure, by reason of the fact that it contains information and financial details which, if disclosed, would adversely affect the business of the Council and may also adversely affect the business affairs of the other parties concerned.

59 Late Items

There were no late items as such, however it was noted that supplementary information had been circulated to Board Members prior to the meeting which provided details of the equality impact assessment undertaken in respect of the proposals within the report on grant reductions (Minute No. 71(b) refers).

60 Declaration of Interests

Councillor Yeadon declared a personal interest in the item relating to grant reductions (Minute No. 71(b) refers), due to being a former employee of an organisation referred to in exempt appendix 2 of the submitted report and having close personal connections with employees of that organisation.

Councillor Murray declared a personal interest in the item relating to the lease of the St. Aidan's Trust Land to the RSPB (Minute No. 76 refers), as a Council representative on the St. Aidan's Trust Fund and Trust Land Advisory Committee. Councillor Murray also declared a personal interest in the item relating to grant reductions (Minute No. 71(b) refers), due to being a Director of an organisation referred to in exempt appendix 2 of the submitted report and a personal and prejudicial interest in this item as the Chief Executive of a separate organisation detailed within the same appendix.

Councillor Blake declared a personal interest in the item relating to grant reductions (Minute No. 71(b) refers), due to being vice chair of the trustees of an organisation referred to in exempt appendix 2 of the submitted report.

Councillor Wakefield declared a personal and prejudicial interest in the item relating to grant reductions (Minute No. 71(b) refers), due to being a member of and having close personal connections with an organisation referred to in exempt appendix 2 of the submitted report.

Councillor Golton declared a personal interest in the item relating to the Primary Capital Programme (Minute No. 66 refers), due to his position of governor of Oulton Primary School.

A further declaration of interest was made at a later point in the meeting. (Minute No. 66 refers).

61 Minutes

Having taken in to consideration comments made in respect of Minute No. 34, entitled, 'Neighbourhood Network Services', it was

RESOLVED – That the minutes of the meeting held on 21st July 2010 be approved as a correct record, subject to the addition of the following words at the end of resolution (c) to Minute No. 34 for the purposes of clarification: “failing which, a further report be brought back to this Board.”

62 Introduction of the New Chief Executive

On behalf of the Board, the Chair introduced Tom Riordan, as this marked the first ordinary meeting of Executive Board since he began his tenure as Chief Executive.

NEIGHBOURHOODS AND HOUSING

63 Round 6 PFI Outline Business Case: Lifetime Neighbourhoods for Leeds

Further to Minute No. 188, 12th February 2010, the Director of Environment and Neighbourhoods submitted a report proposing the submission of the Lifetime Neighbourhoods for Leeds Outline Business Case (OBC) to the Homes and Communities Agency under the national Round 6 PFI Housing programme. In addition, the report also sought approval of the proposed revisions to the project’s scope, sites and affordability position.

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, and appendix 4 to the report, which was also designated as exempt under Access to Information Procedure Rule 10.4(3) and made available for Board Members’ inspection via the Members’ Library, it was

RESOLVED –

- (a) That the submission of the Lifetime Neighbourhoods for Leeds Outline Business Case under the national Round 6 PFI Housing programme, as detailed at exempt Appendix 4 to the submitted report, which had been placed within the Members’ Library for Board Members’ inspection, be approved.
- (b) That the revised scope of the project, as set out in paragraph 4.3 of the submitted report, be approved.
- (c) That the inclusion of seven of the sites in the project, as approved by Executive Board on 12th February 2010 be confirmed as follows:

- (1) Brooklands Avenue, Central Seacroft, (part of) Killingbeck & Seacroft Ward
- (2) Primrose High School, Burmantofts, (part of) Burmantofts & Richmond Hill Ward
- (3) Beckhill Approach/Garth, Meanwood, Chapel Allerton Ward
- (4) Farrar Lane, Holt Park – sheltered housing, Adel & Wharfedale Ward
- (5) Haworth Court, Yeadon, Otley & Yeadon Ward
- (6) Mistress Lane, Armley, Armley Ward
- (7) Acre Mount, Middleton, Middleton Park Ward

- (d) That the inclusion of the four additional sites in the OBC, as set out below and as detailed in appendix 2 to the submitted report be approved subject to consultation:
- (1) Cranmer Gardens, Moor Allerton, Alwoodley Ward
 - (2) Rocheford Court, Hunslet, City & Hunslet Ward
 - (3) Parkway Close, South Parkway, Seacroft, Killingbeck & Seacroft Ward
 - (4) Wykebeck Mount, Osmondthorpe, Temple Newsam Ward
- (e) That the affordability position, as set out in the financial appraisal in exempt Appendix 1 to the submitted report, be approved.
- (f) That the service charge assumptions for the extra care accommodation, as included in paragraph 9.2 of the submitted report, be approved.
- (g) That the City Council's anticipated financial contribution to the project, as agreed by Executive Board on 12th February 2010, be noted.

64 Regional Housing Board Programme 2008-2011: Acquisition and Demolition Schemes Update

The Regional Housing Programme Board submitted a report outlining proposals to rescind approvals previously approved in respect of the Holbeck Phase 4 acquisition and demolition scheme for the purposes of transferring funding to other acquisition and demolition schemes as detailed within the submitted report, in order to enable the remaining demolitions to take place before March 2011.

RESOLVED -

- (a) That £580,000 be rescinded from the Holbeck Phase 4 acquisition and demolition scheme and that the revised cash flow position be agreed.
- (b) That scheme expenditure, as set out in appendix B to the submitted report be authorised in order to complete the demolitions and clearance of the 5 sites in the Beverleys, Holbeck Phases 1, 2 and 3 and Cross Green Phase 2.

CHILDREN'S SERVICES

65 Children's Services Improvement Update Report

The Interim Director of Children's Services submitted a report providing an update on the implementation of Leeds' Improvement Plan for Children's Services and the work of the Improvement Board, the transformation programme aimed at providing an integrated delivery model for children's services and the development of a new Children and Young People's Plan for the city.

On behalf of the Board, the Chair paid tribute to and thanked the Interim Director of Children's Services, Eleanor Brazil, as this was potentially the final Board meeting in which she would be in attendance.

Following the high levels of attainment achieved in the recent GCSE and Alevel results, in addition to the positive fostering inspection report which had been received, the Board paid tribute to and thanked all of those involved.

RESOLVED -

- (a) That the progress made against the Improvement Plan for Children's Services in Leeds and the work of the Improvement Board undertaken to support this be noted.
- (b) That the intention to consult on, and then develop a new Children and Young People's Plan for Leeds, intended to be ready by spring 2011, be noted.
- (c) That the progress made to date on the transformation programme and the next steps designed to develop and propose a revised leadership structure and model for integrated service delivery and integrated business support functions, which will be brought back to Executive Board in autumn 2010, be noted and endorsed.

66 Primary Capital Programme: Works at Richmond Hill, Swillington, Saints Peter and Paul, Gildersome, Greenhill and Oulton Primary Schools

The Chief Executive of Education Leeds submitted a report on the proposed building of three new school buildings for Richmond Hill Primary School, Swillington Primary School and Saints Peter and Paul Catholic Primary School, Yeadon, and on the extension and refurbishment of buildings at Gildersome Primary School, Greenhill Primary School and Oulton Primary School.

RESOLVED –

- (a) That the design proposals in respect of the schemes to new build schools at Richmond Hill, Swillington and Saints Peter and Paul, and extension and refurbishment works at Gildersome, Greenhill and Oulton be approved.
- (b) That the injection of Governors' contribution to scheme number 15178/PET of £393,700 be approved.
- (c) That authority be given to incur expenditure of £33,125,500 from capital scheme numbers 15178/RIC, SWI, PET, GIL, GRE and OUL.

(Councillor Golton declared a personal interest in this item, having attended Richmond Hill Primary School)

67 Design and Cost Report and Final Business Case: Building Schools for the Future Phase 3: Corpus Christi Catholic College

The Chief Executive of Education Leeds submitted a report which sought approval of the Final Business Case in respect of the Corpus Christi Catholic College project for submission to the Partnerships for Schools organisation. The Final Business Case had been placed within the Members' Library for inspection.

RESOLVED – That the Final Business Case for the Corpus Christi Catholic College project be approved, and the submission of the Final Business Case to Partnerships for Schools be authorised.

LEISURE

68 Crematoria Mercury Abatement

The Acting Director of City Development submitted a report outlining proposals on how the Council intended to meet Government legislation targets in respect of mercury emissions abatement during the cremation process and providing details of how the Council proposed to renew its cremation facilities on a phased basis.

Members received assurances that cremations would be undertaken at a specified crematorium, that bodies would not be transferred between crematoria for the purposes of cremation and that such matters would be dealt with as sensitively as possible when accommodating service users' preferences.

RESOLVED –

- (a) That the legislative requirements relating to mercury abatement and the need to implement a solution by 2012 be noted.
- (b) That the preferred approach to replace cremators and abate mercury at Rawdon by December 2012, as detailed within the submitted report, be approved.
- (c) That the longer-term strategy to replace cremators at Cottingley in 2016 and to replace cremators and consider future abatement for mercury at Lawnswood in 2018 be agreed, subject to further detailed business cases and funding plans being brought forward.
- (d) That in order to ensure this strategy meets the target of 50% mercury abatement by the end of 2012, the Board notes that it will be necessary to increase the proportion of cremations at Rawdon until abatement is fitted at Lawnswood.
- (e) That the initiation of the design and development of the specification for Rawdon, which will be funded from Prudential Borrowing and a continuing surcharge on cremations, be approved.

- (f) That a fully funded injection of £2,900,000 into the Capital Programme be agreed in order to finance Mercury Abatement works, financed through the Council exercising its prudential borrowing powers using the fees generated by the environmental surcharge introduced for this purpose in 2008.
- (g) That a Design and Cost Report be submitted to Executive Board once a more detailed cost estimate for the Rawdon works has been developed, and that further information on the proposals relating to the future provision of the service be submitted to the Board for consideration at that time.

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

69 Design and Cost Report: The Development of Middleton Park through a Heritage Lottery Fund Parks for People Grant

Further to Minute No. 132, 9th December 2009, the Acting Director of City Development submitted a report detailing proposals to spend the £1,797,929 which had previously been injected into the capital programme, outlining the proposed capital development works and cost profile of the scheme, and regarding the processes for the acceptance of the £1,465,000 Heritage Lottery Fund grant and the delegation of relevant approvals.

RESOLVED -

- (a) That expenditure against the injection of £1,797,929 made into the 2010/11 Capital Programme by Executive Board in December 2009 be approved.
- (b) That the proposed capital development works and the cost profile of the scheme be noted.
- (c) That acceptance of the £1,465,000 grant be authorised and related approvals be delegated to the Chief Recreation Officer.

ADULT HEALTH AND SOCIAL CARE

70 Response to the Deputation to Council - The Access Committee for Leeds Regarding "Please Help us to Save Woodlands Respite Care Centre, York"

The Director of Adult Social Services submitted a report in response to the deputation to Council, entitled, 'Please help us to save Woodlands Respite Care Centre, York', from members of the Access Committee for Leeds on 14th July 2010.

It was suggested that further work was undertaken with other local authorities in a bid to identify an alternative service provider.

RESOLVED –

- (a) That the response to the deputation and the proposed actions of Adult Social Services officers, as outlined within the submitted report, be noted.
- (b) That should an alternative service provider not be found, a report be submitted to a future meeting of the Board providing an update on the work undertaken to support the affected service users.

RESOURCES AND CORPORATE FUNCTIONS

71 Financial Health Monitoring 2010/2011

(a) Financial Health Monitoring 2010/2011: First Quarter Report

The Director of Resources submitted a report providing an update on the financial health of the authority for 2010/2011 after three months of the financial year. The report provided details of the revenue budget, the housing revenue account and Council Tax collection rates. The report also identified a number of pressures, particularly in relation to income and demand led budgets and the actions being taken by directorates to address such pressures.

RESOLVED –

- (a) That the projected financial position of the authority after three months of the new financial year be noted, and that directorates be requested to continue to develop and implement action plans which are robust and which will deliver a balanced budget by the year end.
 - (b) That a virement of £500,000 from the training budget into the domiciliary care budget, as detailed within the submitted Adult Social Care report, be approved.
 - (c) That the reallocation of budgets within Adult Social Care to reflect revised management arrangements, as detailed within the submitted Adult Social Care report, be noted.
- (b) Reductions In Grants: Implications for Services
Further to Minute No. 16, 22nd June 2010, the Director of Resources submitted a report providing details of the implications for Leeds arising from the grant reductions to Local Authorities announced by Government as part of its accelerated deficit reduction plan and outlining proposals to deal with such reductions.

Supplementary information had been circulated to Board Members prior to the meeting which provided details of the equality impact assessment undertaken in respect of the proposals detailed within this report.

Officers undertook to provide the relevant Board Members with information in response to issues raised during the consideration of this item in respect of specific organisations detailed in exempt appendix 2.

The Chief Executive invited Members to submit any views they had in respect of how potential impacts could be effectively assessed as part of the overall budgetary process.

Following consideration of appendix 2 to the submitted 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 following virements in respect of the in year reductions in grants, as detailed at paragraph 2.1 of the submitted report be approved:
- a virement from the Strategic budget to services to reflect the reductions in Area Based Grant and the LPSA2 Reward grant which are held centrally;
 - a virement within City Development directorate to reflect the loss of Housing and Planning Delivery Grant and Free Swimming grant;
 - a virement within Children's Services in respect of Nursery Education Pathfinder Grant, Buddying, Playbuilder, Training and Development Agency, Contact Point, Harnessing technology and Local Delivery Support grants.
- (b) That the reductions in expenditure/additional income, as detailed in Appendix 1 to the submitted report, be approved.
- (c) That the proposed reductions in payments to external providers, as detailed at exempt appendix 2 to the submitted report be noted, with the relevant decisions being taken by officers under delegated powers in consultation with the appropriate Executive Members when negotiations have been concluded.

(Having declared a personal and prejudicial interest in relation to the matter considered at Minute No. 71(b), due to being a member of and having close personal connections with an organisation referred to in exempt appendix 2 of the submitted report, Councillor Wakefield vacated the Chair in favour of Councillor R Lewis and withdrew from the meeting room for the duration of this item)

(Having declared a personal and prejudicial interest in relation to the matter considered at Minute No. 71(b), as the Chief Executive of an organisation referred to in exempt appendix 2 of the submitted report, Councillor Murray withdrew from the meeting room for the duration of this item)

(Under the provisions of Council Procedure Rule 16.5, Councillors A Carter and Golton required it to be recorded that they had abstained

from voting on the matters referred to within Minute Nos. 71(a) and 71(b))

72 Capital Programme Update 2010-2014

The Director of Resources submitted a report providing an updated financial position on the 2010-2014 Capital Programme, detailing the implications of the recent reductions in capital grants announced by Government, reporting on a review of uncommitted schemes which had taken place and detailing a small number of capital projects for which specific approvals were sought.

RESOLVED –

- (a) That approval to spend of £3,051,000 on the vehicle replacement programme be confirmed.
- (b) That authority be given to spend £3,138,000 on the equipment replacement programme.
- (c) That the capital review process currently underway, which will be reported back to Executive Board at a later date, be noted.
- (d) That an injection of £300,000 to the capital programme, funded through unsupported borrowing be approved, and authority to spend be given in respect of the relocation of services from Blenheim and Elmete to Adams Court.
- (e) That the removal of the remaining funding of £1,300,000 for the City Card scheme be approved.
- (f) That an injection into the capital programme of £1,300,000 be approved in order to implement the first phase of the Home Insulation scheme, with all relevant details being presented to a future meeting of Executive Board for approval.
- (g) That approval be given to the use of the balance of Adult Social Care fire safety funding to address identified fire safety risks across all operational buildings within the Corporate Property Management portfolio.

(Under the provisions of Council Procedure Rule 16.5, Councillors A Carter and Golton required it to be recorded that they had abstained from voting on this matter)

73 Shared Business Rates Service

The Director of Resources submitted a report on the proposed establishment of a shared service for the billing and collection of Business Rates for Leeds and Calderdale businesses which would be delivered by Leeds City Council. The report provided information on the work undertaken to date and detailed the timescales in which a shared service could be delivered.

RESOLVED –

- (a) That authority be delegated to the Director of Resources to enable him to make the necessary decisions and approvals to allow the scheme to proceed.
- (b) That the Board be provided with updates regarding the development of further partnership arrangements being established with other local authorities as and when appropriate.

74 Transforming Leeds: Phase 1 Changing the Workplace

The Director of Resources submitted a report which provided an update on the Changing the Workplace programme, particularly focussing upon proposals to rationalise and modernise the Council's city centre office portfolio, in order to support the delivery of further long term efficiencies. The report sought approval to move forward with negotiations and related work on a preferred accommodation option in the city centre and highlighted areas where the programme could deliver short term benefits within the context of the wider business transformation programme.

Following consideration of appendix 2 to the submitted 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 overarching business transformation context, as outlined within the submitted report, be noted.
- (b) That the recommendations for progressing phase 1 of the Changing the Workplace programme, as detailed at paragraph 7 of exempt appendix 2 to the submitted report, be approved.

75 Regulation of Investigatory Powers Act 2000 - Adoption of a New Council Policy

The Chief Officer (Legal, Licensing and Registration Services) and the Director of Environment and Neighbourhoods submitted a joint report outlining the Council's proposed policy on covert surveillance conducted under the Regulation of Investigatory Powers Act (RIPA) 2000.

RESOLVED – That the proposed policy in respect of the Regulation of Investigatory Powers Act 2000, as set out in Appendix 1 to the submitted report, be approved.

DEVELOPMENT AND REGENERATION

76 Lease of the St. Aidan's Trust Land to the Royal Society for the protection of Birds

Further to Minute No. 38, 6th July 2005, the Acting Director of City Development submitted a report regarding the proposed completion of a lease to the Royal Society for the Protection of Birds (RSPB) in respect of former opencast coal and coal mining land between Methley and Swillington.

Officers undertook to provide the relevant Board Members with briefings on matters which were raised during the consideration of this item, specifically in relation to visitor numbers and access issues.

The Board gave particular thanks to Max Rathmell for his efforts throughout the development of this long running project.

RESOLVED –

- (a) That the completion of the lease to the RSPB, based on the Heads of Terms outlined within Appendix 1 to the submitted report, be agreed as soon as practically possible after the transfer of the Trust Land to the St. Aidan's Trust, and that this matter be delegated to the Acting Director of City Development on completion of any outstanding documentation.
- (b) That officers continue to explore the opportunities for the wider involvement of the RSPB in the development of the Lower Aire Valley as a major recreational and wildlife resource.

DATE OF PUBLICATION: 27th August 2010
LAST DATE FOR CALL IN: 6th September 2010 (5.00 p.m.)

(Scrutiny Support will notify Directors of any items called in by 12.00noon on 7th September 2010)