

SCRUTINY BOARD (CITY DEVELOPMENT)

TUESDAY, 17TH MAY, 2011

PRESENT: Councillor J Procter in the Chair

Councillors B Cleasby, J Elliott, C Fox,
P Grahame, R Grahame, M Loble, M Loble,
R Pryke and M Rafique

B Woroncow (Co-optee)

168 Chair's Opening Remarks

The Chair welcomed Councillor B Cleasby to the meeting who had been appointed to fill the current vacancy on the Board and Councillors C Fox, P Grahame and R Grahame who were attending as substitutes.

169 Late Items

The Chair agreed to accept the following documents as supplementary information:-

- Response to Report of Working Group on Holme Farm, Temple Newsam – Report of the Acting Director of City Development (Agenda Item 8) (Minute 174 refers)
- Update on External Arts Grants to Leeds Organisations – Report of Chief Libraries, Arts and Heritage Officer (Agenda Item 9) (Minute 175 refers)
- E mail received from the Friends of Leeds Kirkgate Market dated 17th May 2011 (Agenda Item 10) (Minute 176)

The documents were not available at the time of the agenda despatch, but made available on the Council's Internet site prior to the Board meeting.

170 Declaration of Interests

The following personal interests were declared at the meeting:-

- Councillor J Procter in his capacity as Chair of the Leeds Grand Theatre Board and also as a trustee of Northern Ballet Theatre (Agenda Item 9) (Minute 175 refers)
- Councillor R Grahame in his capacity as a Member of the GMBAT Union (Agenda Item 10) (Minute 176 refers)

171 Apologies for Absence and Notification of Substitutes

Apologies for absence were received on behalf of Councillors D Atkinson, G Harper, J Jarosz and M Robinson.

Notification had been received for Councillor P Grahame to substitute for Councillor J Jarosz; Councillor R Grahame to substitute for Councillor G Harper and Councillor C Fox to substitute for Councillor M Robinson.

Minutes approved as a correct record at the meeting held on Tuesday, 28th June 2011

172 Minutes of the Previous Meetings

A copy of the minutes of the meeting held on 20th April and the Call-In meeting of the same date were submitted.

In relation to Minute 159 of the meeting held on 20th April 2011, Councillor R Grahame sought clarification of which previous Executive Member and Director was involved in relation budget matters on Leisure Centres.

RESOLVED – That the minutes of the meeting held on 20th April 2011 and the Call-in meeting held on the same date be confirmed as a correct record.

173 Officer Registration of Interests

Referring to Minute 160 of the meeting held on 20th April 2011, the Head of Scrutiny and Member Development submitted a report on Officer Registration of Interests.

Appended to the report was a copy of a document entitled 'Officer register of interests – Report of Head of Human Resources (HR Governance)' for the information/comment of the meeting.

The following representatives were in attendance and responded to Members' queries and comments:-

Dave Almond, Head of Human Resources, Resources
Neil Hunter, Head of Internal Audit, Resources

The Board then responded to the main points of discussion.

In summary, a number of issues and comments were made including:-

- The fact that the Employee Code of Conduct had recently replaced the former Officer Code of Conduct
- That the administrative procedures in place as a consequence of the Employee Code of Conduct require all employees with relevant interests to declare them at least once a year
- That staff were reminded annually of this duty to declare their interests. It was reported that this had last been undertaken on 11th April 2011
- That staff identified by Directors as "high risk" posts were specifically targeted particularly if they were politically restricted posts, or graded JNC Chief Officers (or above). Members asked what salary level this related to and officers advised that it was £45,000pa and above
- That the average return rate from all Directorates in respect of the most recent reminder was 90% following one request to complete a return and a reminder. One Directorate's return was only 62% whilst City Development Directorate's return was 93%. Directors would now be pursuing those non returns in respect to "high risk" posts with a view to achieving a 100% return rate

- The fact that unlike Members declarations of interest employee declarations of interests were exempt from disclosure under the Freedom of Information legislation as it was personal information within the meaning of the Data Protection Act
- The fact that the current Government had confirmed that it does not intend to proceed with the introduction of a national officer code of conduct
- That the arrangements outlined in the report did not include the ALMOs as they would have their own arrangements in place
- The suggestion that some London Boroughs have introduced a voluntary declaration scheme for officers which were published on the internet
- That in accordance with the Council's terms and conditions of service the onus is on individual officers to make any necessary declarations of interest and that appropriate training and guidance was offered and provided by the Business Support Centre and the relevant Directorate's
- Concerns as to the process and whether it was fit for purpose

RESOLVED-

- a) That the contents of the report and appendices be noted.
- b) That Scrutiny Board (Resources and Council Services) be asked to undertake an inquiry on officers declarations of interest to identify the effectiveness of the current arrangements and whether it was fit for purpose.

174 Inquiry to Review Home Farm, Temple Newsam - Draft Final Report and Recommendations

Referring to Minute 122 of the meeting held on 8th March 2011, the Head of Scrutiny and Member Development submitted a report on the draft final report and recommendations in relation to the Inquiry to review Home Farm, Temple Newsam.

Appended to the report was a copy of the draft final report, along with a summary of evidence considered during the Inquiry for the information/comment of the meeting.

In addition to the above documents, a report on the response to the report of the Board's Working Group by the Acting Director of City Development was circulated as supplementary information.

The following representatives were in attendance and responded to Members' queries and comments:-

Martin Farrington, Acting Director of City Development
 Richard Mond, Chief Recreation Officer, City Development
 Sean Flesher, Head of Parks and Countryside, City Development

Prior to discussing the issue, the Chair expressed his concerns, on behalf of the Board, that the Acting Director's comments in his report seemed to

contradict some aspects of the agreement the Working Group thought it had achieved during their deliberations with relevant officers of his Directorate and sought reassurances from officers that the Working Groups proposals and recommendations would be implemented.

The Chief Recreation Officer and the Head of Parks and Countryside responded and confirmed that in the main they did support the proposals and recommendations, except with reservations around whether the farm could truly operate on a commercial basis and the practical difficulties because of health and safety issues, of using volunteers to reduce operating costs.

The Board then responded to the main points of discussion.

In summary, specific reference was made to the following issues:-

- clarification of the role and duties of the single Farm Manager post
- clarification of the rationale behind the proposal to reduce posts
- clarification of the 2009/10 income figures outlined in the Temple Newsam Farm Account (Appendix 2 refers)
- the need to address the budget elements prior to the report being presented to Executive Board
- clarification of the current car parking charging policy at Home Farm

RESOLVED –

- a) That the comments, report and appendices of the Acting Director of City Development to the Board's final report and recommendations be noted.
- b) That approval be given to the Board's final report and recommendations as submitted and without amendment.
- c) That a formal response to the recommendations be produced in line with normal procedures for scrutiny inquiry reports as set out in Scrutiny Procedure Rule 15.1.

175 Grants to Culture and Sport Related Organisations

Referring to Minute 128 of the meeting held on 8th March 2011, the Head of Scrutiny and Member Development submitted a report on Grants to Culture and Sport Related Organisations.

Appended to the report were copies of the following documents considered by the Grants to Culture and Sport Related Organisations Working Group for the information/comment of the meeting:-

- Notes of the Grants to Culture and Sport Related Organisations Working Group for Scrutiny Board (City Development) held on 14th February 2011
- Grants to Cultural Organisations – Working Group Paper – 14th February – Report of the Chief Libraries, Arts and Heritage Officer

In addition to the above documents, a report prepared by the Chief Libraries, Arts and Heritage Officer on External Arts Grants to Leeds Organisations updating Members on the current position was circulated as requested .

The following representatives were in attendance and responded to Board Members' queries and comments:-

Martin Farrington, Acting Director of City Development
Catherine Blanshard, Chief Libraries, Arts and Heritage Officer, City Development.

The Board then responded to the main points of discussion.

In summary, specific reference was made to sustainability issues and clarification of the process in relation to costs around insurance cover of individual bodies.

The Chief Libraries, Arts and Heritage Officer responded and informed the meeting that costs around insurance cover of individual bodies was a complex issue. She agreed to circulate relevant details to Board Members via the Board's Principal Scrutiny Adviser.

RESOLVED –

- a) That the contents of the report and appendices be noted.
- b) That the note of the Working Group meeting held on 14th February 2011 and the report of the Chief Libraries, Arts and Heritage Officer considered at that meeting be received and noted.
- c) That the report updating Members on the current position with regard to West Yorkshire Grants and other related issues be noted.
- d) That the Executive Board be asked to approve the following proposals:-
 - that in view of the grants provided by Leeds City Council through West Yorkshire Grants being critical for the survival of many cultural organisations, the money currently allocated by West Yorkshire Grants to arts and culture organisations be ring fenced to the arts and culture
 - that the true value of the Council's support to all organisations should be stated and reflected in the grant making and assessing process
 - that a comprehensive public review of all grants should take place to ensure transparency and openness and that specific consideration should be also given to the disparity between similar organisations

176 Inquiry to Review the Future of Kirkgate Market - Draft Final Report and Recommendations

Referring to Minute 123 of the meeting held on 8th March 2011, the Head of Scrutiny and Member Development submitted a report on the draft final report and recommendations in relation to the Inquiry to review the future of Kirkgate Market.

Appended to the report were copies of the following documents for the information/comment of the meeting:-

- Report of the Acting Director of City Development – Kirkgate Market – 17th May 2011
- Review of the Future of Kirkgate Market – Scrutiny Inquiry Report – Draft dated 27th April 2011

In addition to the above documents, a copy of an e mail received from the Friends of Kirkgate Market dated 17th May 2011 was circulated as supplementary information.

The following representatives were in attendance and responded to Board Members' queries and comments:-

Martin Farrington, Acting Director of City Development
Cath Follin, Head of City Centre and Markets, City Development
Sue Burgess, Markets Manager, City Development

In addition to the above representatives, the Chair invited Liz Laughton, National Market Traders Federation, Kirkgate Branch; Michelle Hocken, Market Trader and Jo Williams, consultant to the National Market Traders Federation's Kirkgate Branch to comment on the conclusions and recommendations contained in the draft final report.

RESOLVED –

- a) That the comments and contents of the report of the Acting Director of City Development and appendices be noted.
- b) That approval be given to the Board's final report and recommendations subject to (c) below.
- c) That, where appropriate, the Board's Principal Scrutiny Adviser be requested to incorporate the points outlined in the e mail received from the Friends of Kirkgate Market within the Board's final report and recommendations.
- d) That the most up to date figures in relation to the number of voids (empty stalls) be provided by the Head of City Centre and Markets and included in the Board's final report and recommendations.
- e) That a formal response to the recommendations be produced in line with normal procedures for scrutiny inquiry reports as set out in Scrutiny Procedure Rule 15.1.
- f) That a vote of thanks be conveyed to officers and market traders for their attendance and contribution to the Inquiry to Review the Future of Kirkgate Market.

177 Chair's Closing Remarks

The Chair reminded Members that this was the last Board meeting within the current municipal year. He personally thanked Board Members; Barbara Woroncow , the Board's Co-optee for her expertise and to the external witnesses for their support during the year.

(The meeting concluded at 12.25pm)