

## EXECUTIVE BOARD

WEDNESDAY, 16TH APRIL, 2008

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

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

Councillor Blake –Non-voting Advisory Member

### 207 Exclusion of Public

**RESOLVED** – That the public be excluded from the meeting during consideration of the following parts of the agenda designated exempt on the grounds that it is likely, in the 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 2 to the report referred to in minute 211 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information by reason of the fact that disclosure could prejudice negotiations to the effect that there would be potentially increased cost to the Council at public expense and therefore be prejudicial to the public interest.
- (b) The appendix to the report referred to in minute 215 under the Terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information because the information is not publicly available from statutory registers of information kept in respect of certain companies and charities.

To release full details of these matters into the public domain would almost certainly prejudice landowners and the Council's commercial interests as there may be interventions by rival parties at this stage of the land assembly process. In addition, these kind of interventions would lead to serious prejudice to the Council's commercial interests and could damage the process of negotiations with the owners.

- (c) Appendix 1 to the report referred to in minute 221 under the terms of Access to Information Procedure Rule 10.4(5) and on the grounds that the Appendix contains legal advice the disclosure of which prior to the commencement of any legal proceedings may prejudice the Council in progressing the matter and therefore the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

### 208 Declaration of Interests

Councillor A Carter declared a personal interest in the item relating to 'Council House Building' (Minute 217) due to his respective positions on the Outer West ALMO Area Panel and the Strategic Housing Board.

Councillor Brett declared a personal interest in the item relating to 'Council House Building' (Minute 217) due to his position on the Affordable Housing Strategic Partnership.

Councillor J L Carter declared a personal interest in the item relating to 'Council House Building' (Minute 217) due to his position on the Affordable Housing Strategic Partnership.

Councillor Smith declared a personal and prejudicial interest in the item relating to the 'Proposed Assembly of Land at Elland Road' (Minute 215) due to the occupation of a Business Unit on the site by a close relative.

Councillor Wakefield declared a personal interest in the item relating to 'Strategies to address Comparative Underachievement in Leeds Schools' (Minute 218) due to being a member of the Learning and Skills Council.

## **LEISURE**

### **209 Roundhay Mansion - Progress Update**

Further to minute 88 of the meeting held on 17<sup>th</sup> October 2007 the Director of City Development submitted a report providing an update on progress with the letting of the Roundhay Mansion as a Restaurant/Function facility and on the proposed evaluation methodology to be used to evaluate bids.

**RESOLVED** – That the progress with the marketing of the Roundhay Mansion be noted and that the evaluation methodology proposed for assessing bids, as outlined in Section 3 of the submitted report, be approved.

### **210 Minutes**

**RESOLVED** – That the minutes of the meeting held on 12<sup>th</sup> March 2008 be approved.

## **CENTRAL AND CORPORATE**

### **211 ICT "Applications Infrastructure"**

The Director of Resources submitted a report on a proposed ICT Software Applications Infrastructure strategy and associated governance arrangements and a proposed strategic partnership with Microsoft for the future provision, development and deployment of the Applications Infrastructure components.

Following consideration of Appendix 2 to the report designated as exempt under Access to Information Procedure Rule 10.4(3) which was considered in private at the conclusion of the meeting it was

#### **RESOLVED –**

- (a) That Microsoft and Microsoft approved partners be selected as the strategic partners of Leeds City Council for the development and

deployment of the 'One Council' Applications Infrastructure as defined in Appendix 1 to the submitted report.

- (b) That all business requirements that have a potential ICT element be directed through Corporate ICT Services, who, in partnership with the particular business area concerned will decide on what is the best value technology solution to meet those requirements.

## **212 Equality and Diversity Scheme 2008-2011**

The Assistant Chief Executive (Planning, Policy and Improvement) submitted a report on a proposed new single Equality and Diversity Scheme incorporating the Council's race, disability and gender equality schemes.

### **RESOLVED –**

- (a) That the report be noted and that the Equality and Diversity Scheme 2008-2011 as attached at appendix 1 to the report be approved.
- (b) That the Equality and Diversity Scheme be referred to Overview and Scrutiny Committee for consideration, with Overview and Scrutiny Committee being requested to monitor progress of the scheme against the action plan.

## **213 Progress Report on the PPP/PFI Programme in Leeds**

The Deputy Chief Executive submitted a report providing a 6 monthly update on progress of the authority's PPP and PFI projects and implementation of the governance framework.

**RESOLVED –** That the report be noted.

## **214 Access to Counsel's Opinions**

Further to minute 166 of the meeting held on 8<sup>th</sup> February 2008 the Assistant Chief Executive (Corporate Governance) submitted a report in response to recommendation 2 in relation to the availability of Counsel's advice to the public as contained in the report of the Scrutiny Board (Culture and Leisure) in regard to their enquiry into the decision of this Board to erect fencing at Wharfemeadows Park, Otley.

**RESOLVED –** That the response of this Board to recommendation 2 of the Scrutiny Board report be as follows:

"in considering requests for external legal advice contained by the Council to be made publicly available, the Council's Monitoring Officer:

- (a) will apply a presumption in favour of disclosure
- (b) will only reject a request where she is satisfied that, in all of the circumstances of the case, the public interest in disclosure is outweighed by the public interest in maintaining the confidentiality of the advice; and
- (c) will give full reasons for the rejection of any request."

## **DEVELOPMENT AND REGENERATION**

## **215 Proposed Assembly of Land at Elland Road, Leeds**

Further to minute 66 of the meeting held on 11<sup>th</sup> September 2007 the Chief Asset Management Officer submitted a report outlining the range of development and regeneration opportunities at Elland Road, and on a proposal to enter into negotiations for the acquisition of land at Elland Road by agreement and, in principle, by use of Compulsory Purchase Powers if the acquisition by agreement is not successful.

Following consideration of the appendix to the report designated as exempt under Access to Information Procedure Rule 10.4(3) which was considered in private at the conclusion of the meeting it was

**RESOLVED** – That approval be given in principle for the acquisition of land identified in the report either by one to one negotiations or entering into partnership agreements for the land around the Elland Road area and, in principle, and subject to a more detailed report to this Board, by use of compulsory purchase powers if the acquisition of the land by such agreements is not successful.

(Councillor J L Carter left the meeting during the consideration of this item in order to avoid any perception of predetermination at such time as this matter may be considered by the West Yorkshire Police Authority, of which he was a member).

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

## **NEIGHBOURHOODS AND HOUSING**

### **216 Safer Leeds Partnership Plan**

The Director of Environment and Neighbourhoods submitted a report seeking approval of the Safer Leeds Partnership Plan setting out the strategic outcomes and annual improvement priorities and activities for the next three years.

#### **RESOLVED –**

- (a) That Council be recommended to approve the Safer Leeds Partnership Plan as attached to the submitted report.
- (b) That a further report be brought to this Board on the Council's policy in respect of alcohol abuse with particular reference to sales by telephone order/home delivery and on any controls currently exercised in this respect.

### **217 Council House Building**

Further to minute 131 of the meeting held on 19<sup>th</sup> December 2007 the Director of Environment and Neighbourhoods submitted a report providing an update on the progress made in developing options for building council houses in line with the previous decision.

#### **RESOLVED –**

- (a) That officers be instructed to proceed with the scheme as set out in the submitted report.
- (b) That in order to enable delivery of the scheme the following be authorised:
  - (i) Disposal of the former Waterloo Primary School site at less than best as set out in the report
  - (ii) Disposal of the Evelyn Place and Silver Royd Hill sites as identified in the report on the open market and that first call on the capital receipts, and the payment from the Registered Social Landlord should be to meet the needs of this scheme
  - (iii) Borrowing of up to £1,000,000 through the Housing Revenue Account to meet any shortfall in financing the scheme

### **CHILDREN'S SERVICES**

#### **218 Strategies to Address Comparative Underachievement in Leeds Schools**

Further to minute 182 of the meeting held on 28<sup>th</sup> February 2008 the Chief Executive of Education Leeds submitted a report summarising the strategies employed to target underachieving young people and schools in Leeds, so that the gap in achievement between the most and least successful groups is narrowed.

#### **RESOLVED –**

- (a) That the strategies being employed to address comparative underachievement in Leeds be noted.
- (b) That the programmes and projects in Leeds which focus on underachievement continue to be supported.

#### **219 Academy Protocols**

Further to minute 155 of the meeting held on 23<sup>rd</sup> January 2008 the Chief Executive of Education Leeds submitted a report on the outcome of consultation on the Academy Protocols proposed to inform the City Council's response to requests to establish academies in Leeds and on the proposed development of a corresponding memorandum of understanding to be signed by prospective sponsors, the DCSF and the local authority.

In presenting the report the Executive Member (Learning) referred to the following amendments to the report sought by Education Leeds:

- (i) deletion of the words "and to secure agreement on protocols" from the report
- (ii) deletion of the words "these are captured separately in section annex 4" from paragraph 3.1 of the main report and
- (iii) the deletion of the words "that reflects the contents of annex 4" from recommendation (ii) of the report.

#### **RESOLVED –**

- (a) That the outcomes of consultations to date be noted.
- (b) That Education Leeds and the Assistant Chief Executive (Corporate Governance) be invited to further develop the memorandum of understanding to the submitted report as a document that can be

accepted and signed by representatives of both the DCSF, any prospective academy sponsor in Leeds and the local authority.

- (c) That a further report on the matter be brought to the Board in Autumn 2008.

## **220 Expression of Interest to Establish an Academy to Serve the Bramley Area**

The Chief Executive of Education Leeds submitted a report on a proposal to progress an expression of interest into a detailed feasibility and consultation process that will allow a full examination of the issues surrounding the establishment of an academy to serve the Bramley area in inner West Leeds.

### **RESOLVED –**

- (a) That approval be given to a detailed feasibility and consultation process that will allow a full examination of the issues surrounding the establishment of an academy to serve the Bramley area in inner West Leeds.
- (b) That a further report be brought to this Board in Autumn 2008 that will explain the outcome of this feasibility and consultation process and enable members to come to a final decision on the value of establishing an academy to replace Intake High School and serve the Bramley area in inner West Leeds.

## **221 School Admission Appeals Code**

The Assistant Chief Executive (Corporate Governance) submitted a report on the potential to challenge the paragraphs within the School Admissions Appeals Code which currently limit the ability of elected members to represent or act as witnesses for parents who appear before school admission appeals panels.

Appendix 1 to the report was designated as exempt under Access to Information Procedure Rule 10.4(3)

The Assistant Chief Executive (Corporate Governance) reported that since the circulation of the report the Department for Children, Schools and Families had indicated that consultation would be undertaken on a proposal that the paragraphs referred to be withdrawn from the Code and that in the interim Councillors could represent appellants providing that there was no conflict of interest.

**RESOLVED** - That the current situation be noted and that all Admission Appeal panellists be informed of the position.

DATE OF PUBLICATION: 18<sup>TH</sup> APRIL 2008  
LAST DATE FOR CALL IN: 25<sup>TH</sup> APRIL 2008 (5.00 PM)

(Scrutiny Support will notify Directors of any items called in by 12.00 noon on Monday 28<sup>th</sup> April 2008)