

EXECUTIVE BOARD

WEDNESDAY, 26TH AUGUST, 2009

PRESENT: Councillor R Brett in the Chair

Councillors A Carter, J L Carter, R Finnigan,
S Golton, R Harker, P Harrand, J Monaghan,
J Procter and K Wakefield

Councillor R Lewis – Non-Voting Advisory Member

61 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 exempt 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) Appendices 1 and 2 to the report referred to in minute 73 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 as disclosure could prejudice the commercial interests of the Council and other outside bodies.
- b) Appendices 1, 2 and 4 to the report referred to in minute 69 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:-
 - i) Appendices 1 and 2 – The success of the scheme could potentially be prejudiced by speculative investors acquiring properties in advance of the Council's action.
 - ii) Appendix 4 – The costs attributed to the purchase of private properties are purely estimates at this stage and their disclosure could prejudice the Council's ability to reach an agreement on the purchase price with the owners.
- c) Appendices 1, 2 and 4 to the report referred to in minute 70 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:-

- i) Appendices 1 and 2 – The success of the scheme could potentially be prejudiced by speculative investors acquiring properties in advance of the Council’s action. Each of these appendices identifies the location of the affected properties.
 - ii) Appendix 4 – The costs attributed to the purchase of private properties are purely estimates at this stage and their disclosure could prejudice the Council’s ability to reach an agreement on the purchase price with the owners.
- d) Appendices 1 and 2 to the report referred to in minute 84 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 as publication would be detrimental to the finances of the authority and thereby the provision of its services to the public.

62 Declaration of Interests

Councillor Finnigan declared a personal interest as a Director of Aire Valley Homes in relation to minutes 67, 68, 69 and 70 of this meeting, as appropriate.

63 Withdrawal of Item - Playbuilder Initiative Update

The Chair, with the consent of the Board, withdrew the above report from the agenda.

64 Minutes

RESOLVED – That the minutes of the meeting held on 22nd July 2009 be approved.

DEVELOPMENT AND REGENERATION

65 Adoption of the Supplementary Planning Document of the Street Design Guide and Response to the Deputation of the National Federation of the Blind

The Director of City Development submitted a report on the outcome of consultation on the Street Design Guide including further discussions following the attendance of the deputation to Council on 10th September 2008 on behalf of the National Federation of the Blind. The report presented the amended Street Design Guide and recommended its adoption as a Supplementary Planning Document.

RESOLVED – That the Street Design Guide, as now drafted and presented to the Board, be approved as a Supplementary Planning Document, subject to an amendment to paragraph 3.2.2.18 of the guide by deletion of the reference to 25 dwellings and replacement with reference to 10 dwellings and any subsequent associated references.

LEISURE

66 Deputation to Council - North Hyde Park Residents' Association, South Headingley Community Association, and Friends of Woodhouse Moor regarding the Council's proposal to Establish Barbeque Areas on Woodhouse Moor

The Director of City Development submitted a report in response to the deputation to Council from North Hyde Park Residents' Association, South Headingley Community Association and the Friends of Woodhouse Moor organisation on 15th July 2009. The report outlined the result of a recent consultation exercise with local residents and stakeholders and presented a proposed solution for the consideration of the Board.

The report appraised 3 options, as follows:-

- Option 1: Provision of a permanent designated barbecue area as outlined in the consultation process
- Option 2: Enforce byelaws preventing barbecue use as outlined in the consultation process
- Option 3: To trial a designated barbecue area

RESOLVED -

- a) That the analysis and summary consultation activity contained in the report be noted.
- b) That approval be given to the implementation of Option 3: to trial a designated barbecue area, from 1 April 2010 until the end of the barbecue season.

(Under the provisions of Council Procedure Rule 16.5 Councillor Wakefield required it to be recorded that he voted against this decision.)

NEIGHBOURHOODS AND HOUSING

67 Response to the Environment and Neighbourhoods Scrutiny Board Inquiry into Older People's Housing

The Director of Environment and Neighbourhoods submitted a report in response to the recommendations from the Scrutiny Board (Environment and Neighbourhoods) inquiry into older people's housing.

The Chair of the Scrutiny Board attended the meeting, presented the inquiry findings and requested that officers offer a more robust response to recommendation 9.

RESOLVED – That the proposed responses to the Scrutiny Board (Environment and Neighbourhoods) recommendations, as contained in the submitted report, be approved and that the request of the Scrutiny Chair be acceded to.

68 Response to the Environment and Neighbourhoods Scrutiny Board Inquiry into the Private Rented Sector

The Director of Environment and Neighbourhoods submitted a report in response to the recommendations from the Scrutiny Board (Environment and Neighbourhoods) inquiry into the private rented sector.

The Chair of the Scrutiny Board attended the meeting and presented the inquiry findings.

RESOLVED – That the proposed responses to the Scrutiny Board (Environment and Neighbourhoods) recommendations, as contained in the submitted report, be approved.

69 Regeneration of Holbeck - Phase 4

The Director of Environment and Neighbourhoods submitted a report outlining the options for regeneration of the Holbeck area and seeking approval of the acquisition and clearance of 20 properties within Holbeck by utilising £1,300,000 of Single Regional Housing Single Regional Housing Pot funding during 2009/11.

The options presented were:-

- a) Do the minimum to meet legal conformity.
- b) Undertake group repair and internal remodelling.
- c) Acquisition, clearance and redevelopment of the site for housing.

Following consideration of Appendices 1, 2 and 4 to the report, designated as exempt under the terms of Access to Information Procedure Rule 10.4(3), which were considered in private at the conclusion of the meeting, it was

RESOLVED –

- a) that Scheme expenditure to the to the amount of £1.300,000 be authorised.
- b) That officers proceed in accordance with option C
- c) That the Director of Environment and Neighbourhoods and the Director of City Development authorise and promote any necessary Compulsory Purchase Orders should such become necessary

70 Regeneration of Cross Green - Phase 3

The Director of Environment and Neighbourhoods submitted a report outlining the options for regeneration of the Cross Green area and seeking approval of the acquisition and clearance of 14 street lined semi detached properties built in the early 1900s by utilising £1,100,000 of Single Regional Housing Pot funding during 2009/11.

The options presented were:-

- a) Do the minimum to meet legal conformity.
- b) Undertake group repair.
- c) Acquisition, clearance and redevelopment of the site for housing.

Following consideration of Appendices 1, 2 and 4 to the report, are designated as exempt under the terms of Access to Information Procedure Rule 10.4(3), which were considered in private at the conclusion of the meeting, it was

RESOLVED -

- a) That Scheme expenditure to the amount of £1,100,000 be authorised.
- b) That officers proceed in accordance with option C.
- c) That the Director of Environment and Neighbourhoods and the Director of City Development authorise and promote any necessary Compulsory Purchase Orders should such become necessary

DEVELOPMENT AND REGENERATION

71 Leeds (River Aire) Flood Alleviation Scheme

Further to minute 191 of the meeting held on 13th February 2009, the Director of City Development submitted a report providing an update on the progress made in relation to the Leeds Flood Alleviation Scheme, outlining the feedback from the public consultation exercise, and presenting for approval the latest version of the Design Vision and Guide, along with a recommended approach to be adopted by the Environment Agency in designing a scheme for the River Aire.

The report outlined the following 5 options identified by the Environment Agency, upon which the Council were invited to express a preference:-

- a) 1 in 200 years plus precautionary climate change: Raised flood defences. Total scheme cost £145m. £0m external funding required.
- b) 1 in 200 years plus precautionary climate change: Upstream Storage. Total scheme cost £180m. £30-35m external funding required.
- c) 1 in 200 years Managed Adaptive approach dealing with climate change in the future. Total scheme cost £145m. Raised defences - £5-10m external funding required.
- d) 1 in 200 years Managed Adaptive approach dealing with climate change in the future. Total scheme cost £150m. Upstream Storage - £15-20m external funding required.

- e) 1 in 200 years Managed Adaptive approach dealing with climate change in the future. Total scheme cost £200m. Bypass Channel - £65m – 70m external funding required.

RESOLVED –

- a) That the progress on the Leeds (River Aire) Flood Alleviation Scheme and the comments received during the public consultations be noted.
- b) That the latest version of the Design Vision and Guide document be approved.
- c) That the Environment Agency be informed that a Managed Adaptive approach to protecting Leeds from major flooding should be adopted by the Agency.

72 The Agenda for Improving Economic Performance

The Director of City Development submitted a report presenting the draft 'Agenda for Improved Economic Performance' proposed for formal consultation.

RESOLVED – That the document, as submitted, be approved for a formal consultation process.

73 Leeds United - Thorp Arch Academy

The Director of City Development submitted a report on the history and current position of the Leeds United Thorp Arch Academy and on options for the Council to support Leeds United Football Club in the continuation of the facility.

The report presented the options of declining the Club's request for assistance, of giving the Club a loan to acquire the facility or of the Club novating to the Council its option to purchase and the Council acquiring the facility and leasing it back to the Club.

Following consideration of appendices 1 and 2 to the report, designated as exempt under Access to Information Procedure Rule 10.4(3), which were considered in private at the conclusion of the meeting it was

RESOLVED –

- a) That the request from Leeds United 2007 for support in exercising its option to acquire the Thorp Arch training facility be noted.
- b) That the option of offering a loan to the Club be discounted.
- c) That the Director of City Development be authorised, in consultation with the Director of Resources, the Assistant Chief Executive

(Corporate Governance) and the Executive Member Development and Regeneration, to enter into discussions with the Club on the lines now discussed in order to explore whether the option of the Club novating to the Council its option to purchase with subsequent acquisition by the Council and lease back to the club can be progressed. Such preliminary discussions to include the need for appropriate guarantees in respect of the income from the lease to the Club, adequate provision for community and educational use, securing levels of Council control appropriate to the City's hosting of international sporting events, necessary maintenance arrangements and such other matters as may be necessary to protect the Council's interests as owner of the facility.

- d) That a meeting of this Board be convened sufficiently in advance of the 10th October 2009 deadline, in the event that the discussions referred to in (c) give rise to a recommendation to progress the option to a conclusion.

ENVIRONMENTAL SERVICES

74 Response to the Young People's Scrutiny Forum Inquiry entitled, 'Protecting Our Environment'

The Director of City Development, the Director of Environment and Neighbourhoods and the Chief Executive of Education Leeds submitted a joint report in response to the recommendations of the Young People's Scrutiny Forum inquiry into the protection of the environment.

The Chair of the Scrutiny Board (Children's Services) attended the meeting and presented the inquiry findings.

RESOLVED – That the proposed responses to the Young People's Scrutiny Forum's recommendations, as contained in the submitted report be approved.

75 Response to the Environment and Neighbourhoods Scrutiny Board Inquiry into Street Cleaning

The Director of Environment and Neighbourhoods submitted a report in response to the recommendations from the Scrutiny Board (Environment and Neighbourhoods) inquiry into street cleaning.

The Chair of the Scrutiny Board attended the meeting and presented the inquiry findings.

RESOLVED – That the proposed responses to the Scrutiny Board (Environment and Neighbourhoods) recommendations, as contained in the submitted report, be approved.

CHILDREN'S SERVICES

76 Proposal to close the LEA maintained nursery and change the lower age limit of Christ the King Catholic Primary School, Bramley

The Chief Executive of Education Leeds submitted a report presenting the outcome of the statutory notice period to close the maintained nursery with effect from 31st August 2009 and to change the lower age limit of Bramley Christ the King Catholic Primary School from 3-11 years to 5-11 years of age.

RESOLVED – That the lower age of Christ the King Catholic Primary School be changed from 3-11 years to 5-11 years of age and that the LEA maintained nursery be closed.

77 Design and Cost Report - Seacroft Children's Centre Accommodation and Extension

The Acting Chief Officer for Early Years and Integrated Youth Support Service submitted a report on the costs and fees related to the proposed refurbishment and extension of the existing Seacroft Children's Centre.

RESOLVED – That authority be given to incur expenditure on construction £819,350 and fees £180,650 on the refurbishment and extension of the existing Seacroft Children's Centre to enable the relocation of children, staff and services from East Leeds Children's Centre and the amalgamation of the two children's centres.

78 Response to the Children's Services Scrutiny Board Inquiry into 'Entering the Education System'

The Director of Children's Services submitted a report in response to the recommendations of the Scrutiny Board (Children's Services) inquiry entitled, 'Education Standards - Entering the Education System'.

The Chair of the Scrutiny Board attended the meeting and presented the findings of the inquiry.

RESOLVED – That the proposed responses to the Scrutiny Board (Children's Services) recommendations, as contained in the submitted report, be approved.

LEISURE

79 Vision for Council Leisure Centres

Further to minute 74 of the meeting held on 2nd September 2008, the Director of City Development submitted a report proposing a Vision for Leisure Centres following extensive public consultation and a review of Sport England's Facility Planning Model.

RESOLVED – That approval be given to the following proposals:-

Proposal 1 – The Eight Refurbishment Sites

- i) Modernisation and improvement to the quality of the facilities provided at the following sites, and detailed in table 3 to the report: Kirkstall, Rothwell, Aireborough, Otley Chippendale Pool, Bramley, Pudsey, Scott Hall* (*scheme currently being delivered) and Wetherby with a commitment to deliver and resource this work up to 2020.
- ii) The Director of City Development to submit bids in respect of the Free Swimming Capital Modernisation Programme 2010/11 by 4th September 2009.
- iii) The indicative phasing of works, as detailed in table 3 to the report, was noted.

Proposal 2 – Inner East

- iv) Re-provision of Fearnville and East Leeds Leisure Centres in the form of one new, purpose built, well being centre, with a commitment to deliver and resource by 2013/15.
- v) To seek expressions of interest to transfer East Leeds and Fearnville Leisure Centres to a Community Organisation.
- vi) East Leeds Leisure Centre and Fearnville Leisure Centre to remain under Council management until such time that:-
 - a) a new well being centre is confirmed; or
 - b) a suitable community organisation has been identified to whom to transfer the asset(s).
- vii) To seek to transfer the management of Richmond Hill Sports Hall to a Community Organization.

Proposal 3 – Outer East

- viii) To re-provide Kippax and Garforth Leisure Centres in the form of one new or refurbished swimming pool, fitness suite and other appropriate dry side sports facilities to serve the communities of Garforth and Kippax, with a commitment to deliver and resource by 2017.

Proposal 4 South Leeds & Middleton

- ix) To seek expressions of interest to transfer South Leeds Sports Centre to a Community Organisation
- x) To close South Leeds Sports Centre (if no suitable community group is identified) when the new Morley Leisure Centre opens in 2010, and concentrate leisure provision at the John Charles Centre for Sport and Morley

- xi) To provide a new well being facility for Middleton, at or in close proximity to the current St George's Centre, with a commitment to deliver and resource by 2013/15.
- xii) To seek expressions of interest to transfer the existing Middleton Leisure Centre to a Community Organisation
- xiii) Middleton Leisure Centre to remain under Council management until such time that a) a new well being centre is confirmed (at St George's Centre) or b) a suitable community organisation has been identified to whom to transfer the existing Middleton Leisure Centre (asset).

(Under the provisions of Council Procedure Rule 16.5 Councillor Wakefield required it to be recorded that he voted for Proposal 1, abstained from voting on Proposals 2 and 4 and voted against Proposal 3.)

ADULT HEALTH AND SOCIAL CARE

- 80 Leeds - A City for All Ages: Developing a Strategic Approach to Ageing**
The Director of Adult Social Services submitted a report outlining proposals for the development of a strategic response to the development of demographic change and the ageing society under the banner of "Leeds – a City for all ages".

RESOLVED –

- a) That consultation be commenced to develop a strategic framework for the city to address demographic change and an ageing society.
- b) That the outline of the strategic framework, as described in section 6 of the submitted report, be supported.
- c) That 'Leeds – a city for all ages' be used as a headline to encourage and engage all age groups, but in particular people over 50, in setting the strategic framework to address the ageing society.

- 81 Response to the Adult Social Care Scrutiny Board Inquiry into Major Adaptations for Disabled People**

The Director of Adult Social Services and the Director of Environment and Neighbourhoods submitted a joint report in response to the recommendations from the Scrutiny Board (Adult Social Care) inquiry into major adaptations for disabled people.

The Chair of the Scrutiny Board attended the meeting, presented the inquiry findings and reiterated the request at minute 67 that officers offer a more robust response to this same recommendation 9.

RESOLVED –

- a) That the proposed responses to the Scrutiny Board (Adult Social Care) recommendations, as contained in the submitted report, be approved and that the request of the Scrutiny Board Chair be noted.
- b) That this Board requests that future Scrutiny Board inquiry reports should, as a matter of course, make reference to any cost implications arising from the recommendations.

CENTRAL AND CORPORATE

82 Design and Cost Report: Demolition of East Leeds Family Learning Centre

The Chief Officer (Corporate Property Management) submitted a report on proposals for the demolition of the East Leeds Family Learning Centre.

RESOLVED –

- a) That approval be given to the proposed demolition of the remaining ELFLC buildings.
- b) That approval be given for the use of the revenue savings following the vacation of the ELFLC site to provide £880,000 of unsupported borrowing to part fund the demolition costs.
- c) That the transfer of £118,505 from the Demolitions and Dilapidations Fund (scheme 15620) to fund the balance of the demolition costs be approved.
- d) That Authority to Spend of £998,505 in respect of the demolition of the ELFLC premises be given.

83 Financial Health Monitoring 2009/10 - First Quarter Report

The Director of Resources submitted a report on the Council's financial health position for 2009/10 after the first three months of the financial year.

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.
- b) That the following budget adjustments be approved:-
 - i) A revenue contribution to capital (RCCOs) to fund decency works on the Woodbridge estate (£500,000) and a projected shortfall in funding for the HICT orchard project (£200,000) within the Housing Revenue Account.

- ii) A virement in the sum of £800,000 within City Development directorate from the Highways Direct Labour Organisation account, as detailed in the City Development report attached to the submitted report.
- iii) The reallocation of the Strategy and Policy budget within City Development as detailed in the City Development report attached to the submitted report.

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

84 Local Taxation Collection Policy, Business Rate Hardship Relief and Discretionary Rate Relief Guidance

The Director of Resources submitted a report on proposals regarding the categories and criteria used to write off outstanding Council Tax and Business Rates debts, the current guidelines used in respect of hardship relief and the current guidelines used in respect of discretionary rate relief.

Following consideration of Appendices 1 and 2 to the report, designated as exempt under the terms of Access to Information Procedure Rule 10.4(3) which were considered in private at the conclusion of the meeting, it was

RESOLVED –

- a) That approval be given to the revised criteria to be used to write off debts for both Council Tax and Business Rates as outlined in the revised local taxation collection policies in exempt Appendices 1 and 2 to the report.
- b) That the revised guidance for Discretionary Rate relief be approved.
- c) That the current hardship relief guidelines be retained.

DATE OF PUBLICATION: 28th August 2009
LAST DATE FOR CALL IN: 7th September 2009

(Scrutiny Support will notify Directors of any items called in by 12:00 noon on 8th September 2009.)