

## EXECUTIVE BOARD

WEDNESDAY, 2ND NOVEMBER, 2011

**PRESENT:** Councillor K Wakefield in the Chair

Councillors J Blake, A Carter, M Dobson,  
R Finnigan, S Golton, P Gruen, R Lewis,  
A Ogilvie and L Yeadon

### 111 **Exempt Information - Possible Exclusion of the Press and Public**

**RESOLVED** – That the public be excluded from the meeting during the consideration of the following parts of the agenda designated as 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) Appendix 1 and Plan 2 to the report referred to in Minute No. 119 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 a particular person and of the Council. This information is not publicly available from the statutory registers of information kept in respect of certain companies and charities. It is considered that since this information was obtained through one to one negotiations with the Developer, it is not in the public interest to disclose this information at this point in time.
- (b) Appendices B and C to the report referred to in Minute No. 123 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that they contain commercially sensitive information on the City Council's approach towards procurement issues, and commercially sensitive pricing and information about the commercial risk position of bidders, where the benefit of keeping the information confidential is considered greater than that of allowing public access to the information.

### 112 **Late Items**

There were no late items as such, however, it was noted that supplementary information had been circulated to Board Members following the despatch of the agenda as follows:-

- (a) An addendum to the report entitled, 'Informal Consultation on Housing Growth' (Minute No. 118 refers).
- (b) Correspondence received on 31<sup>st</sup> October 2011 regarding the report entitled, 'Response to Leeds Owl Trail Deputation' (Minute No. 127 refers).

- (c) Correspondence received on 1<sup>st</sup> November 2011 regarding the report entitled, 'Residual Waste Treatment PFI Project – Response to Leeds Friends of the Earth Deputation' (Minute No. 122 refers).

### 113 Declaration of Interests

Councillors Wakefield, R Lewis, Golton, Gruen, Ogilvie, Blake, Dobson and Yeadon all declared personal interests in the agenda item entitled, 'Leeds Initiative Sub Board Arrangements', due to their respective memberships of Leeds Initiative Boards and Partnerships (Minute No. 138 referred).

Councillors R Lewis, Finnigan and Ogilvie all declared personal interests in the agenda item entitled, 'ALMO Review Update', due to their respective memberships of ALMO Boards and Panels (Minute No. 124 referred).

Councillors Finnigan and Gruen both declared personal interests in the agenda items entitled, 'Land at Thorpe Park, Colton', 'Residual Waste Treatment PFI Project – Response to Leeds Friends of the Earth Deputation' and 'Waste Solution for Leeds – Residual Waste Treatment PFI Project', due to respective memberships of Plans Panel (East) (Minute Nos. 119, 122 and 123 referred).

A further declaration of interest was made at a later point in the meeting (Minute No. 124 referred).

### 114 Minutes

**RESOLVED** – That the minutes of the meeting held on 12<sup>th</sup> October 2011 be approved as a correct record.

### 115 Matters Arising from the Minutes

#### Minute No. 101 – Leeds Home Insulation Scheme

Responding to Members' enquiries, the Executive Member for Environmental Services provided the Board with an update in respect of the ongoing work being undertaken on the Home Insulation Scheme.

### **DEVELOPMENT AND THE ECONOMY**

### 116 Deputation to Council 14th September 2011 - Residents of Farnley and Wortley opposing the supermarket development at Stonebridge Mills, Stonebridge Lane, Leeds 12

The Director of City Development submitted a report responding to the issues and concerns raised by the deputation to Council on 14<sup>th</sup> September 2011 from residents of Farnley and Wortley opposing the supermarket development at Stonebridge Mills, Stonebridge Lane, Leeds. In addition, the report provided an update on further planning applications received in respect of the site which were to be considered by Plans Panel in due course. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

**RESOLVED** – That the contents of the submitted report be noted.

### 117 **Director's Response to Report by Scrutiny Board (Regeneration) on Housing Growth**

Further to Minute No. 22, 22<sup>nd</sup> June 2011, the Director of City Development submitted a report setting out the response to the recommendations arising from the recent Scrutiny Board (Regeneration) inquiry undertaken into issues associated with housing growth. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Councillor J Procter, the Chair of the Scrutiny Board (Regeneration) attended the meeting to present the Board's findings, and highlighted several of the Board's recommendations. With regard to recommendation 4, emphasis was placed upon the fact that this recommendation was intended to refer to the production of monitoring data.

Members thanked the Scrutiny Board and officers involved for the detailed Inquiry report.

Consideration was given to recommendation 10 of the Scrutiny Board Inquiry report that 80% of the income raised through the Community Infrastructure Levy (CIL) be ring fenced for the benefit of local communities, and whether this level was appropriate.

In responding to enquiries regarding recommendation 6, it was acknowledged that a review would be undertaken in respect of this matter and the outcome reported back to the Scrutiny Board (Regeneration).

Further to Members' queries regarding the preparation of the Core Strategy and the associated resource implications, assurance was provided that good progress had been made on the Core Strategy, and a draft would be available in the new year.

#### **RESOLVED –**

- (a) That the Scrutiny Board's report be welcomed as a valuable contribution to the housing growth debate.
- (b) That the recommendations of the Scrutiny Board arising from the inquiry (including recommendation 4 on the basis that it relates to the production of monitoring data) be agreed, with the exception of recommendation 10, with a further report being submitted to the Board in December 2011 in respect of issues arising from recommendation 10.
- (c) That the conclusions arising from the Scrutiny Board inquiry and the Housing Growth Consultation, as detailed at paragraph 4.1 of the submitted report, be endorsed.

### 118 **Informal Consultation on Housing Growth**

Further to Minute No. 22, 22<sup>nd</sup> June 2011, the Director of City Development submitted a report outlining proposals regarding a set of draft housing growth principles for incorporation into the Core Strategy. In determining this matter,

the Board took into consideration all matters contained within the accompanying report.

Supplementary information in the form of an addendum detailing comments received on the draft housing principles had been circulated to Board Members for their consideration at the meeting.

Members raised concerns in relation to land banking and regeneration issues, which they felt were not fully addressed in the report. It was agreed that land banking issues should continue to be highlighted with central Government.

**RESOLVED –**

- (a) That the outcome of the informal consultation undertaken on housing growth be noted.
- (b) That the inclusion of appropriate principles within the Council's Core Strategy be supported.
- (c) That a further report be submitted to Executive Board in July/August 2012 in order to review the progress made.

**119 Land at Thorpe Park, Colton, Leeds**

The Director of City Development submitted a report detailing a number of development opportunities in East Leeds which would provide major commercial and housing economic growth opportunities for the City. In addition, the report sought approval to enter into an agreement with the Developer, as detailed within the submitted report, in order to facilitate part of this future development. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Following consideration of Appendix 1 and Plan 2 to the submitted 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 –** That approval be given to the Council entering into a land agreement with the Developer, as detailed within the submitted report, on the terms set out within the exempt appendix to the report, with the necessary authority being delegated to the Director of City Development and City Solicitor to approve any amendment to these terms.

(Under the provisions of Council Procedure Rule 16.5, Councillor A Carter required it to be recorded that he voted against the decisions taken above.)

**120 Economic Growth Strategy**

The Director of City Development submitted a report presenting for approval a new Economic Growth Strategy for the City, which was appended to the submitted report. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

**RESOLVED –**

- (a) That the Economic Growth Strategy for the City, as appended to the submitted report, be approved.
- (b) That further reports be submitted to Executive Board regarding progress on the delivery of the Economic Growth Strategy.

**121 Developing a Response to Neighbourhood Planning in Leeds**

The Assistant Chief Executive (Customer Access and Performance) and the Director of City Development submitted a joint report providing an overview in respect of neighbourhood planning provision, and highlighting the significant level of political interest and local debate which was currently occurring on this matter in many parts of the city. In addition, the report acknowledged the need to begin the development of a corporate response in line with the city's aspirations in order to help achieve the Council's strategic objectives in this area. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Members considered the areas chosen for the pilot bids and the criteria which had been used, as well as the lessons that could be learned from the pilot process. Concerns were raised regarding the potential resource implications arising from such neighbourhood planning initiatives in the future.

**RESOLVED –**

- (a) That the submission of four pilots bids for Kippax, Otley, Boston Spa and Holbeck by the 4<sup>th</sup> November 2011 deadline be endorsed.
- (b) That the proposal to support on a pro-active basis, work within other parish and town councils and neighbourhood forums in order to help build capacity at a local level and help inform the site allocation process, be endorsed.
- (c) That Central Government be lobbied about the funding and resource implications arising from the neighbourhood planning process and associated referenda.
- (d) That the need for the Council to further consider the required arrangements for supporting the preparation of neighbourhood plans be noted.

(The matters referred to in this minute were not eligible for Call In, due to the 4<sup>th</sup> November 2011 submission deadline for the bids regarding neighbourhood planning frontrunner funding.)

**ENVIRONMENTAL SERVICES****122 Residual Waste Treatment PFI Project - Response to Leeds Friends of the Earth Deputation**

The Director of Environment and Neighbourhoods submitted a report providing a response to the issues raised by Leeds Friends of the Earth (FoE)

as part of the deputation presented to the Council meeting of 14<sup>th</sup> September 2011 entitled, "Why Leeds should not be chained to Waste Incineration?". In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Supplementary information in the form of correspondence received from the deputation had been circulated to Board Members for their consideration at the meeting.

**RESOLVED** – That the contents of the submitted report and its appendices, be noted.

**123 Waste Solution for Leeds - Residual Waste Treatment PFI Project**

Further to Minute No. 194, 12<sup>th</sup> February 2010, the Director of Environment and Neighbourhoods submitted a report providing Members with an update on the progress of the Residual Waste Treatment PFI Project since the last Executive Board update at the Detailed Solution Stage in February 2010, and advised on the outcome of evaluation of tenders received in respect of the Project. The report also identified the proposed, preferred bidder and requested authority to proceed to the Preferred Bidder stage, and described the programme and issues going forward into the preferred bidder and post contract signature stages. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Further to comments received regarding the possibility of increasing recycling targets, it was agreed that a report would be submitted to the Executive Board meeting in December 2011 regarding the Council's recycling strategy.

Both appendices B and C to the submitted report were designated as exempt under Access to Information Procedure Rule 10.4(3). Due to its confidential nature, appendix C was tabled and retrieved at the meeting. Following the consideration in private of both exempt appendices at the conclusion of the meeting, it was

**RESOLVED –**

- (a) That the contents of the submitted report, including its appendices, be noted.
- (b) That the revised price ceiling be noted.
- (c) That the outcome of the evaluation of tenders be noted.
- (d) That authority be given to proceeding to the Preferred Bidder Stage, including the formal appointment of the preferred bidder.
- (e) That a report be submitted to the December 2011 meeting of Executive Board regarding the Council's recycling strategy.

(Under the provisions of Council Procedure Rule 16.5, Councillor Golton required it to be recorded that he abstained from voting on the decisions taken above.)

## **NEIGHBOURHOODS, HOUSING AND REGENERATION**

### **124 ALMO Review Update**

Further to Minute No. 111 of the Executive Board meeting held on 3<sup>rd</sup> November 2010, the Director of Environment and Neighbourhoods submitted a report providing an update on the progress made regarding the implementation of the key reforms to the 3 ALMO model in Leeds. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Further to queries raised, assurance was provided that should there be a change in the decision making status of the Strategic Governance Board, this matter would be referred to Executive Board for approval. A response was also provided to a query regarding the progress made in delivering efficiencies of 2.5% through the creation of a shared service centre.

**RESOLVED** – That the progress made regarding the implementation of the key reforms to the ALMO model in Leeds be noted.

(Councillor Blake declared a personal interest in this item as a Board member of BITMO.)

## **CHILDREN'S SERVICES**

### **125 Children's Services Improvement Update Report (November 2011)**

The Director of Children's Services submitted a report providing an update on the improvement activity that was continuing across Children's Services in Leeds. The report particularly focussed upon improvement and inspection activity, together with a summary on the ongoing work to transform Children's Services. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Members emphasised the importance of achieving consistency between the Cluster Partnerships, and in support of this it was proposed that a forum be set up for elected Members appointed to Cluster Partnerships.

On behalf of the Board, the Chair paid tribute to the Executive Member for Children's Services and the officers who had contributed to the improvements in partnership and locality working.

**RESOLVED** –

- (a) That the contents of the submitted report be noted, in light of the Ofsted inspection report considered at the Board's October 2011 meeting.

- (b) That the continuing direction of travel across Children's Services in Leeds be supported, as it comes to the end of the period of the government Improvement Notice.

**126 Progress Report on the Leeds Education Challenge**

The Director of Children's Services submitted a report summarising the progress made in establishing the Leeds Education Challenge (LEC). In addition, the report also provided a summary of the progress made and outlined the proposals for the next steps in developing and implementing the challenge, particularly in respect of the establishment of a Leeds Education Challenge Board and the proposed strategy to implement the LEC. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

**RESOLVED** – That the progress made to date on the Leeds Education Challenge be noted, whilst support be given to the proposals for future developments and the direction of such developments.

**LEISURE**

**127 Response to Leeds Owl Trail Deputation**

The Director of City Development submitted a report responding to the Deputation to Council made by the Leeds Owl Trail on 14<sup>th</sup> September 2011. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Supplementary information in the form of correspondence received from the deputation had been circulated to Board Members for their consideration prior to the meeting.

In responding to Members' comments regarding the supplementary information submitted by the deputation, the Director of City Development advised that a response had been prepared. It was agreed that the response would be shared with Executive Board Members in order to determine whether further consideration should be given to this issue.

**RESOLVED** – That the response to the deputation, as detailed within the submitted report, be noted.

**128 Design & Cost Report for the development of new changing rooms and associated facilities at Middleton Leisure Centre**

The Director of City Development submitted a report which sought to bring together funding from the Sharpe Lane 106 scheme, Transforming Day Opportunities for Adults with Learning Disabilities programme and various revenue contributions, in order to deliver improvements to the facilities at Middleton Leisure Centre, as referred to within the 2011/12 revenue budget report. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Members highlighted the positive effect of joint working on this initiative.



**RESOLVED –**

- (a) That approval be given to the utilisation of £455,300 from the Sharpe Lane Section 106 scheme and authority to spend £125,000 from the Transforming Day Opportunities for Adults with Learning Disabilities Programme (both of which already had Executive Board approval for injection into the capital schemes, with the authority to spend already being agreed for the section 106 funding).
- (b) That approval be given to an injection into the capital programme together with the authority to spend £158,000, comprising prudential borrowing of £115,000 and revenue contributions of £43,000.
- (c) That it be noted an additional funding bid has been submitted to the Sport England Inspired Facilities Fund for a further £145,000, in order to fund entrance, reception and studio works, together with additional sports equipment provision, making a proposed total scheme of £883,300 on the development of changing facilities, an Adult Social care area, improved heating system, car park and the demolition of the disused swimming pool.

**129 Lotherton Estate Consultation Update**

Further to Minute No. 35, 27<sup>th</sup> July 2011, the Director of City Development submitted a report advising of the outcomes arising from the public consultation exercise undertaken in respect of Lotherton Hall Estate and how such consultation had been used to refine the proposals for the Estate as previously considered by the Board. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

In responding to comments made on the high number of price points in place at the Lotherton Estate, Members noted that a review of pricing structures was being undertaken in relation to such facilities across Leeds.

**RESOLVED –** That the new pricing structure, as detailed within the submitted report, be approved.

**ADULT HEALTH AND SOCIAL CARE****130 The Government's Blue Badge reform programme - introduction of an administration charge for the issue of a blue badge**

The Assistant Chief Executive (Customer Access and Performance) and the Director of Adult Social Care submitted a joint report informing of the main changes brought about by the Government's National Reform Programme to the Blue Badge disabled parking scheme, advising of the forthcoming changes to legislation in respect of the issuing of Blue Badge Disabled Parking Permits and recommending several proposals in light of such changes. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Further to queries raised, confirmation was received that the Council would not profit from the revised arrangements.

Regarding the new systems, concerns were raised in relation to their readiness, the associated implementation timescales, and the limited opportunity for testing.

**RESOLVED –**

- (a) That the changes to the Blue Badge Disabled Parking Permits Scheme be noted.
- (b) That approval be given to the introduction of an administration charge of £10 from 1<sup>st</sup> January 2012 for the issuing of each Blue Badge permit, as a result of the additional costs being incurred by the Council, with a £5 concessionary charge for lost/stolen badges, and no charge for children up to the age of 16, terminally ill people, war pensioners or armed forces personnel.
- (c) That a report be submitted to a future meeting of the Board regarding the revised process and its resource implications.

**RESOURCES AND CORPORATE FUNCTIONS**

**131 Response to the Deputation to Council by the Leeds Fairtrade Steering Group**

The Director of Resources submitted a report providing a response to the deputation made to full Council on 14<sup>th</sup> September 2011 by the Leeds Fairtrade Steering Group. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

**RESOLVED –**

- (a) That the good work already undertaken by the Council in support of fairtrade be noted.
- (b) That the city's application to retain its status as a 'Fairtrade City' be supported.
- (c) That appropriate officers, including representation from the communications and marketing team, engage with the steering group to develop promotional activities further.

**132 Financial Health Monitoring 2011/12 - Month 6**

The Director of Resources submitted a report setting out the Council's projected financial health position for 2011/12 at the half year stage of the financial year. The report included a section on the financial performance of other key financial indicators, including Council tax collection and the payment of creditors. The report also reviewed the position of the budget after six months and commented upon the key issues impacting on the overall achievement of the budget for the current year. In determining this matter, the

Board took into consideration all matters contained within the accompanying report.

Members received an update on the position relating to the fees paid to Leeds independent sector residential and nursing care homes.

The Director of Resources also provided an update on matters relating to ongoing claims with HMRC.

**RESOLVED** – That the projected financial position of the authority after six months of the financial year be noted.

### **133 Capital Programme Update 2011-2014**

The Director of Resources submitted a report providing an update on the capital programme position for 2011/12 as at September 2011. The report included an update of capital resources, a summary of schemes which had been upgraded from 'Amber' status to 'Green' since the first quarter report, and provided a summary of progress made on some major schemes. In addition, the report sought specific approvals to allow some schemes to progress. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

#### **RESOLVED –**

- (a) That the latest position on the general fund and Housing Revenue Account (HRA) capital programmes be noted.
- (b) That the transfer of schemes from the Amber to the Green programmes, as set out within section 3.4 of the submitted report, be noted.
- (c) That the promotion of £400,000 from the reserved programme to the funded capital programme for works at Kirkgate Market, funded by a release from the capital contingency scheme, be approved.
- (d) That the injection into the capital programme of £738,700, funded by unsupported borrowing, for the demolition of surplus properties be approved.
- (e) That the reallocation of £3,510,000 from the Building Schools for the Future (BSF) programme to the capital contingency scheme, earmarked for Primary Basic Need and Children's Homes, be approved.
- (f) That the extension in the use of the existing capital programme provision for fire risk works to include asbestos removal works, be approved.
- (g) That the use of resources to develop the Assistive Technology Hub, as outlined within paragraph 3.5.5 of the submitted report, be approved.

- (h) That a release from the capital contingency scheme of £290,000 to re-provide the Millennium Square screen be approved.

**134 Treasury Management Strategy Update 2011/12**

The Director of Resources submitted a report providing a review and update of the Treasury Management Strategy for 2011/12, which was approved by the Board in February 2011. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Members were provided with details on the potential effect of the proposed changes to the Housing Subsidy system, further to queries raised.

**RESOLVED** – That the update on the Treasury Management borrowing and investment strategy for 2011/2012 be noted.

**135 Local Government Resource Review Consultation**

The Director of Resources submitted a report advising of the progress made in respect of the Local Government Resource Review and providing details of the consultation response submitted by the Council on 24<sup>th</sup> October 2011. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Members considered the potential impact of the changing arrangements for Leeds and the other West Yorkshire authorities. Concerns were raised in relation to the timescales relating to the implementation of the review, and the need to introduce safeguards to take account of global economic uncertainty.

**RESOLVED** –

- (a) That the details of the response submitted to Department for Communities and Local Government (DCLG) be noted.
- (b) That officers be authorised to continue dialogue with DCLG and others in order to improve and refine the proposals.

**136 Large Casino - Approval of revised Gambling Act 2005 Statement of Licensing Policy 2010-2012**

The Director of Resources submitted a report presenting the revised Gambling Act 2005 Statement of Licensing Policy which contained a statement of the principles the Council would apply when making the determination of the large casino licence. In addition, the report also presented the Consultation Report which was the proposed Council response to the public consultation on the large casino section in the Policy, and the draft application pack. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Copies of the revised Gambling Act 2005 Statement of Licensing Policy and the related Consultation Report had been provided to Board Members for their information, prior to the meeting.

**RESOLVED** - That having considered the revised Gambling Act 2005 Statement of Licensing Policy 2010-2012, together with the consultation report as the Council's response to the public consultation exercise, both documents be referred to Scrutiny Board (Resources and Council Services) for consideration.

(The matters referred to in this minute were not eligible for Call In, as the development of a Policy under the Gambling Act 2005 is a matter reserved to Council.)

**137 Changing the Workplace - Development of the City Centre One Stop Design and Cost Report**

Further to Minute No. 40, 27<sup>th</sup> July 2011, the Director of Resources and the Assistant Chief Executive (Customer Access and Performance) submitted a joint report providing an update on proposals to improve and modernise customer services delivered by Leeds City Council through the delivery of a single integrated one stop in the city centre. In addition, the report sought approval to spend £1,027,000 for delivery of the project. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Members emphasised the importance of maintaining a face to face provision in respect of such services.

**RESOLVED** – That expenditure of £1,027,000 to deliver phase 1 of the integrated city centre one stop at 2 Great George Street, as detailed within the submitted report, be approved.

**138 Leeds Initiative Sub-Board Arrangements**

The Assistant Chief Executive (Customer Access and Performance) submitted a report which sought to establish a framework for the creation of sub-boards to support the work of the five Leeds Initiative Strategic Partnership Boards. In determining this matter, the Board took into consideration all matters contained within the accompanying report.

Members raised several concerns in respect of matters regarding regeneration governance arrangements for East Leeds, and in response a detailed discussion ensued. In conclusion, it was recommended that a report be submitted to a future Executive Board meeting in order to provide clarity on such matters.

**RESOLVED** –

- (a) That the arrangements for the creation and cessation of Leeds Initiative sub board arrangements be endorsed.
- (b) That a further report be submitted to Executive Board in order to provide clarity in respect of the governance arrangements for South, East and West Leeds.

**DATE OF PUBLICATION:** 4<sup>TH</sup> NOVEMBER 2011

**LAST DATE FOR CALL IN  
OF ELIGIBLE DECISIONS:** 11<sup>TH</sup> NOVEMBER 2011 (5.00 P.M.)

(Scrutiny Support will notify Directors of any items called in by 12.00 p.m. on 14<sup>th</sup> November 2011)