

EXECUTIVE BOARD

WEDNESDAY, 7TH NOVEMBER, 2012

PRESENT: Councillor K Wakefield in the Chair

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

Councillor J Procter – Substitute Member

99 Substitute Member

Under the terms of Executive and Decision Making Procedure Rule 2.3, Councillor J Procter was invited to attend the meeting on behalf of Councillor A Carter, who had submitted his apologies for absence from the meeting.

100 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 3 to the report referred to in Minute No. 111 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the information contained within the Appendix relates 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 for the disposal of the property/land then it is not in the public interest to disclose this information at this point in time. Also it is considered that the release of such information would or would be likely to prejudice the Council's commercial interests in relation to other similar transactions in that prospective purchasers of other similar properties would have access to information about the nature and level of consideration which may prove acceptable to the Council. It is considered that whilst there may be a public interest in disclosure, much of this information will be publicly available from the Land Registry following completion of this transaction and consequently the public interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time.
- (b) Appendix 1 to the report referred to in Minute No. 112 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the information contained within the Appendix relates to the financial or business affairs of a particular company, and of the

Council. It is considered that since this information was obtained through one to one negotiations for the disposal of the property/land then it is not in the public interest to disclose this information at this point in time. It is considered that whilst there may be a public interest in disclosure, much of this information will be publicly available from the Land Registry following completion of this transaction and consequently the public interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time.

- (c) Appendix 4 to the report referred to in Minute No. 113 under the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that the information contained within the Appendix relates 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 for the disposal of the property/land then it is not in the public interest to disclose this information at this point in time. Also it is considered that the release of such information would or would be likely to prejudice the Council's commercial interests in relation to other similar transactions in that prospective purchasers of other similar properties would have access to information about the nature and level of consideration which may prove acceptable to the Council. It is considered that whilst there may be a public interest in disclosure. Much of this information will be publicly available from the Land Registry following completion of this transaction and consequently the public interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time.

101 Late Items

There were no formal late items, however, it was noted that prior to the meeting Executive Board Members had received copies of documents detailing the respective comments of Scrutiny Board (Sustainable Economy and Culture) and Scrutiny Board (Health and Wellbeing and Adult Social Care), following both Boards' consideration of the LDF Core Strategy, 3 appendices which detailed further proposed changes to the LDF Core Strategy Pre-Submission Draft and also an updated version of the associated Key Diagram. All such documentation was to be considered as part of agenda item 17, 'LDF Core Strategy: Pre-Submission Changes for Consultation' (Minute No. 115 refers).

102 Declaration of Disclosable Pecuniary and Other Interests

The Chief Executive declared an interest in respect of the matters relating to agenda item 14, entitled, 'Sovereign Street Development Proposals – Update', as a close personal friend was a partner of one of the organisations involved in the development proposals (Minute No. 112 refers).

103 Minutes

RESOLVED – That the minutes of the meeting held on 17th October 2012 be approved as a correct record.

RESOURCES AND CORPORATE FUNCTIONS

104 State of the City Report 2012

The Assistant Chief Executive, Customer Access and Performance submitted a report which presented the second annual State of the City report for Leeds. In addition to highlighting the emerging issues arising from the State of the City document, the covering report proposed that Executive Board recommend to full Council that the State of the City document be received at its meeting on 28th November 2012.

RESOLVED –

- (a) That the issues emerging from the submitted State of the City Report 2012 be noted.
- (b) That Members of Full Council be recommended to receive the State of the City Report 2012 at its meeting on 28th November 2012.

105 Making Leeds a LGBT Friendly City

The Assistant Chief Executive (Customer Access & Performance) submitted a report detailing the work undertaken to date in response to the White Paper Motion considered by Full Council on 28th March 2012 regarding the Leeds lesbian, gay, bisexual and transgender (LGBT) community. In addition, the report outlined a range of proposals which would support the work being undertaken to make Leeds an LGBT Friendly City and which also recognised the contribution that the LGBT community made to the city's success.

Members welcomed the wide range of proposals within the submitted report which were aimed at promoting Leeds as an LGBT Friendly City and reiterated the importance of the city as a whole being inclusive and welcoming to all communities. However, in discussing the report, Members did emphasise that whilst they noted further work was being undertaken on the specific issue of a potential Gay Quarter in the city centre, they would not be supportive of any proposals which would create a sense of segregation for any part of the city centre.

RESOLVED – That the proposals identified within the submitted report, which will support work to make Leeds an LGBT Friendly City, be agreed in principle, subject to the comments made at the meeting regarding further work in regard to a potential Gay Quarter.

106 Social Fund Replacement Scheme

The Director of Resources submitted a report which sought approval for the development and implementation of a local scheme of welfare assistance using funding which would be devolved to local Councils by the Department of Work and Pensions in April 2013.

Responding to a specific request, officers assured the Board that every effort would be made to ensure that the administration associated with the delivery of the Social Fund was as efficient as possible, and that officers would

endeavour to administer the process for less than the administration funding levels which would be received from Government.

In conclusion, the Chair requested that a letter be forwarded on behalf of Executive Board to Government seeking clarity around the proposed funding arrangements in respect of the scheme for 2015/2016 onwards.

RESOLVED –

- (a) That the funding devolved to Councils be used to develop a local welfare assistance scheme.
- (b) That the proposed scheme, as outlined within the submitted report, be approved, with final scheme details being submitted following further consultation.
- (c) That a further report be submitted to the Board in January 2013 detailing the outcomes of the consultation exercise, outlining proposals on funding allocations to the various elements of the final scheme and providing an update of progress made in setting up the associated administrative arrangements.
- (d) That a letter be forwarded on behalf of Executive Board to Government seeking clarity around the proposed funding arrangements in respect of the scheme for 2015/2016 onwards.

107 Discretionary Housing Payment Policy

The Director of Resources submitted a report providing information on the impact of the Housing Benefit changes which were scheduled to come into effect from April 2013, together with details of the additional Government funding which would be introduced and was aimed at supporting certain groups to manage the change. In addition, the report considered the likely demand for additional funding support and included a proposed policy for the assessment and award of support for those groups affected by the changes.

The Board noted the liaison work which had been undertaken by the ALMOs in respect of tenants, highlighted the further liaison work which was to be undertaken and it was emphasised that every effort would be made to ensure that all of those affected would have access to an effective multi-agency support network.

Members highlighted the increased demand on the provision of support and advice which had already been experienced, and was further expected to be experienced by the Council and other agencies as a result of the reforms, and it was requested that further work be undertaken to monitor such demand levels against current resources. In addition, reference was made to the health and wellbeing implications arising from the reforms which were being experienced, both by those affected by the changes and also by the frontline staff supporting them.

With regard to the proposals regarding Elected Member involvement in the appeals process, it was requested that further discussion be had in respect of the political composition of the Elected Members involved.

RESOLVED –

- (a) That the expected impact of the benefit changes, coming into effect from April 2013, be noted.
- (b) That the policy for the award and assessment of Discretionary Housing Payments for 2013/14 be approved.
- (c) That further work be undertaken to monitor the demand levels for the provision of support and advice against current resources, which are experienced by the Council and other agencies as a result of the reforms.
- (d) That further discussion be had in respect of the political composition of the Elected Members who would be involved in the appeals process.

108 Treasury Management Strategy Update 2012/13

The Director of Resources submitted a report providing a review and update of the Treasury Management Strategy for 2012/2013, which was approved by Executive Board on 10th February 2012.

RESOLVED –That the update on the Treasury Management borrowing and investment strategy for 2012/2013 be noted.

109 Financial Health Monitoring 2012/13 - Month 6 Report

The Director of Resources submitted a report setting out the Council's projected financial health position for 2012/2013 at the half year stage.

Responding to a specific enquiry, the Board received further information regarding the current position in respect of income levels generated by planning and building fees.

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

110 Capital Programme Update 2012-2015

The Director of Resources submitted a report providing an update on the financial position for 2012/2013. In addition, the report outlined the current position regarding capital resources, detailed a summary of schemes which had been upgraded from 'Amber' status to 'Green' since July 2012 and provided a summary of progress made on some major schemes within the programme. The report also included a specific recommendation regarding the 'Fulfilling Lives Investment Programme'.

Members welcomed the use of a Department of Health grant to support the Fulfilling Lives programme.

RESOLVED –

- (a) That the latest position on the General Fund and Housing Revenue Account capital programmes be noted.
- (b) That the transfer of schemes from the 'Amber' to the 'Green' programmes, as set out within section 3.3 of the submitted report be noted.
- (c) That the use of £765,000 of Department of Health grant in 2012/13 and 2013/14 be approved to support the 'Fulfilling Lives Programme', of which £185,000 will be injected into the capital programme when confirmed in December 2012.
- (d) That approval be given to the injection into the capital programme of £3,500,000 of S106 contributions in order to support the NGT scheme.
- (e) That approval be given to the allocation of £350,000 from the capital contingency scheme to provide for demolition and asbestos removal works on void properties.
- (f) That it be noted that funds allocated to the Lower Albion Street upgrade are no longer required and that approval be given to a scheme being developed for the upgrade of Commercial Street.
- (g) That approval be given to the allocation of £50,000 from the Economic Initiative scheme, which together with a £50,000 private sector contribution will provide for a £100,000 refurbishment of Bond Court.

DEVELOPMENT AND THE ECONOMY

111 Disposal of Richmond Court Hostel, LS9,' to Yorkshire Housing for affordable housing redevelopment.

The Director of City Development submitted a report setting out the options considered for the redevelopment of the Richmond Court site and which sought approval to dispose of the site in order to facilitate the redevelopment of the combined sites to provide 37 units of family accommodation, 18 of which would be provided on the Richmond Court site.

Following consideration of Appendix 3 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 – That the sale of Richmond Court to Yorkshire Housing at a less than best consideration, as detailed within exempt appendix 3 to the submitted report, be approved in order to facilitate the redevelopment of a new affordable housing scheme of 37 units of family accommodation.

112 Sovereign Street Development Proposals - Update

Further to Minute No. 76, 5th September 2012, the Director of City Development submitted a report providing an update on the offers received in response to the marketing of development plots B and C, Sovereign Street, and which also sought approval to progress with the recommended preferred developer and occupier, as identified within the exempt appendix to the submitted report, for the development of Plot C.

Responding to a Member's enquiry, it was emphasised that the development of a public realm green space at Sovereign Street still remained a priority, whilst officers undertook to provide the Member in question with further information on the delivery of the green space development.

Following consideration of Appendix 1 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 recommended negotiated Heads of Terms with the developer, as outlined within the exempt appendix to the submitted report, be approved.
- (b) That an exclusivity agreement for a period of six months on plot C, be granted to the occupier, in order to allow all parties sufficient time to conclude the legal documentation.
- (c) That authority be delegated to the Director of City Development in order to negotiate the final detailed Heads of Terms.

113 Disposal of Stratford Court, School Lane, Chapel Allerton to Unity Housing Association for Redevelopment.

The Director of City Development submitted a report setting out the options considered for the future of the Stratford Court sheltered housing scheme and which sought approval for the disposal of Stratford Court to Unity Housing Association in order to facilitate the development of a new affordable housing scheme on the site aimed at persons aged 55 and over.

Following consideration of Appendix 4 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 disposal of Stratford Court to Unity Housing Association, at a less than best consideration and on the terms outlined within the exempt appendix to the submitted report be approved, in order to facilitate the redevelopment of a new affordable housing scheme comprising of 30 x 2 bedroom apartments for persons aged 55 and over.

- (b) That it be noted, in light of resolution (a) above, the Director of Environment and Neighbourhoods will suspend lettings and agree decant of the Stratford Court sheltered housing scheme.

NEIGHBOURHOODS, PLANNING AND SUPPORT SERVICES

114 Response to Deputation - 12th September 2012 Council Meeting - Leeds Youth Fight for Jobs

The Director of Environment and Neighbourhoods submitted a report in response to the deputation presented to Council on 12th September 2012 by the 'Leeds Youth Fight For Jobs' organisation, which was in relation to the housing situation faced by young people in the city.

By way of an introduction to the report, the Board received information regarding the actions being taken to improve affordable housing provision in the city, together with the actions being taken to stimulate the housing market.

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

115 LDF Core Strategy - Pre-submission Changes for Consultation

Further to Minute No. 197, 10th February 2012, the Director of City Development submitted a report presenting the proposed pre-submission changes to the Publication Draft of the Leeds Development Framework (LDF) Core Strategy and the accompanying Sustainability Report, which had arisen from the consultation exercise undertaken. In addition, the report sought the Board's agreement to submit the documents to full Council for the purposes of formal approval and submission to the Secretary of State for independent examination.

Prior to the meeting, Executive Board Members had received copies of documents detailing the respective comments of Scrutiny Board (Sustainable Economy and Culture) and Scrutiny Board (Health and Wellbeing and Adult Social Care), following both Boards' consideration of the LDF Core Strategy. In addition, Board Members had also received three appendices detailing further proposed changes to the LDF Core Strategy Pre-Submission Draft, together with an updated version of the associated Key Diagram.

In presenting the report, the Executive Member for Neighbourhoods, Planning and Support Services highlighted the further proposed changes which had been circulated to Board Members prior to the meeting and also proposed one further amendment, specifically that Colton was not categorised within the Pre-Submission Draft document as a 'Town Centre'.

Responding to a specific enquiry raised in respect of the term 'sustainability' and its relationship with the Strategy, emphasis was placed upon the importance of ensuring that future developments were sustainable. In addition, the Board was informed that a Sustainability Appraisal had been undertaken in respect of the Strategy, in order to ensure that any developments which were delivered as part of the Strategy were in line with the Council's sustainable principles.

Members discussed the levels of opportunity for Elected Member involvement during the Strategy's compilation, and it was highlighted that attempts had been made throughout the process to ensure that the correct balance was struck between ensuring that comprehensive consultation was undertaken, whilst also moving the Strategy forward.

Board Members thanked all of those officers involved for the work they had undertaken throughout the preparation of the LDF Core Strategy document, together with all Elected Members who had contributed to the process.

In conclusion, the Chief Executive emphasised the ambitious nature of the Core Strategy, and highlighted the need for the development community to work in partnership with the Council in moving forward with the principles of it. In addition, the Chief Executive echoed the comments which had been made regarding the importance of ensuring that future developments were sustainable, specifically highlighting the work being undertaken around the delivery of appropriate infrastructure.

RESOLVED –

- (a) That the pre-submission changes to the Publication Draft of the Core Strategy as detailed within the submitted report and appendices, the further appendices circulated prior to the meeting and via the specific proposal made at the meeting, namely that Colton is not categorised in the Pre-Submission Draft as a 'Town Centre', be approved, together with the sustainability report (addendum).
- (b) That Council be recommended to approve the Publication Draft Core Strategy and the sustainability report for the purposes of submission to the Secretary of State for independent examination pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004.
- (c) That approval be given to a further period for representations to be provided on the pre-submission changes, and that any further representations received be submitted to the Secretary of State at the time the Publication Draft Core Strategy is submitted for independent examination.

(Under the provisions of Council Procedure Rule 16.5, Councillor Golton required it to be recorded that he abstained from voting on the decisions referred to within this minute)

(The resolutions referred to within this minute were not eligible for Call In, as the Development Plan Document which incorporates the LDF Core Strategy, is part of the Budgetary and Policy Framework. Therefore, the ultimate determination of such matters are reserved to Council, in line with the Council's Budget and Policy Framework Procedure Rules)

116 Scrutiny Inquiry into Affordable Housing by Private Developers

Further to Minute No. 38, 18th July 2012, the Director of City Development and the Director of Environment and Neighbourhoods submitted a joint report responding to the recommendations of the former Scrutiny Board (Regeneration), following the Inquiry undertaken by the Scrutiny Board into Affordable Housing by Private Developers.

Responding to a specific enquiry, officers provided the Member in question with further information on the process by which different types of affordable housing stock could be delivered in Leeds in order to meet demand.

RESOLVED – That the responses to the Scrutiny Board’s recommendations, as set out within section 3 of the submitted report, be agreed.

117 Leeds Supporting People Programme

The Director of Environment and Neighbourhoods submitted a report providing an update on the Leeds Supporting People Programme, focussing upon the recent key changes to the overall funding of the programme, the funding within each of the programme’s main sectors and the effect of such matters upon the design and delivery of the housing support services for a range of client groups.

Members emphasised the importance of the work which continued to be undertaken as part of the Leeds Supporting People Programme, and the positive impact it had upon the quality of people’s lives.

RESOLVED – That the progress, challenges and key achievements of the Leeds Supporting People Programme, be noted.

CHILDREN'S SERVICES

118 Annual Admissions Round 2012

The Director of Children’s Services submitted a report providing statistical information on school admissions into Reception Year, Year 7 and also into Junior School for September 2012. In addition, the report considered the impact of the changes being made to the co-ordination of In-Year Transfers, which were scheduled to come into force from 2013, as a result of the new Admissions Code which came into effect in February 2012.

Responding to a specific enquiry raised, Members were provided with further information on the ways in which the pathfinder project, undertaken in preparation for the forthcoming introduction of new application arrangements, had been successful.

The Board also noted the current position regarding the recent establishment of an all party working group which had been tasked with considering issues in respect of basic need requirements.

RESOLVED – That the information on the annual admission round 2012, as detailed within the submitted report, be noted, including:-

- The percentage of applications for places in September 2012 where the first preference was offered was 84.1%, with 95.2% being offered one of their first three preferences;
- The reducing number of appeals for secondary school places and in year applications with an increase in the number of primary appeals; and
- The continuing success of the online application system.

119 Design and Cost Report for East Moor Secure Children's Home

Further to Minute No. 59, 22nd July 2009, the Director Children's Services submitted a report which sought approval in respect of the proposals associated with the development of the new East Moor Secure Children's Home.

Responding to a specific enquiry, officers undertook to provide the Member in question and the relevant Ward Members with a briefing in respect of the timescales involved around when the balance of the land, arising from the development, would become available.

RESOLVED –

- (a) That the capital proposals for the new East Moor Secure Children's Home, as outlined within the submitted report, be approved.
- (b) That £12,550,000 be injected into the capital programme.
- (c) That programme expenditure of £12,550,000 from capital scheme number 15629/000/000 be authorised.
- (d) That expenditure of £397,600 from capital scheme number 15629/COM/000 for previous design development work be authorised.

120 Leeds Safeguarding Children's Board - Annual Report on the Effectiveness of Safeguarding Arrangements for Children and Young People in Leeds

The Director of Children's Services submitted a report which highlighted the progress being made by, and through the Leeds Safeguarding Children Board (LSCB) to improve safeguarding children practice in Leeds.

Jane Held, Independent Chair of the Leeds Safeguarding Children Board was in attendance. She provided an introduction to the report, highlighted the key themes arising from it and responded to the subsequent questions raised by the Board.

Members thanked the Chair of the Leeds Safeguarding Children Board for the valuable work it continued to undertake, which had enabled positive progress to be achieved in respect of safeguarding practices in Leeds. The strong relationship which was developing between the Leeds Safeguarding Children Board and the Children's Trust Board was highlighted, however, despite the positive progress made, both Members and the Chief Executive emphasised

that there would be no complacency in this area and that the issue of safeguarding children would remain a key priority.

RESOLVED –

- (a) That the contents of the LSCB Annual Report for 2011/2012, together with the comments made during the meeting, be noted.
- (b) That the challenges for 2012/2013, as detailed within the submitted report, including those accepted by the Children's Trust Board, be noted.

LEISURE AND SKILLS

121 Delivering Employment and Business Opportunities through the Council's procurement

The Director of City Development and the Director of Resources submitted a joint report setting out proposals regarding the introduction of an explicit policy for the inclusion of employment and skills obligations within all Council contracts where the value of the contract is greater than £100,000, and where it could be shown to offer appropriate value for money.

Responding to Members' enquiries, the Board emphasised the need for the initiative to be monitored, in order to ensure that it was performing effectively and also to ensure that the proposed contract value of £100,000 was appropriate. As a result, it was requested that further reports were submitted to future meetings as and when appropriate, in order to provide Members with the opportunity to monitor the performance of the initiative.

RESOLVED –

- (a) That the Board's support be given to a policy for Employment and Skills obligations to be considered in contracts where the value of the contract is over £100,000, and where it is shown to offer appropriate value for money.
- (b) That further reports be submitted to future Board meetings as and when appropriate, in order to provide Members with the opportunity to monitor the performance of the initiative.

DATE OF PUBLICATION: 9TH NOVEMBER 2012

**LAST DATE FOR CALL IN
OF ELIGIBLE DECISIONS:** 16TH NOVEMBER 2012

(Scrutiny Support will notify Directors of any items called in by 12.00 p.m. on 19th November 2012)