

EXECUTIVE BOARD

FRIDAY, 9TH FEBRUARY, 2007

PRESENT: Councillor A Carter in the Chair

Councillors D Blackburn, R Brett,
J L Carter, R Harker, P Harrand, M Harris,
J Procter, S Smith, K Wakefield and
J Blake

Councillor Blake – Non-Voting Advisory Member

169 Exclusion of Public

RESOLVED – That the public be excluded from the meeting during 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 the exempt information so designated as follows:

- (a) Appendix 1 of the report referred to in minute 178 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 disclosure to the public would be likely to prejudice the commercial interests of the Council.
- (b) Appendix 1 to the report referred to in minute 180 under the terms of the Access to Information Procedure Rule 10.4(3) on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information because the appendix contains commercially sensitive information which if disclosed may prejudice the future negotiations of the contract for the project.
- (c) Appendix 1 to the report referred to in minute 185 under the terms of the Access to Information Procedure Rules 10.4(3) on the grounds that the public interest in maintaining the exemption outweighs the public interest in disclosing the information because the information relates to the financial and business affairs of the tenderer and disclosure of the figures would be prejudicial to the competitive tendering exercise.

170 Declaration of Interests

Councillors D Blackburn, J L Carter, Harker, Harrand and Smith declared personal interests in the item relating to Leeds City Varieties Music Hall (minute 178) as Board members of Leeds Grand Theatre.

Councillor Blake declared personal interests in the items relating to Leeds City Varieties Music Hall (minute 178) as a Board Member of Leeds Grand

Theatre and Otley Prince Henry Grammar School (minute 185) as a governor and a parent of a pupil at the school.

171 Minutes

RESOLVED – That the minutes of the meeting held on the 24th January 2007 be approved.

CENTRAL AND CORPORATE

172 Council Change Programme - Phase 1 Implementation

Further to minute 54 of the meeting held on 20th September 2006 the Chief Executive submitted a report updating Members on the work progressed to date and on proposals that are intended for implementation on or around the 1 April 2007.

RESOLVED –

- (a) That the remit, role and purpose of the proposed new director posts, as detailed in paragraph 3.2.3 of the report and as set out in appendix 1 of the report be endorsed.
- (b) That the proposals in respect of revised managerial arrangements for learning and leisure with effect from 1 April 2007 be endorsed and the proposed realignment of responsibilities as outlined in paragraph 3.4.2 of the report be noted.
- (c) That the proposals in respect of revised managerial arrangements for social services from 1 April 2007 as detailed in paragraph 3.5 of the report be endorsed.
- (d) That the intention to establish a new post of Chief Officer (Highways) with revised delegation arrangements as detailed in paragraph 3.7 of the report be noted.
- (e) That the proposal for revised leadership arrangements for central and corporate functions as proposed in paragraph 3.8 of the report be endorsed.
- (f) That the proposals for the Officer Employment Rules to be amended to provide for appointments to all posts defined as deputy director or above to be made by a committee or sub-committee of the Council, involving at least one member of the Executive be endorsed.

173 Local Area Agreement - Mid Year Review and Refresh

The Chief Officer (Executive Support) submitted a report informing members of the key findings and outcome of the review of the Local Area Agreement for the period 1 April 2006 to 30 September 2006 and seeking endorsement to the amendments to the Local Area Agreement from April 2007. The report also highlighted anticipated future changes to the role of Local Area Agreements in public sector delivery.

RESOLVED –

- (a) That the progress to date on delivering against Leeds' Local Area Agreement be noted.
- (b) That the revisions of the Local Area Agreement to be implemented from April 2007 onwards be endorsed.

- (c) That a further report be submitted in due course outlining plans for the development of a revised Local Area Agreement to be implemented from April 2008.

174 Leeds Learning Network Capital Scheme

The Director of Corporate Services submitted a report seeking approval to inject £4.6m into the capital programme in respect of the new contract for the provision of the Leeds Learning Network.

RESOLVED – That the partially funded injection of £4.6m and the incurring of expenditure be approved.

175 General Fund Financial Health Monitoring 2006/07 - Month 9 Update Report

The Director of Corporate Services submitted a report setting out the Council's financial health position for 2006/07 after nine months of the financial year, in respect of the revenue budget for general funds services including expenditure and income to date compared to the approved budget.

RESOLVED –

- (a) That the projected financial position of the authority be noted.
- (b) To recommend to Council the budget adjustments detailed in paragraph 4.1 of the report.
- (c) That the transfer of the projected surplus to general reserves be approved.

(The matters referred to in part (b) of this minute, being matters referred to Council were not eligible for Call In).

176 Revenue Budget and Council Tax 2007/2008

(A) Revenue Budget 2007/2008

The Director of Corporate Services submitted a report on the Council's budget for 2007/08 following detailed consideration of services requirements and taking account of the Local Government Finance Settlement. The report indicated that the budget would result in a Band D Council Tax of £1,016.16 for consideration by Council.

RESOLVED –

- (i) That Council be recommended to approve the Revenue Estimates for 2007/08 totalling £505.223m, as detailed and explained in the submitted report and accompanying papers, including a 4.5% increase in the Leeds' element of Council Tax.
- (ii) That the development of medium term realignment proposals as detailed in 10.7 of the report be approved.

(B) Housing Revenue Account Budget 2007/2008

The Directors of Corporate Services and Neighbourhoods and Housing submitted a joint report on the Housing Revenue Account budget and ALMO management fee distribution for 2007/08.

RESOLVED –

- (i) That the Council be recommended to approve the budget and that, in order to meet the requirement of the Department of Communities and Local Government average rent increases be kept to 5%, pro rata reductions be applied to the rent restructuring figure of 7.3% in respect of all tenants' rents.
- (ii) That the Council be recommended to approve that service charges be increased in line with average rent rises and that the charges for garage rents be increased to £5.25 per week.
- (iii) That the Council be recommended to approve that the reserve of £2m established to cover the risk of not meeting the subsidy trigger be released and a virement of £1.369m be actioned to reflect the increase in Major Repairs Allowance as detailed in paragraph 3.2.3 of the report.

(C) Capital Programme 2006/07 to 2010/11

The Director of Corporate Services submitted a report setting out the updated capital programme for 2006/2011.

RESOLVED –

- (i) That the Council be recommended to approve the capital programme as attached to the submitted report.
- (ii) That the Director of Corporate Services be authorised to manage, monitor and control scheme progress and commitments to ensure that the programme is affordable.

(D) Treasury Management Policy and Strategy Statements

The Director of Corporate Services submitted a report on the proposed Treasury Management Strategy for 2007/08, and provided an update on the implementation of the 2006/07 strategy.

RESOLVED –

- (i) That the initial treasury strategy for 2007/08 as set out in Section 3.2 of the report be approved and that the review of the 2006/07 strategy and operations set out in Section 3.1 be noted.
- (ii) That the council be recommended to set borrowing limits for 2007/08, 2008/09 and 2009/10 as set out in Section 3.3 of the report.
- (iii) That the Council be recommended to set the treasury management indicators for 2007/08, 2008/09 and 2009/2010 as set out in Section 3.4 of the report.
- (iv) That the Council be recommended to set the investment limits for 2007/08, 2008/09 and 2009/2010 as set out in Section 3.5 of the report.
- (v) That the Council be recommended to reaffirm the Treasury Management Policy Statement and note the amendments to Section 7: "Approved instruments and Organisations for Investments" as attached at Appendix C of the report.
- (vi) That the officers who have worked on the preparation of the budget documents referred to in this minute be informed of the thanks of this Board.

(The matters referred to in parts A(i), B(i),(ii) and (iii), C(i) and D(ii),(iii), (iv) and (v) of this minute, being matters reserved to Council were not eligible for Call In).

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

DEVELOPMENT

177 Capital Strategy and Asset Management Plan

The Directors of Development and Corporate Services submitted a joint report seeking Executive Board approval to the Capital Strategy and Asset Management Plan 2007/08 which was appended to the report.

RESOLVED – That the council's Capital Strategy and Asset Management Plan be approved.

LEISURE

178 Leeds City Varieties Music Hall

The Directors of Development and Learning and Leisure submitted a joint report providing an update on the refurbishment project for the City Varieties.

Following consideration of appendix 1 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 an injection of £8,835,000 into the Capital Programme be authorised and the proposed inclusion of £9,200,000 in the Capital Programme 2006/07 to 2010/2011 for the City Varieties Music Hall refurbishment project be noted.
- (b) That additional expenditure of £170,000 for the preparation of the Stage 1 bid to the Heritage Lottery Fund be authorised.
- (c) That expenditure of £495,000 for the preparation of the Stage 2 bid to the Heritage Lottery Fund provided the Stage 1 bid is successful be authorised.
- (d) That the submission of a bid to the Heritage Lottery Fund for a £3,000,000 grant towards the cost of the refurbishment project be authorised.
- (e) That the proposed funding contribution of £1,000,000 by the Leeds Grand Theatre and Opera House Ltd be noted.
- (f) That officers be instructed to seek acquisition of the third party property, the purchase price not to exceed the estimated upper limit valuation figure quoted in the report, with any purchase being funded in the first instance through prudential borrowing subject to the cost of this being containable within existing revenue budgets.

179 Policy on the Safety Management of Open Water

The Director of Learning and Leisure submitted a report informing Members of the outcome of the Coroner's Inquest into the tragic drowning of 2 teenagers at Roundhay Park, the subsequent actions regarding water health and safety issues and to seek approval of the Policy on the Safety Management of Open Water which was attached as Appendix 3.

RESOLVED –

- (a) That the Policy on the Safety Management of Open Water be approved and adopted and that Directors be requested to implement the Policy as detailed in paragraph 5.3 of the report.
- (b) That the 'Wise up to Water' lifesaving Water Safety Project for young people be endorsed.
- (c) That provision within the Capital Programme to ensure that the result of the remaining risk assessments can be implemented be approved.

180 Approval of New Leaf Leisure Centres Outline Business Case

Further to minute 283 of the meeting held on the 18th May 2005 the Director of Learning and Leisure submitted a report seeking Members' approval for the Outline Business Case and its submission to the Department for Culture Media and Sport.

Following consideration of Appendix 1 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 –

- (i) That the contents of this report be noted and the submission of the Outline Business Case for the new Leaf Leisure Centres Project, subject to the approval of the PPP/PFI Coordination Board be endorsed.
- (b) That the combining of the New Leaf Leisure Centres Project under the Education PFI Project Board for the project in accordance with paragraph 9 of the report be approved.
- (c) That the delivery of the New Leaf Leisure Centres PFI project through the Local Education Partnership as described in paragraph 8.2 of the report be approved.
- (d) That the creation of a new East Leeds leisure centre be pursued through the EASEL proposals.
- (e) That discussions with DCMS be instigated to seek the utilisation of additional PFI credits as identified in the report for the development of a new replacement leisure centre at Holt Park.

181 Governance Arrangements for Leeds Sports Trust

The Chief Legal Services Officer submitted a report drawing to the attention of Executive Board the present position with regard to the governance arrangements for the proposed Leeds Sports Trust (the Trust) and to consider suitable arrangements for the appointment of trustees, including the Chair.

- (a) That Mr John Davies be appointed to act as Chair of the Shadow Trust and thereafter as Chair of the Trust until its first Annual General Meeting.
- (b) That the intention not to offer payment to the trustees be noted.

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

CHILDREN'S SERVICES

182 Childrens Trust Arrangements - Update on progress

Further to minute 54(b) of the meeting held on 20th September 2006 the Director of Children's Services submitted a report updating Members on the progress on these arrangements, including the creation of the Director of Children's Services Unit. The report also set out more detail about these new ways of working to improve services for children and families.

RESOLVED –

- (a) That progress on matters agreed at the meeting on 20 September 2006 in relation to children's trust arrangements, including the creation of the Director of Children's Services Unit be noted.
- (b) That the proposal for the accountability and intervention framework and hosting arrangements be endorsed.
- (c) That the nature of the work to be undertaken in coming months be noted and that further regular updates be provided.

183 General Surestart Grant - Extended Schools Capital 2006/08

The Director of Learning and Leisure submitted a report seeking authority to incur expenditure of £1,508.9k on other payments from the General Surestart Grant – Extended Schools 06/08 parent scheme 13178.

RESOLVED – That the incurring of expenditure of £1,508.9k on other payments from the General Surestart Grant – Extended Schools 06/08 parent scheme 13178 be authorised.

184 General Surestart Grant - Sustainability Capital 2006/08

The Director of Learning and Leisure submitted a report seeking authority to incur expenditure of £537.3k on other payments from the General Surestart Grant – Sustainability 06/08 parent scheme 13179.

RESOLVED – That the incurring of expenditure of £537.3k on other payments from the General Surestart Grant – Sustainability 06/08 parent scheme 13179 be authorised.

185 Otley Prince Henrys Grammar School - Provision of Specialist Science Accommodation

The Chief Executive of Education Leeds submitted a report updating Members on the proposed scheme to provide a new build specialist science

block at Otley Prince Henry's Grammar School, and seeking approval to proceed with the scheme.

Following consideration of appendix 1 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 the proposal to proceed with the scheme in respect of the scheme to provide additional specialist science accommodation at Otley Prince Henry's Grammar School be approved.
- (b) That the incurring of additional expenditure as detailed in the exempt appendix in respect of the above from Capital Scheme No 12051/SC1 be authorised.

ADULT HEALTH AND SOCIAL CARE

186 Commissioning Plan for Day Services for Older People

The Director of Adult Social Services submitted a report recommending a programme of detailed work, local consultation and involvement with ward members to finalise the details of the new service model and to undertake its implementation.

RESOLVED –

- (a) That a programme to develop further and introduce the new service model which is outlined in this report be agreed. This will follow a full consultation process, more detailed work and the development of implementation plans.
- (b) That further reports, following consultation with ward members and the development of locality implementation plans, outlining the progress made be submitted to the Board.

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

CITY SERVICES

187 Progress Update on Integrated Waste Strategy

The Director of City Services submitted a report providing Members with an update on key areas of progress in implementing the Integrated Waste Strategy for Leeds 2005-2035.

RESOLVED – That the contents of this report and the progress to date on the implementation of the Integrated Waste Strategy be noted.

188 Establishment of a Leaders Waste Strategy Review Party

The Director of City Services submitted a report seeking approval for the establishment of a Group Leaders' forum to review the implementation of the

approved Integrated Waste Strategy for Leeds 2005-2035 and to advise the Executive Board.

RESOLVED – That a Working Party comprised of the leaders for the time being of the political groups represented on the Council, or their nominees be established for the purpose of monitoring the implementation of the approved waste strategy and tendering advice to the Executive Board.

NEIGHBOURHOODS AND HOUSING

189 East and South East Leeds Regeneration Area

The Director of Neighbourhoods and Housing submitted a report seeking approval of the headline Regeneration Programme for the EASEL Joint Venture and advising members of whether Bellway had met the first key milestone of the Additional Negotiation Period and also an assessment of what progress Bellway had made regarding fulfilling the requirements of the longstop date of 28th February 2007 when the EASEL regeneration project procurement process will be ended.

RESOLVED –

- (a) That the headline Regeneration Programme that the Council is seeking to achieve through the EASEL Regeneration Project and the key interventions set out in Sections 3 and 4 of the report which will form the basis of the Regeneration Plan for the first 5 years be agreed.
- (b) That the commitment of sufficient resources to fund the Regeneration Plan be agreed in principle.
- (c) That the progress that has been made in relation to completing the tasks that require to be completed as part of the Additional Negotiation Period be noted.

DATE OF PUBLICATION: 13th February 2007

LAST DATE FOR CALL IN: 20th February 2007 (5.00 pm)

(Scrutiny Support will notify relevant Directors of any items Called In by 12 noon on 21st February 2007).