

## EXECUTIVE BOARD

WEDNESDAY, 11TH FEBRUARY, 2015

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

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

### 140 Exempt Information - Possible Exclusion of the Press and Public

**RESOLVED** – That, in accordance with Regulation 4 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, 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 exempt information so designated as follows:-

- (a) Appendix A and Appendix F to the report entitled, 'Approval to Proceed with Proposal to Develop a Social Enterprise in the form of a Staff led Mutual to Deliver the Learning Disability Community Support Service', referred to in Minute No. 145 are designated as exempt from publication, with Appendix A being exempted in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 and Appendix F being exempted in accordance with paragraph 10.4(5) of the same schedule. Such resolutions are on the grounds that they contain commercially sensitive financial information and information about business affairs, and (in relation to Appendix F) information relating to consultations or negotiations in connection with labour relations matters arising between the Council and its employees. It is suggested that the publication of this information would or would be likely to prejudice the commercial interests of the Social Enterprise, and of the Council. It is acknowledged that there is always a strong public interest in transparency and accountability in relation to contracts entered into by the Council, and also that there is a strong public interest in the public understanding the new arrangements for the Learning Disability Community Support Service. However, there is also a strong public interest in the new Social Enterprise being placed on a "level playing field" with potential competitors. In addition, the new Social Enterprise and its subsidiary will be subject to statutory requirements for the publication of certain financial and business information in the same way as all other Community Benefit Societies, and private companies. It is therefore deemed that in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

- (b) Appendix 1 to the report entitled, 'East Leeds Leisure Centre, Neville Road, Halton, Leeds 15', referred to in Minute No. 154 is designated as exempt from publication in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that the information contained within the submitted appendix relates to the financial or business affairs of a particular person or organisation, 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.
- (c) Appendix 6 to the report entitled, 'Site Allocations Plan and Aire Valley Leeds Area Action Plan: Site Allocation Proposals', referred to in Minute No. 144 is designated as exempt from publication in accordance with paragraph 10.4(5) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that it contains information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. It is considered that the public interest in maintaining the content of Appendix 6 as exempt outweighs the public interest in disclosing the information.
- (d) Appendix B to the report entitled, 'Grand Theatre and Opera House Ltd. – Future Operation and Governance Options Appraisal' referred to in Minute No. 159 is designated as exempt from publication in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that the public interest in maintaining the content of Appendix B as exempt from publication outweighs the public interest in disclosing the information as this appendix contains soft-market testing.

#### **141 Late Items**

With the agreement of the Chair, a late item of business was admitted to the agenda entitled, 'Final Local Government Finance Settlement 2015/16'. This report had been submitted as a late item of business, as there was not the opportunity to include this latest information within the related report, as detailed elsewhere on the agenda papers for this meeting, given that the final

local government settlement was not published until 3<sup>rd</sup> February 2015. However, given that the Board was scheduled to consider the proposals for the Council's 2015/16 Revenue Budget at this meeting, it was deemed essential for the Board to be informed of the final settlement figures at the earliest opportunity (Minute No. 149 refers).

In addition, Appendix 2 to item 17 entitled, 'The Leeds Community Infrastructure Levy: Strategic and Neighbourhood Spending' which detailed the related comments and recommendations of the Scrutiny Board (Sustainable Economy and Culture) had been circulated to Board Members for their consideration prior to the meeting. This information was not circulated with the agenda agenda papers due to the fact that the Scrutiny Board did not meet to consider such matters until 3<sup>rd</sup> February 2015 (Minute No. 156 refers).

**142 Declaration of Disclosable Pecuniary Interests**

There were no Disclosable Pecuniary Interests declared at the meeting, however in relation to the agenda item entitled, 'Grand Theatre and Opera House Ltd. – Future Operation and Governance Options Appraisal Outcomes', Councillor Yeadon drew the Board's attention to her position as Chair of the Leeds Grand Theatre and Opera House Board of Management and clarified that her participation in the above report at today's meeting was in her capacity as Executive Member for Digital and Creative Technologies, Culture and Skills (Minute No. 159 refers).

**143 Minutes**

**RESOLVED** – That the minutes of the meeting held on 17<sup>th</sup> December 2014 be approved as a correct record.

**NEIGHBOURHOODS, PLANNING AND PERSONNEL**

**144 Site Allocations Plan and Aire Valley Leeds Area Action Plan: Site Allocation Proposals**

The Chief Planning Officer submitted a report which sought the Board's agreement to the site allocations proposals, as presented, as the basis on which to prepare the Site Allocations Plan and the Aire Valley Leeds Area Action Plan Publication Draft Plans, for consideration by the Development Plan Panel and approval of the Executive Board prior to deposit for the purposes of public consultation in 2015. The report also sought agreement to the areas identified for further work, whilst noting that further refinement to the proposed allocations may be necessary in the light of the work on plan preparation and further evidence coming forward. Finally, the report also invited the Board to agree to withdraw the Council's Interim Protected Areas of Search (PAS) Policy with immediate effect.

In introducing the report, the Executive Member for Neighbourhoods, Planning and Personnel outlined the extent of the work and consultation which had been undertaken to date in the development of the draft plans. In addition, he highlighted the key areas of infrastructure, employment, green space, retail and housing to which the proposed allocations related, identified those matters as detailed within the report which remained outstanding as they

required further deliberation, and in making reference to the range of correspondence on the proposals which had been received to date, emphasised that such correspondence would be taken into consideration as appropriate.

In considering the submitted report and appendices, the following key points were raised:-

- Whilst acknowledging the key importance of ensuring a thorough and robust consultation process continued, a Member highlighted the need to ensure that any period of uncertainty for residents of Leeds was minimised;
- Members discussed the population forecasting data which had been used as a basis for the submitted proposals and it was highlighted that related Government statistics would be taken into consideration once they had been released;
- The Board considered the approach which had been proposed regarding the phasing of sites allocated for housing, and also the proposed approach regarding the development of brownfield land, and the factors which affected such respective approaches;
- Discussion took place on specific matters relating to several individual sites, as detailed within the draft proposals;
- Clarification was provided around the proposed scheduling of the matter being re-submitted to the Board for further consideration, and also in relation to the proposed next steps, with emphasis being placed upon the opportunity that remained for members of the public to submit their views on such matters;
- The Board's attention was drawn to the fact that over 70 items of correspondence had been received since Development Plan Panel met to consider such matters on 13<sup>th</sup> January 2015, and it was noted that this correspondence largely related to sites in Aireborough, Weetwood and Scarcroft.

For the purposes of clarification, the Board was advised of several corrections which were to be made to the published documentation on this item. Also, in a proposed amendment to the published report, in respect of site 1143B (Old Thorpe Lane, Tingley), it was proposed that no decision be taken in respect of this site until further work had been undertaken.

Following consideration of Appendix 6 to the submitted report, designated as exempt from publication under the provisions of Access to Information Procedure Rule 10.4(5), which was considered in private at the conclusion of the meeting, it was

**RESOLVED –**

- (a) That subject to the corrections to be made as reported at the meeting and also subject to the inclusion of site 1143B (Old Thorpe Lane, Tingley) in the 'Outstanding Matters' category, the site allocations proposals, as set out in the submitted report and its appendices, be agreed as the basis on which to prepare the Site Allocations Plan and the Aire Valley Leeds Area Action Plan Publication Draft Plans, for

consideration by the Development Plan Panel and also for approval by Executive Board prior to being placed upon deposit for the purposes of public consultation in 2015;

- (b) That the areas identified within the submitted report for further work be agreed, subject to the inclusion of site 1143B (Old Thorpe Lane, Tingley) in this category, and that it be noted that further refinement to the proposed allocations may be necessary in the light of the work on plan preparation and further evidence coming forward;
- (c) That approval be given to withdraw the Council's Interim PAS Policy with immediate effect.

(Under the provisions of Council Procedure Rule 16.5, Councillor A Carter required it to be recorded that he voted against the matters referred to within this minute, whilst under the same provisions, Councillor Golton required it to be recorded that he abstained from voting on resolutions (a) and (b) above)

(In accordance with the Council's Executive and Decision Making Procedure Rules, the matters referred to within this minute were not eligible for Call In as the power to Call In decisions does not extend to those decisions made in accordance with the Budget and Policy Framework Procedure Rules, which includes the resolutions above)

### **ADULT SOCIAL CARE**

#### **145 Approval to Proceed with proposal to develop a Social Enterprise in the form of a staff led mutual to deliver the Learning Disability Community Support Service**

Further to Minute No. 176, 14<sup>th</sup> February 2014, the Director of Adult Social Services submitted a report which sought approval to complete all outstanding work including specifications and supporting documentation in order to enable the creation of an independent Social Enterprise in the form of a staff-led public service mutual, from the Council's current in house Learning Disability Community Support Service; the transfer of business to that Social Enterprise and the awarding of a contract for the delivery of services for a 5 year period, subject to the value of the contract in the first year not exceeding £21.454m per annum.

The Board welcomed the proposals detailed within the submitted report, specifically the innovative and creative approach which was being taken towards meeting the increased demand for such services at a time of limited resource.

Following consideration of Appendices A and F to the submitted report, being designated as exempt from publication under the provisions of Access to Information Procedure Rules 10.4(3) and 10.4(5) respectively, which were considered in private at the conclusion of the meeting, it was

## **RESOLVED –**

- (a) That the following be noted:-
- (i) The significant progress which has been made to date (including obtaining staff support), in relation to the creation of a Social Enterprise for the Learning Disability Community Support Service;
  - (ii) The creation of Aspire Community Benefit Society Limited as a separate legal entity as the Social Enterprise;
  - (iii) The revised social enterprise organisational structure and contractual arrangements as detailed in section 3.6 of this report;
  - (iv) The requirement to complete all outstanding work required to:
    - finalise all necessary supporting agreements required for the enterprise to function, including those relating to the transfer of the business including staff and non-buildings based assets, provision of support services by the Council and those relating to the occupation / use of property by the Social Enterprise;
    - award a contract for the delivery of services to the newly formed Community Benefit Society or its subsidiary, as detailed in paragraph 3.6 of the submitted report;
    - complete formal consultation with staff and trade unions in relation to the TUPE transfer of all staff defined as 'in scope' for this service.
- (b) That approval be given to the Council's participation in Aspire via the nomination of 3 Elected Members, as approved by Member Management Committee, to join the board of directors of Aspire, and (if so nominated by the Aspire board), the board of directors of Aspire Services (Leeds) Ltd.
- (c) That subject to the satisfactory completion of the tasks identified in the resolutions above, it be noted that the (Interim) Director of Adult Social Services will:
- (i) approve the award of the contract for services to the newly formed Social Enterprise;
  - (ii) approve the detail of any necessary documentation to complete the transfer of business and contract for services to the Social Enterprise, subject to the value of the contract in the first year not exceeding £21.454M per annum (which in turn is less than the cost of provision had the service remained within the Council);
  - (iii) In relation to pensions, agree that the Council will act as a guarantor to the Social Enterprise's admitted body status to the West Yorkshire Pension Fund, as detailed in sections 3.5.7 to 3.5.9 of the submitted report.
- (d) That approval be given for the Director of City Development to enter into negotiations with the Social Enterprise in order to agree the necessary leases/licences (co-terminus with the Services Agreement) to document the occupation of premises to be utilised for the provision of the service and to agree details of rent/service charges to be paid;

- (e) That the following key next steps be noted:-
  - (i) February/March 2015 - Finalise and award contract;
  - (ii) February - May 2015 – Mobilisation;
  - (iii) 1 June 2015 - Full service commencement.
- (f) That it be noted that the Interim Director, Adult Social Care is the lead officer on such matters.

**146 Even Better Lives Lived - Leeds Local Account of Adult Social Care 2014/15**

The Director of Adult Social Services submitted a report which introduced the 2014/2015 Leeds Local Account of Adult Social Care Services for its citizens. The report provided an explanation of the new responsibilities placed upon Councils and the Local Account's contribution towards enhancing local accountability to the public, whilst also acting as a tool to support sector led service improvement. Finally, the report presented a summary of the key areas of achievement of Adult Social Care and indicated those areas of service identified within the Leeds Local Account as requiring further development in order to sustain or improve performance.

The Board welcomed the contents of the Local Account for Leeds, and noted the co-ordinated work which was being undertaken with the Health and Wellbeing Board in a number of areas.

**RESOLVED –**

- (a) That the contents of the submitted report, together with the appended Local Account for Leeds, entitled "Even Better Lives Lived", be noted;
- (b) That those areas for improvement, as identified within the submitted Local Account, be referred to the Scrutiny Board (Health and Wellbeing and Adult Social Care) for the purposes of overseeing performance in those specified areas.

**FINANCE AND INEQUALITY**

**147 Financial Health Monitoring 2014/15 - Month 10**

The Deputy Chief Executive submitted a report presenting the Council's projected financial position for 2014/15 after ten months of the financial year. In addition, the report also highlighted the key issues impacting upon the overall achievement of the budget for the current year.

The Board noted the improved position with regard to the Council's financial health projection, given that at month 10 of the financial year, an underspend of £0.2m was projected.

Responding to an enquiry, the Board received an update on the work being undertaken to address the level of disrepair claims being made against the Council and also received further information on the Council's programme of annual tenancy visits.

**RESOLVED** – That the projected financial position of the authority after ten months of 2014/2015 be noted.

**148 Revenue Budget Proposals and Capital Programme**

**(A) Leeds City Council Revenue Budget and Council Tax 2015/2016**

Further to Minute No. 128, 17<sup>th</sup> December 2014, the Deputy Chief Executive submitted a report regarding the proposals for the City Council's Revenue Budget for 2015/2016 and the Leeds element of the Council Tax to be levied in 2015/2016.

The Board was advised that the budget proposals which would be submitted to Council for determination would include details of the recently announced final local government finance settlement and also the £4.85m which had been awarded to the Council from the Department for Education's (DFE) Innovation Fund. In noting this information, the Chair outlined details, which would be submitted to Council for determination, of proposals regarding the allocation of the £1.151m which had been received by Leeds as part of the final local government finance settlement.

Emphasis was placed upon the unprecedented financial challenges that the Council continued to face, and the pressures which were being placed upon Local Authorities with regard to ensuring the delivery of key public services.

In response to an enquiry, the Board was provided with details of how much money the Council had received from New Homes Bonus to date and how much it expected to receive over the coming year. Also, officers undertook to provide specific figures to the Member in question on this matter in due course.

**RESOLVED –**

- (a) That Council be recommended to approve the Revenue Budget for 2015/2016, totalling £522.632m, as detailed and explained in the submitted report and accompanying papers, with a 1.99% increase in the Leeds' element of the Council Tax for 2015/2016, subject to the following increases: £300k in respect of local welfare support; £250k in respect of Children's Services and £601k in respect of Adult Social Care, together with the inclusion of associated expenditure and income in respect of £4.85m grant which has been awarded from the DFE's Innovation Fund;
- (b) That Council be recommended to approve the allocation of grants totalling £92k to Parishes, as detailed in paragraph 6.18.3 of the submitted report;
- (c) That in respect of the Housing Revenue Account, Council be recommended to:
  - (i) approve the budget, with an average rent increase figure of 2.88%;
  - (ii) approve that the charge for garage rents be increased to £7.39 per week (based on 52 rent weeks);



- (iii) approve that service charges of £1 per week be introduced for low/medium rise properties in receipt of additional services;
  - (iv) approve that service charges for multi-storey flats are increased by £1 per week to £1.86p;
  - (v) approve that the earmarked reserve for Welfare Change is reduced by £1,303k.
- (d) That Executive Board approval be given to transitional relief for business properties with rateable values up to and including £50,000 being added to the Local Scheme of Reliefs approved by Executive Board on 14th February 2014.

### **(B) Capital Programme Update 2015-2018**

The Deputy Chief Executive submitted a report setting out the proposed Capital Programme for the period 2015-2018, which included details of forecast resources for that period. In addition, the report also provided a review of 2014/2015 scheme spend.

Members discussed in detail the importance of fiscal devolution, and the key benefits which could be realised by such freedoms. Specific examples were provided of how fiscal devolution could assist the city and city region, with Members highlighting the need to continue to raise such matters with the Government.

### **RESOLVED –**

- (a) That the following be recommended to Council:-
- (i) That the capital programme, as presented in Appendix G to the submitted report, be approved;
  - (ii) That the revised Minimum Revenue Provision (MRP) policy for 2014/2015, as set out in Appendix D to the submitted report be approved;
  - (iii) That the proposed MRP policies for 2015/2016, as set out in Appendix E to the submitted report, be approved.
- (b) That Executive Board approval be given to the list of land and property sites, as shown in Appendix B to the submitted report, being disposed of in order to generate capital receipts for use in accordance with the MRP policy.

### **(C) Treasury Management Strategy 2015/2016**

The Deputy Chief Executive submitted a report setting out the Treasury Management Policy and Strategy for 2015/2016, together with the revised affordable borrowing limits under the prudential framework. In addition, the report also provided a review of strategy and operations in 2014/15.

Responding to an enquiry, the Board received further detail regarding the Council's borrowing strategy.

**RESOLVED –**

- (a) That Executive Board approval be given to the initial treasury strategy for 2015/2016, as set out within Section 3.3 of the submitted report, and that the review of the 2014/2015 strategy and operations, as set out in Sections 3.1 and 3.2 of the submitted report, be noted;
- (b) That Council be recommended to set the borrowing limits for 2014/15, 2015/16, 2016/17 and 2017/18, as detailed in section 3.4 of the submitted report, and to note the changes to both the Operational Boundary and the Authorised limits (both have been reduced for borrowing, whilst both have been increased for other long term liabilities reflecting new PFI schemes);
- (c) That Council be recommended to set the treasury management indicators for 2014/15, 2015/16, 2016/17 and 2017/18 as detailed in section 3.5 of the submitted report;
- (d) That Council be recommended to set the investment limits for 2014/15, 2015/16, 2016/17 and 2017/18 as detailed in section 3.6 of the submitted report;
- (e) That Council be recommended to adopt the revised Treasury Management Policy Statement.

(The matters referred to in Minute Nos. 148(A)(a)-148(A)(c)(v), 148(B)(a)(i) – 148(B)(a)(iii) and 148(C)(b) - 148(C)(e) being matters reserved to Council, were not eligible for Call In)

(Under the provisions of Council Procedure Rule 16.5, Councillors A Carter and Golton both required it to be recorded that they respectively abstained from voting on the decisions referred to within this minute)

**149 Final Local Government Finance Settlement**

The Deputy Chief Executive submitted a report which provided details of the final local government finance settlement which was announced on 3<sup>rd</sup> February 2015.

The submitted report was circulated to Board Members prior to the meeting for their consideration. There was not the opportunity to include this latest information within the overarching revenue budget proposals report, found elsewhere within the agenda papers for this meeting, due to the publication timeframe of the final local government settlement.

**RESOLVED –**

- (a) That the outcome of the final local government settlement, as announced on 3<sup>rd</sup> February 2015, particularly that £1.151 million of extra funding is to be allocated to Leeds for 2015-16, be noted;

- (b) That it be noted that the Referendum Principles which would require a referendum to be held for a Council Tax increase of 2.0% or greater remain unchanged for 2015/16.

**150 Covenant between Religion or Belief Organisations and Leeds City Council**

The Assistant Chief Executive (Citizens and Communities) submitted a report which set out the background and context to the proposal to sign a covenant for engagement between the Council and Religion or Belief organisations in Leeds. The report informed of the work that had been undertaken with Leeds University over the last three years to give due regard to religion or belief equality in terms of the delivery of the Council's services. It also presented proposals for ongoing support to, and engagement with the Religion or Belief Third Sector via the Third Sector Partnership.

**RESOLVED –**

- (a) That the work being undertaken to deliver the recommendations from the report entitled, 'Leeds City Council – Taking Religion or Belief Seriously', be noted;
- (b) That approval be given for the Assistant Chief Executive (Citizens and Communities) to make arrangements for the City Council to formally sign the covenant, as appended to the submitted report, between the Council and Religion or Belief organisations in the city.

**HEALTH AND WELLBEING**

**151 Best Start Programme**

The Director of Public Health and the Director of Children's Services submitted a joint report highlighting the Leeds Best Start Programme, in order to emphasise the importance of this priority in relation to longer-term outcomes for children, families and future generations in the city. In addition, the report also provided details of the innovative work which was already being driven forward under this priority, including the essential work done by the integrated Early Start Service (Health Visiting working with Children's Centres).

Members welcomed the contents of the submitted report and the benefits to children and families which were being realised by the work of the Best Start programme.

**RESOLVED –**

- (a) That the Best Start Priority and Plan be noted, and that support be given to the important and exciting programme of work to be developed by the Best Start Strategy Group, co-chaired by the Consultant in Public Health (Children and Maternity) and the Chief Officer Children's Services (Partnership Development and Business Support);
- (b) That the transfer of commissioning responsibility for 0-5 Children's Public Health Services to the Council from 1<sup>st</sup> October 2015 which will

be led by the Office of the Director of Public Health, be noted, together with the importance of the integrated Early Start Service (Health Visiting integrated with Children's Centres) to this agenda;

- (c) That the evidence which illustrates that investing in the early years yields the highest return on investment, be noted.

**152 Contract Award for Drug and Alcohol Treatment and Recovery Service**

Further to Minute No. 120, 6<sup>th</sup> November 2013, the Directors of Public Health, Children's Services, Environment and Housing and Adult Social Services submitted a joint report regarding the recent decision to award the contract for drug and alcohol treatment and recovery services. In addition, the report highlighted the anticipated contribution that the service would make towards meeting key strategic priorities for the Council, and the benefits that would be realised as a consequence of this contract award.

Members welcomed the contents of the submitted report, together with the joined up and inclusive approach which had been taken towards the re-procurement of the service. The Board conveyed its thanks to all of those who had been involved in this process.

**RESOLVED –**

- (a) That the recent contract award for drug and alcohol treatment and recovery services, be noted;
- (b) That the inclusive way in which service users have been involved in the re-procurement of the service, be noted;
- (c) That the contribution that the service will make towards meeting key strategic priorities for the Council and the benefits that will be realised as a consequence of this contract, be noted.

**153 Contract Award on Integrated Sexual Health Services**

The Director of Public Health submitted a report which provided details on the recent decision to award the contract for the provision of Integrated Sexual Health services. In addition, the report highlighted the anticipated contribution that the service would make towards meeting key public health priorities for the Council.

The Board welcomed the contents of the submitted report and conveyed its thanks to all of those who had been involved in this process.

**RESOLVED –**

- (a) That the recent contract award for integrated sexual health services be noted;
- (b) That the inclusive way in which service users have been involved in the re-procurement of this service, be noted;

- (c) That the contribution that the service will make towards meeting strategic public health priorities, be noted.

## **TRANSPORT AND THE ECONOMY**

### **154 East Leeds Leisure Centre, Neville Road, Halton, Leeds 15**

The Director of City Development and the Director of Children's Services submitted a joint report which sought approval of the sale of the subject site on the terms as detailed within the exempt appendix to the submitted report.

The Board noted a point of clarification that the proposal was to sell the site to the Temple Learning Foundation, and not the Temple Newsam Partnership, as detailed within the submitted report.

Following consideration of Appendix 1 to the submitted report, designated as exempt from publication under the provisions of 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 sale of the subject site to the Temple Learning Foundation for development as a new school and on the terms as detailed within the exempt appendix to the submitted report, be approved;
- (b) That it be noted that the Head of Land and Property will be responsible for the implementation of such matters, as outlined within the submitted report.

(The Council's Executive and Decision Making Procedure Rules state that a decision may be declared as being exempt from Call In if it is considered that any delay would seriously prejudice the Council's or the public's interests. As such, it was determined that the resolutions relating to this report were exempt from the Call In process as timetabling for the proposed opening of the first phase of the school is September 2015, creating a very tight deadline in which to finalise legal work associated with the sale, obtaining planning consent, works procurement and completion of the conversion of the leisure centre)

## **CHILDREN AND FAMILIES**

### **155 Transforming Children's Social Work in Leeds: Progress and Further Developments**

The Director of Children's Services submitted a report providing an update on the progress made in services for children, young people and families in Leeds with a particular focus placed upon the ongoing transformation of children's social work services. The report highlighted Leeds' success in being awarded £4.85 million from the Department for Education's (DfE) Innovation Fund and the work taking place as a result of this. Also, the report outlined further improvements planned across the service that would sit alongside the innovation fund to create system-change throughout the city.

The Board welcomed the contents of the submitted report, specifically the fact that the Council had successfully been awarded £4.85m from the Department for Education's Innovation Fund. Further to this, it was proposed that cross-group support was obtained in order to seek greater flexibility around the timescales by which such funding needed to be spent.

**RESOLVED –**

- (a) That the success of the Leeds Innovation Fund bid be noted, and that the activity as a result of the fund which will signal a step-change in the use of restorative approaches for working with vulnerable families in Leeds be supported;
- (b) That the wider work planned to develop children's social work in Leeds as part of our ambitions to make Leeds the best city for children and young people to grow up in, be endorsed, and that in particular, the proposals to enhance the role of the corporate carers group, be noted.

**NEIGHBOURHOODS, PLANNING AND PERSONNEL**

**156 The Leeds Community Infrastructure Levy - Strategic and Neighbourhood Spending**

Further to Minute No. 66, 17<sup>th</sup> September 2014, the Director of City Development and the Deputy Chief Executive submitted a joint report which proposed the key parameters for the spending of the Community Infrastructure Levy (CIL) income across Leeds, including the proportion given to local communities, governance and engagement arrangements for that proportion, together with strategic spending principles.

Appendix 2 to the submitted report which contained the comments and recommendations of the Scrutiny Board (Sustainable Economy and Culture) was circulated to Executive Board Members prior to the meeting. The Scrutiny Board met on 3rd February 2015 to consider such matters. In considering Appendix 2, the Scrutiny Board was thanked for its work on this subject, and it was noted that such recommendations would be taken into consideration.

Responding to enquiries, the Board received further information on the following:-

- The consultation and engagement procedures which would be undertaken by the Council with Parish and Town Councils and those community organisations with Neighbourhood Plans throughout the CIL process;
- The proposed timeframes by which neighbourhood funding would be allocated;
- The respective roles envisaged for Ward Members and for Community Committees when considering the allocation of the neighbourhood fund;
- The ways in which the retained element of the CIL would be utilised by the Council.

In acknowledging the complex nature of the arrangements for spending local CIL funds, it was requested that a further report be submitted to Executive Board providing further detail on such matters.

**RESOLVED –**

- (a) That the following be agreed:-
- (i) The Council will retain 5% of the CIL to cover administration and implementation costs;
  - (ii) 15% of CIL income to be the neighbourhood fund, subject to the cap set in national Regulations, or 25% in areas with an adopted neighbourhood plan;
  - (iii) To retain the default timetable in the CIL Regulations for transferring the neighbourhood fund: 1st October to 31st March transferred by 28th April, and 1st April to 30th September transferred by 28th October each year.
  - (iv) To continue to work closely with Parish Councils and other community groups and infrastructure providers, including through the Site Allocations Plan and maximising use of CIL resources;
  - (v) To use existing Community Committee structures to direct spending of the neighbourhood fund;
  - (vi) For guidance/protocols to be established to ensure a consistent approach to defining the locality for spending and consultation purposes. Community Committees may then publish their own parameters for the spending of the neighbourhood fund in their area. This will need to include consultation and joint working with adjoining Committees to determine the approach to CIL spending from development that may occur on or near Committee boundaries, and with Parish Councils in recognising the control parishes have over the neighbourhood fund for their own parish;
  - (vii) That priorities for strategic CIL spend are decided on an annual basis as part of the Council's budget setting process, in line with the Regulation 123 List, and taking into account the impact of specific and cumulative infrastructure needs arising from new development.
- (b) That it be noted that the following steps will be undertaken in order to deliver the resolutions of the Board:-
- (i) The appropriate internal procedures will be put in place to set the necessary systems for collection, distribution, and monitoring of the CIL Income;
  - (ii) The timescales for the implementation of the decisions are that Leeds City Council will start charging the CIL from 6th April 2015 and so the necessary procedures will be in place from that date and ongoing;
  - (iii) The Chief Planning Officer will be the officer responsible for the implementation of such matters.
- (c) That a further report be submitted to Executive Board providing further detail on the arrangements for spending the local CIL funds (15% or 25%), particularly in those areas without a parish or town council.

**157 Changing The Workplace: progress report to end of 2014**

Further to Minute No. 38, 17<sup>th</sup> July 2013, the Deputy Chief Executive and the Director of City Development submitted a joint report providing an overview of Phase 1 of the Changing the Workplace (CTW) scheme, presenting the benefits delivered to date and the opportunities available for further savings to be delivered. In addition, the report also looked to consider moving forward on phase 2 in the localities, linking in with the community hubs and asset rationalisation agendas.

In receiving the update, Members noted the financial savings which were being realised by the initiative and the ways in which CTW was promoting new and innovative ways of working across the Council.

**RESOLVED –**

- (a) That the progress made to date, together with the anticipated additional benefits including potential to release further buildings on completion of phase 1 of the CTW programme, be noted;
- (b) That the linkages to ‘How We Work’ and other cross-Council activities, such as those recently considered by Executive Board namely; asset rationalisation and community hubs, be noted;
- (c) That a further report be submitted to the Board by the Deputy Chief Executive and the Director of City Development in mid-2015 showing the refreshed financial costs and savings to be delivered in Phase 1, together with costs and opportunities for a phase 2 business case.

**158 City-wide Housing Repairs and Maintenance Procurement Strategy 2016**

The Director of Environment and Housing submitted a report providing an overview of the proposed strategy for key strategic procurement exercises that Housing Leeds would conduct between 2015 and 2020. In addition, the report also outlined the approach proposed to be taken in respect of future contracts or internal arrangements regarding the delivery of a number of key services.

**RESOLVED –**

- (a) That the overall strategy and direction of travel, as set out within the submitted report, be approved;
- (b) That the proposed extensions to the Mears Contracts be noted;
- (c) That the Director of Environment and Housing be authorised to implement the strategy following Executive Board approval under existing powers within the Director’s scheme of delegation.



## **DIGITAL AND CREATIVE TECHNOLOGIES, CULTURE AND SKILLS**

### **159 Grand Theatre and Opera House Ltd. - Future Operation and Governance Options Appraisal Outcomes**

Further to Minute No. 44, 16<sup>th</sup> July 2014, the Director of City Development submitted a report which sought approval for the next phase in the development of the Leeds Grand Theatre and Opera House (LGTOH).

In receiving the report, the Board emphasised the vital contribution that all three venues made to the city's cultural offer. As such, it was highlighted that the key objective of the submitted report was to ensure that the venues remained sustainable and were allowed to prosper in the future.

The Board paid tribute to the work which had been undertaken by the staff of the venues, Trustees of the Leeds Grand Theatre and Opera House, Scrutiny Board (Sustainable Economy and Culture), Council officers and the consultants, who had undertaken a piece of work as part of the review, all of whom had made valued contributions towards the progress which had been achieved to date.

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

#### **RESOLVED –**

- (a) That it be recommended to the LGTOH Board that it restructures to become a fully independent charitable trust;
- (b) That it be noted, that once established, the fully independent charitable trust may decide to contract a commercial operator to run Leeds Grand Theatre and/or City Varieties, (subject to agreement to any requirements imposed upon it by Arts Council England, The National Heritage Memorial Fund or the Charity Commission) or may decide to retain this function in-house;
- (c) That the reduction of Member representation on the new board to a maximum of 3 be approved, which would be a condition of any future grants to the new trust, and/or a condition of any other financial contribution to the operation of LGTOH that the Council may make;
- (d) That support be given to the principle that the Board of LGTOH moves immediately to appoint an interim full-time Chief Executive to lead the process of change and development that will flow from the changes to governance, including the responsibility for managing the recruitment of an independent chair, to continue the progress made in turning around the current deficit-generating business model and developing a capital refurbishment plan with other stakeholders as per paragraph 3.7.3 of the submitted report;

- (e) That approval be given for any rental income, net of costs, from The Swan public house from 1 April 2015 is formally hypothecated from City Development to the benefit of City Varieties in recognition that the existence of The Swan significantly limits City Varieties capacity to raise income from secondary spend;
- (f) That it be agreed that any decision to separate governance arrangements for the Hyde Park Picture House be held in abeyance for further consideration by the independent trust in consultation with the Council, the local community and 'friends' groups;
- (g) That the Board convey its thanks to the staff, Trustees of LGTOH and the council officers involved for their work in improving the financial performance of the company, and that the Director of City Development and the Deputy Chief Executive be authorised to take the lead on behalf of the Council in the implementation of these changes under their respective schemes of delegation;
- (h) That the Director of City Development, on behalf of the Council, be authorised to enter into discussions and agree necessary documentation with Arts Council England and the National Heritage Memorial Fund with regard to necessary changes to the existing arrangements which would enable LGTOH to become a fully independent charitable trust.

**DATE OF PUBLICATION:** FRIDAY, 13<sup>TH</sup> FEBRUARY 2015

**LAST DATE FOR CALL IN  
OF ELIGIBLE DECISIONS:** 5.00PM, FRIDAY, 20<sup>TH</sup> FEBRUARY 2015

(Scrutiny Support will notify Directors of any items called in by 12.00noon on Monday, 23<sup>rd</sup> February 2015)