

## EXECUTIVE BOARD

WEDNESDAY, 22ND APRIL, 2015

**PRESENT:** Councillor P Gruen in the Chair

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

Apologies Councillor A Carter and K Wakefield

### 179 Chair of the Meeting

In accordance with Executive and Decision Making Procedure Rule 3.1.5, in the absence of Councillor Wakefield who had submitted his apologies for absence for the meeting, Councillor P Gruen presided as Chair of the Board for the duration of the meeting.

### 180 Chair's Opening Remarks

Having noted apologies received from Councillors Wakefield and A Carter, the Chair welcomed Councillor J Procter to the meeting.

Additionally, the Chair welcomed Mrs C Roff, the recently appointed Director of Adult Social Services, to her first meeting of the Board.

Finally, the Chair noted that this would be the last meeting of the Board scheduled for the 2014/15 Municipal Year, and he thanked all Directors and officers for their support to the Board during the previous year

### 181 Substitute Member

Under the terms of Executive and Decision Making Procedure Rule 3.1.6, 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.

### 182 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 1 "Basic Need update: Secondary Provision in the Inner East and Inner North East", referred to in Minute No. 188 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 document 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 relation to certain companies and charities. It is considered that since this information was obtained through one to one negotiations for the disposal of the land/property referred to 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 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 3 to the report entitled "Proposed Investment in Electricity Generation in Merrion House Refurbishment Project" referred to in Minute No. 193 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 any particular person (including the authority holding that information). As the appendix contains detailed calculations regarded as sensitive by Leeds City Council and its' partner in the scheme, it is considered that the public interest in maintaining the content of appendices as exempt from publication outweighs the public interest in disclosing the information.

**183 Late Items**

No formal late items of business were added to the agenda for the meeting. Members were however in receipt of a supplementary document pack despatched prior to the meeting containing an updated version of Appendix A to agenda item 7 "Basic Need Programme: Capital Programme update" (minute 187 refers)

**184 Declaration of Disclosable Pecuniary Interests**

No declarations of disclosable pecuniary interests made during the meeting.

**185 Minutes**

**RESOLVED** – That the minutes of the meeting held on 18<sup>th</sup> March 2015 be approved as a correct record.

**HEALTH AND WELLBEING**

**186 NHS England Five Year Forward View and New Models of Care**

The Director of Public Health submitted a report detailing the contents of the "5 Year Forward View" document, published by NHS England (NHSE) in October 2014, which set out a vision of the NHS over the next five years – including a significant focus on developing new models of care for integrated provision across the health and social care system.

## **RESOLVED:**

- a) To note the contents of this report and be aware of national and local developments with regard to the NHS 5 Year Forward View and new models of care.
- b) That the Executive Board be assured that the Health and Wellbeing Board is taking a leadership role in the discussions and planning across the city in this area.
- c) To agree that any significant decisions about establishing new models of care which involve the allocation of Council resources would require the full consideration and approval of Executive Board.
- d) To consider how the NHS 5 Year forward view might impact on the council's commissioning and service provider functions, with a view to shaping future council strategy.

## **CHILDREN AND FAMILIES**

### **187 Basic Need Programme - Capital Programme Update**

Further to minute 63 of the meeting held 17<sup>th</sup> September 2014, the Executive Board considered a joint report submitted by the Deputy Chief Executive and the Directors of Children's Services and City Development providing an update on the progress of the Basic Need Programme. The report also sought approval for further authority to spend on the programme and included an update on applications made and approved for access to the programme contingency fund and indicated areas in which schemes were in development in relation to Basic Need.

The report highlighted that, since implementation of the programme approach in September 2014, the programme had successfully delivered £34.6m of investment into 11 schemes. A further 17 schemes totalling an investment of £52m were on programme to deliver in 2015. The report outlined the 20 current Basic Need Programme active schemes, including the three schemes proposed to be injected into the programme (Castleton, Gledhow and Hollybush Primary Schools).

In considering the report, Members noted the work undertaken citywide to identify possible solutions to satisfy the need for further places and to anticipate the pressures on a number of areas which will require a significant number of expansion or new school projects across primary, secondary and specialist provision; whilst it was acknowledged that infrastructure provision remained a key factor when considering future development across the city.

## **RESOLVED –**

- a) That the additional authority to spend on the basic need programme a total of £14.3m for the next phase of the programme which increases the overall approval of the schemes in the programme to £67.3m. be approved
- b) That the delegation of the approval of design and cost reports for the new tranche of schemes to the Director of Children's Services be

approved, subject to the agreement of the Director of City Development and the Deputy Chief Executive in consultation with the Executive Members and reports open to scrutiny by Members. This being consistent with the programme approach and governance arrangements approved by Executive Board in September 2014.

- c) That the balance of the programme risk fund £8,975,570 be maintained, to facilitate effective risk management at programme level.
- d) To note that the current projected funding deficit which currently stands at £36.6m and that this is likely to increase due to rising construction costs.
- e) To note that the Head of Service, Strategic Development and Investment continues to have client responsibility for the programme and the Chief Officer, Public Private Partnerships and Procurement Unit continues to be responsible for the delivery of the projects in the programme.

**188 Basic Need update: secondary provision in the Inner East and Inner North East**

The Director of Children's Services and the Director of City Development submitted a joint report seeking permission to consult on the option to establish new 6 form entry secondary provision on the former Seacroft hospital site in order to inform a decision anticipated by Executive Board in June 2015 on the potential assembly of the site for education purposes.

The report outlined the associated need in the wider demographic context facing the inner east and inner north east areas of Leeds, highlighting the need to take action to secure sufficient school places, including the potential for new secondary provision on land at Seacroft Hospital which would require the Council to commit to assemble the site by June 2015; and starting consultation on expansion at Roundhay.

The Board received further information regarding the restrictive timescales associated with the Seacroft Hospital site and noted comments made in respect of the potential impact of a new school on existing secondary provision within the Wetherby ward and the ongoing work with the schools in this area.

Having considered the content of Appendix 1 to the 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 approval be given to undertake consultation on the option of new secondary provision on land at Seacroft hospital and request a report by June 2015 on the proposal for assembly of the site.
- b) To note that consultation is underway on the expansion of Roundhay through school secondary phase.
- c) To note that the officer responsible for implementation is the Head of Service, Strategic Development & Investment by June 2015.

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

**189 Outcome of the 2015 Ofsted Inspection Services for Children in Need of Help and Protection, Children Looked After and Care Leavers; and the Effectiveness of Partnership Working, including the Leeds Safeguarding Children Board**

The Board considered the report of the Director Children's Services which provided an update on the outcome of the recent unannounced Ofsted inspection of Leeds' services for children in need of help and protection, children looked after and care leavers. The Inspection also covered the effectiveness of partnership working, including the Leeds Safeguarding Children Board. Additionally the report outlined the proposed next steps having regard to the outcome of the inspection.

The inspection was conducted 20th January to 11th February 2015 and Ofsted rated Children's Services in Leeds 'good' overall. The report outlined the five key areas that contributed to this overall judgement and on four of these: children who need help and protection; children looked after and achieving permanence; adoption performance; and experience and progress of care leavers, Leeds had been rated as 'good'. In the fifth area, 'leadership, management and governance' Leeds had been rated as 'outstanding'. Alongside this, the Leeds Safeguarding Children Board (LSCB) was also found to be 'good'.

A number of areas for improvement were identified by Ofsted which were in line with Leeds' own awareness and aspirations to take the service forward. A post inspection action plan was in development and would be presented to Executive Board in June 2015, alongside the new Children and Young People's Plan, prior to submission to the Secretary of State and Her Majesty's Chief Inspector in advance of the 3<sup>rd</sup> July 2015 deadline.

The Executive Member, Children and Families, in presenting the report paid tribute to the officers and partner organisations involved in the work undertaken across the city to achieve this outcome.

The Executive Board noted and welcomed the outcome of the inspection as a considerable achievement for the council, its' partners and the city, particularly given the significant investment, transformational change in children's social work and the child friendly Leeds initiative which had placed and the quality standards required by Ofsted in the current inspection framework. Additionally, the work of the Scrutiny Board (Children and Families) was acknowledged

**RESOLVED -**

- a) To note the Ofsted report (attached at appendix A) and the two letters of congratulation (attached at appendix B and C respectively);
- b) To note that the post inspection action plan in response to the areas for improvement identified by Ofsted will be provided alongside the new Children and Young People's Plan, to Executive Board at the June

meeting prior to submission to the Secretary of State and Her Majesty's Chief Inspector in advance of the 3rd July 2015 deadline;

- c) To note that the Officer responsible for implementation is Deputy Director Safeguarding Specialist and Targeted, Children's Services by 3rd July 2015.

## **FINANCE AND INEQUALITY**

### **190 Financial Health Monitoring 2014/15 - Provisional Outturn**

The Deputy Chief Executive submitted a report setting out the provisional outturn position for the 2014/15 financial year in respect of the Council's Revenue Budget and the Housing Revenue Account.

Members noted that the 2014/15 General Fund Revenue Budget, as approved by Council, provided for a variety of actions to reduce spending by approximately £47m and acknowledged that action taken across all areas of the Council had delivered significant savings in line with the approved budget.

The provisional outturn position was reported as being an overall underspend of £0.7m – representing an improvement of £0.4m from the previously reported position and in line with the assumption in the 2015/16 budget. The Housing Revenue Account is projecting a surplus of £4.7m.

**RESOLVED** - To note the provisional outturn financial position of the authority for 2014/15.

### **191 Low Pay Charter**

The Deputy Chief Executive submitted a report providing information on the work currently being undertaken across the region to address the issue of low pay. The report also invited the Board to adopt the Low Pay Charter for Leeds

The report outlined the work undertaken by a Working Group commissioned by the Leaders of the Combined Authority to look at how Councils could take an innovative approach to address the causes and consequences of low pay and associated in-work-poverty. As a result a Low Pay Charter had been developed and published on 25th March 2015 setting out how Councils in the region could individually and collectively work to ensure that low pay matters are better addressed.

In considering the matter, Members noted that the Charter and Working Group's report recognised the importance of paying the Living Wage; but also stressed a wide variety of non-pay issues that could also improve the opportunities, wellbeing and engagement for low paid workers, with Councils being reminded of their wider role in society and how leadership on low pay will help boost our economy and promote fairness.

In presenting the report, the Chief Executive emphasised the Council's commitment to this initiative; highlighting the work which had been done with Trade Unions and he expressed his thanks to officers for the work undertaken so far. The Board noted that adoption of the Charter would afford the Council the opportunity to influence partners and lead by example

**RESOLVED -**

- a) To adopt the Low Pay Charter on behalf of Leeds; and
- b) To receive 6 monthly reports on progress from the Deputy Chief Executive

**ADULT SOCIAL CARE**

**192 New Design Model for Home Care Services in the City**

Further to minute 105 of the meeting held 19<sup>th</sup> November 2014, the Director of Adult Social Services submitted a report which provided an update on the progress achieved to date in the re-commissioning and re-design of the external homecare service; and the proposed service delivery model for the external provision of homecare services

The report provided further detail on the proposed re-designed service model and included recommendations on the intention to initiate a process which will conclude with the letting of new domiciliary care contracts with independent and third sector providers in the city in June 2016.

Finally the report emphasised that Trades Union colleagues had been specifically engaged in the desire to adopt Ethical Care Charter Standards particularly with regard to quality standards, the proposed fee structure and the proposed service delivery model.

Councillor D Coupar, Chair of the Scrutiny Board (Health and Wellbeing and Adult Social) addressed the meeting highlighting the comments and recommendations provided by the Scrutiny Board, included within Appendix 1 of the report for Members' consideration

The Executive Member for Adult Social Services presented the report and highlighted the extensive consultation undertaken with service users, care providers, unions, and councillors.

Details of the tender specification process were provided in response to a Members' query.

**RESOLVED -**

- a) That the proposal to commence procurement of external homecare services be endorsed.
- b) That the content of this report be noted and that the proposed service model and pricing arrangements be endorsed
- c) That approval be given to a procurement process based on 100% quality weighting with a range of fixed prices.
- d) That the comments of Members of the Health and Wellbeing Scrutiny Board who have examined the issues, risks and proposed remedies (as attached at Appendix 1 of the submitted report) be noted and fully taken into consideration when progressing such matters

- e) That approval be given for the Executive Member for Adult Social Services to sign the Unison Ethical Care Charter at the appropriate juncture after the governance processes of the Council in relation to this report have been completed.
- f) That the Executive Board agree to delegate the decision to award contracts for the provision of external homecare services to the Director of Adult Social Services.
- g) That the Executive Board agree that the Head of Commissioning, Adult Social Care will be accountable for the completion of this work.

### **CLEANER, STRONGER AND SAFER COMMUNITIES**

#### **193 Proposed investment in Electricity Generation in Merrion House refurbishment project**

The Deputy Chief Executive submitted a report providing details on the proposed new electricity generation plant in Merrion House. The report outlined the financial business case and set out both the revenue savings and the opportunities for income generation associated with the scheme.

Responding to an enquiry, the Board received clarification on the estimated costs and savings associated with the project.

Having considered the contents of Appendix 3 to the 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, Executive Board

#### **RESOLVED:**

- a) To approve an injection of capital of £3.1m to invest in a 2MW peak gas-fired electricity generating station with heat recovery that will be incorporated into the base specification for the Merrion House refurbishment project; and
- b) To approve the Authority to Spend of £3.1m in a 2MW peak gas-fired electricity generating system.

(The Council's Executive and Decision Making Procedure Rules state that a matter may be declared as being exempt from the Call In process, if it is deemed as being urgent and that any delay would seriously prejudice the Council's, or the public's interests. It has been deemed that the resolutions detailed above are exempt from Call In due the need to sign off the next stage of works for Merrion House and any delay to this element would hold up the progress of the overall project, causing delays to the completion date and therefore the realisation of the associated financial benefits of moving staff out of other buildings and into Merrion. Time was not built into the timetable to return to Executive Board as the capital had already been approved at an earlier stage. However, further due diligence has meant that the costs and



associated benefits are higher than originally anticipated and consequentially the decision to proceed needed to be re-approved at Executive Board.)

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

### **194 International Triathlon Union (ITU) World Series 2016-2019**

The Director of City Development submitted a report on Leeds' successful selection as the preferred host city for the UK leg of the International Triathlon Union (ITU) world triathlon series 2016-18. The report also sought approval for the annual financial contributions required to host the event.

The report outlined how, as timescales to submit an initial bid to the British Triathlon Federation had been very tight with strong competition from 11 other UK cities, Leeds submitted a very robust and compelling bid as part of the initial submission following consultation with the Leader of the Council, Executive Member for Digital and Creative Technologies, Culture and Skills and others.

The Executive Member for Digital and Creative Technologies, Culture and Skills presented the report, noting that the bid had now been submitted to the International Triathlon Union for their consideration as part of the next stage in the process, and the outcome was anticipated on 14<sup>th</sup> May 2015

In response to a Members' query, the Board received clarification on the proposed funding model for the events. Executive Board noted that both Jonathan and Alistair Brownlee had been very helpful in supporting the bid process to date and Members expressed their appreciation for their assistance in doing so.

#### **RESOLVED -**

- a) To formally agree to Leeds being the preferred host city for a UK leg of the World Triathlon Series in 2016, 2017 and 2018; and to note that the Council's bid will now go forward to be presented to British Triathlon to the International Triathlon Union for consideration with a final decision from the ITU expected in May 2015;
- b) Pending a final decision by the ITU, to agree that the funding implications of the proposal would form part of Members' considerations during the budget setting process for 2016/17 to 2018/19;
- c) To request that the Chief Officer Culture and Sport:
  - I. enters into relevant contractual arrangements agreements to deliver the event following appropriate legal advice
  - II. establishes management arrangements to support delivery of the event
  - III. works with partners to investigate the potential for a cultural festival to run alongside the events;
- d) To note that the opportunity may also arise to host the ITU world triathlon series Grand Final in 2019.

**DATE OF PUBLICATION:** FRIDAY 24<sup>TH</sup> APRIL 2015

**LAST DATE FOR CALL IN  
OF ELIGIBLE DECISIONS:** 5:00 PM, FRIDAY 1<sup>ST</sup> MAY 2015

(Scrutiny Support will notify Directors of any items called in by 12:00 Noon on Tuesday 5<sup>th</sup> May 2015)