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## SCRUTINY BOARD (CITIZENS AND COMMUNITIES)

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Meeting to be held in Civic Hall, Leeds, LS1 1UR on  
Monday, 13th March, 2017 at 10.00 am

*(There will be no pre-meeting)*

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### MEMBERSHIP

#### Councillors

B Anderson (Chair) Adel and Wharfedale;  
C Campbell Otley and Yeadon;  
R Grahame Burmantofts and Richmond Hill;  
M Harland Kippax and Methley;  
G Hyde Killingbeck and Seacroft;  
J Illingworth Kirkstall;  
K Maqsood Gipton and Harehills;  
M Robinson Harewood;  
R. Stephenson Harewood;  
K Wakefield Kippax and Methley;  
N Walshaw Headingley;

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*Please note: Certain or all items on this agenda may be recorded*

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**Principal Scrutiny Adviser:  
Angela Brogden  
Tel: 24 74553**

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# A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>To consider any appeals in accordance with Procedure Rule 25* of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded).</p> <p>(* In accordance with Procedure Rule 25, notice of an appeal must be received in writing by the Head of Governance Services at least 24 hours before the meeting).</p>	
2			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p><b>RESOLVED –</b> That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information 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 press and public were present there would be disclosure to them of exempt information, as follows:</p> <p><b>No exempt items have been identified.</b></p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			<p><b>LATE ITEMS</b></p> <p>To identify items which have been admitted to the agenda by the Chair for consideration.</p> <p>(The special circumstances shall be specified in the minutes.)</p>	
4			<p><b>DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS</b></p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p>	
5			<p><b>APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES</b></p> <p>To receive any apologies for absence and notification of substitutes.</p>	
6			<p><b>MINUTES - 13TH FEBRUARY 2017</b></p> <p>To confirm as a correct record, the minutes of the meeting held on 13<sup>th</sup> February 2017.</p>	1 - 4
7			<p><b>MIGRATION IN LEEDS - TRACKING OF SCRUTINY RECOMMENDATIONS</b></p> <p>To receive a report from the Head of Governance and Scrutiny Support presenting a progress update on the implementation of the recommendations arising from the previous Scrutiny inquiry into migration in Leeds.</p>	5 - 24
8			<p><b>MIGRATION UPDATE</b></p> <p>To receive a report from the Assistant Chief Executive (Citizens and Communities) in response to the Board's request to explore issues relating to immigration in Leeds in light of the European Union referendum result.</p>	25 - 30

Item No	Ward/Equal Opportunities	Item Not Open		Page No
9			<p><b>COUNCIL TAX SUPPORT POLICIES</b></p> <p>To receive a report from the Assistant Chief Executive (Citizens and Communities) inviting the Scrutiny Board to consider proposals relating to Council Tax Support policies.</p>	31 - 44
10			<p><b>WORK SCHEDULE</b></p> <p>To consider the Board's work schedule for the forthcoming municipal year.</p>	45 - 72
11			<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>Monday, 10<sup>th</sup> April 2017 at 10.00 am (Pre-meeting for all Board Members at 9.30 am)</p> <p><b>THIRD PARTY RECORDING</b></p> <p>Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts on the front of this agenda.</p> <p>Use of Recordings by Third Parties – code of practice</p> <ul style="list-style-type: none"> <li>a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.</li> <li>b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.</li> </ul>	

## SCRUTINY BOARD (CITIZENS AND COMMUNITIES)

MONDAY, 13TH FEBRUARY, 2017

**PRESENT:** Councillor B Anderson in the Chair

Councillors C Campbell, R Grahame,  
M Harland, G Hyde, J Illingworth,  
K Maqsood, M Robinson, R. Stephenson,  
K Wakefield and N Walshaw

### 62 Late Items

There were no late items.

### 63 Declaration of Disclosable Pecuniary Interests

There were no disclosable pecuniary interests declared to the meeting.

### 64 Apologies for Absence and Notification of Substitutes

There were no apologies for absence.

### 65 Minutes - 9 January 2017

**RESOLVED** – That the minutes of the meeting held on 9<sup>th</sup> January 2017 be approved as a correct record.

### 66 Update on impact of welfare reform

The report of the Assistant Chief Executive (Citizens and Communities) presented a general update on how the Government's programme of welfare reforms was affecting residents in Leeds.

The following were in attendance for this item:

- James Rogers, Assistant Chief Executive (Citizens and Communities)
- Steve Carey, Chief Officer Welfare and Benefits
- Simon Swift, Service Manager, Environment and Housing

The Chair informed the Board that unfortunately the Department for Work and Pensions (DWP)/Job Centre Plus was unable to provide representation at today's meeting. As such, the Board agreed to arrange a separate meeting with DWP to raise any relevant issues arising from today's discussions.

The key issues raised were as follows:

- Benefit sanctions – the Board acknowledged that the Work and Pensions Parliamentary Select Committee had previously undertaken its own inquiry into benefit sanctions which resulted in a number of recommendations to DWP, including the need to commission a wide-ranging review of the sanctions regime. The Board agreed to explore the outcomes of this inquiry with DWP.
- Impacts of the Shared Accommodation Rate (SAR) – the Board discussed the impacts of the SAR and acknowledged the increasing numbers of young people requiring assistance. However, it was noted that the Council was unable to access relevant data to track the impacts of SAR within the private rented sector.
- Measuring the financial impacts of the reform programme – the Board discussed the estimated financial loss in Leeds and noted the figure of £228m a year as set out in the 2014 report by the Centre for Regional Economic and Social Research for Sheffield Hallam University. However, in relation to the estimated annual loss per working age adult, the Board acknowledged that this figure would be harder to estimate, but also felt that the reported figure of £450 appeared too low.
- Notice of Intention to Seek Possession (NISPs) – whilst acknowledging an increasing growth in rent arrears, the Board also noted the reductions in the numbers of NISPs served due to the proactive work of the council in working closely with tenants to improve their ability to pay their rent.
- Appeals process – particular concerns were raised regarding the significant increase in appeal cases and the resource pressures placed upon the Council in assisting people through this process. The Board was also concerned that more decisions were being overturned in favour of the customer than were upheld for the DWP. As such, the Board agreed to raise this matter directly with DWP with a view to also escalating this at a ministerial level and writing directly to the Chair of the Work and Pensions Select Committee to call for an inquiry into this matter.
- Food banks – whilst acknowledging the increasing demands for food bank provision, the Board also noted the difficulties in ensuring that the data collection methods applied by food bank providers are consistent and accurate.
- Private Rented Sector – the Board acknowledged the need for further scrutiny into the impacts of the welfare reform programme on the Private Rented Sector.

#### **RESOLVED –**

- (a) That the report be noted
- (b) That a separate meeting is arranged for Board Members to meet with representatives from the DWP/Job Centre Plus to discuss the key issues arising from this meeting.
- (c) That the Chair acts on behalf of the Board and writes to the Chair of the Work and Pensions Parliamentary Select Committee setting out the Board's concerns regarding the increasing numbers of appeal cases and the impact this has on individuals as well as the resource pressures placed upon local authorities in supporting people through their appeal process.
- (d) That further scrutiny is required in relation to the impacts of the welfare reform programme on the Private Rented Sector.

Draft minutes to be approved at the meeting  
to be held on Monday, 13th March, 2017

(Councillor J Illingworth arrived at the meeting at 10.40 am during consideration of this item)

## **67 Inquiry into Universal Credit - Tracking of Scrutiny recommendations**

The report of the Head of Governance and Scrutiny Support presented a progress update on the implementation of the recommendations arising from the earlier Scrutiny Inquiry into Universal Credit.

The following were in attendance for this item:

- James Rogers, Assistant Chief Executive (Citizens and Communities)
- Steve Carey, Chief Officer Welfare and Benefits
- Simon Swift, Service Manager, Environment and Housing

In consideration of the progress made, a position status category was assigned to each recommendation as follows:

- Recommendation 1 - (Cat 4) - Not fully implemented (Progress made acceptable. Continue Monitoring)
- Recommendation 2 - (Cat 4) - Not fully implemented (Progress made acceptable. Continue Monitoring)
- Recommendation 3 - (Cat 4) - Not fully implemented (Progress made acceptable. Continue Monitoring)
- Recommendation 4 – Achieved (Cat 2)
- Recommendation 5 - (Cat 3) – Not fully implemented (Obstacle)
- Recommendation 6 - (Cat 4) - Not fully implemented (Progress made acceptable. Continue Monitoring)
- Recommendation 7 - (Cat 4) - Not fully implemented (Progress made acceptable. Continue Monitoring)
- Recommendation 8 – Achieved (Cat 2)
- Recommendation 9 – Achieved (Cat 2)
- Recommendation 10 – Achieved (Cat 2)
- Recommendation 11 - (Cat 4) - Not fully implemented (Progress made acceptable. Continue Monitoring)
- Recommendation 12 – Achieved (Cat 2)
- Recommendation 13 - (Cat 4) - Not fully implemented (Progress made acceptable. Continue Monitoring)
- Recommendation 14 - (Cat 4) - Not fully implemented (Progress made acceptable. Continue Monitoring)
- Recommendation 15 – Achieved (Cat 2)
- Recommendation 16 - (Cat 4) - Not fully implemented (Progress made acceptable. Continue Monitoring)

### **RESOLVED –**

- (a) That the report be noted
- (b) That the above position status categories against each of the recommendations are agreed.

Draft minutes to be approved at the meeting  
to be held on Monday, 13th March, 2017

- (c) That the Board continues to monitor the implementation of the outstanding recommendations as appropriate.

**68 Development of a revised Council Tax Support Scheme – formal response to the Scrutiny recommendations**

The report of the Head of Governance and Scrutiny Support presented the formal response to the recommendations arising from the Scrutiny Board's recent review on the development of a revised Council Tax Support Scheme.

The following were in attendance for this item:

- James Rogers, Assistant Chief Executive (Citizens and Communities)
- Steve Carey, Chief Officer Welfare and Benefits
- Simon Swift, Service Manager, Environment and Housing

**RESOLVED** – That the report be noted.

**69 work schedule**

The report of the Head of Governance and Scrutiny Support invited Members to consider the Board's work schedule for the municipal year.

The Chair explained that a date was yet to be agreed to hold the final working group session of the Board's inquiry into reducing repeat customer contact. It was therefore proposed that this meeting be held on Monday 13<sup>th</sup> March 2017 in place of the Board's planned pre-meeting. However, this meeting would start at the earlier time of 9 am.

**RESOLVED** –

- (a) That the work schedule be noted.  
(b) That the final working group session of the Board's inquiry into reducing repeat customer contact be scheduled for Monday 13<sup>th</sup> March 2017 at 9 am.

**70 Date and Time of Next Meeting**

Monday, 13<sup>th</sup> March 2017 at 10 am (There will be no pre-meeting)

(The meeting concluded at 11.45 am)



**Report of the Head of Governance and Scrutiny Support**

**Report to Scrutiny Board (Citizens and Communities)**

**Date: 13<sup>th</sup> March 2017**

**Subject: Migration in Leeds – Tracking of Scrutiny recommendations**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**1.0 Purpose of this report**

1.1 This report sets out the progress made in responding to the recommendations arising from the piece of Scrutiny work undertaken last year in relation to migration in Leeds.

**2.0 Background information**

1.2 Last year, the Citizens and Communities Scrutiny Board undertook work in relation to migration in Leeds. A working group meeting was held in January 2016, and a summary note of this, with proposed recommendations, was formally considered by the full Scrutiny Board on 14 March 2016. The final summary note with the agreed Scrutiny Board recommendations can be accessed via the Council’s website ([Click here to access report](#))

**3.0 Main issues**

3.1 The Scrutiny recommendation tracking system allows the Scrutiny Board to consider the position status of its recommendations in terms of their on-going relevance and the progress made in implementing the recommendations based on a standard set of criteria. The Board will then be able to take further action as appropriate.

3.2 This standard set of criteria is presented in the form of a flow chart at Appendix 1. The questions in the flow chart should help to decide whether a recommendation has been completed, and if not whether further action is required. Details of progress against each of these recommendations are set out within the table at Appendix 2.

#### **4.0 Recommendations**

4.1 Members are asked to:

- Agree those recommendations which no longer require monitoring;
- Identify any recommendations where progress is unsatisfactory and determine the action the Board wishes to take as a result.

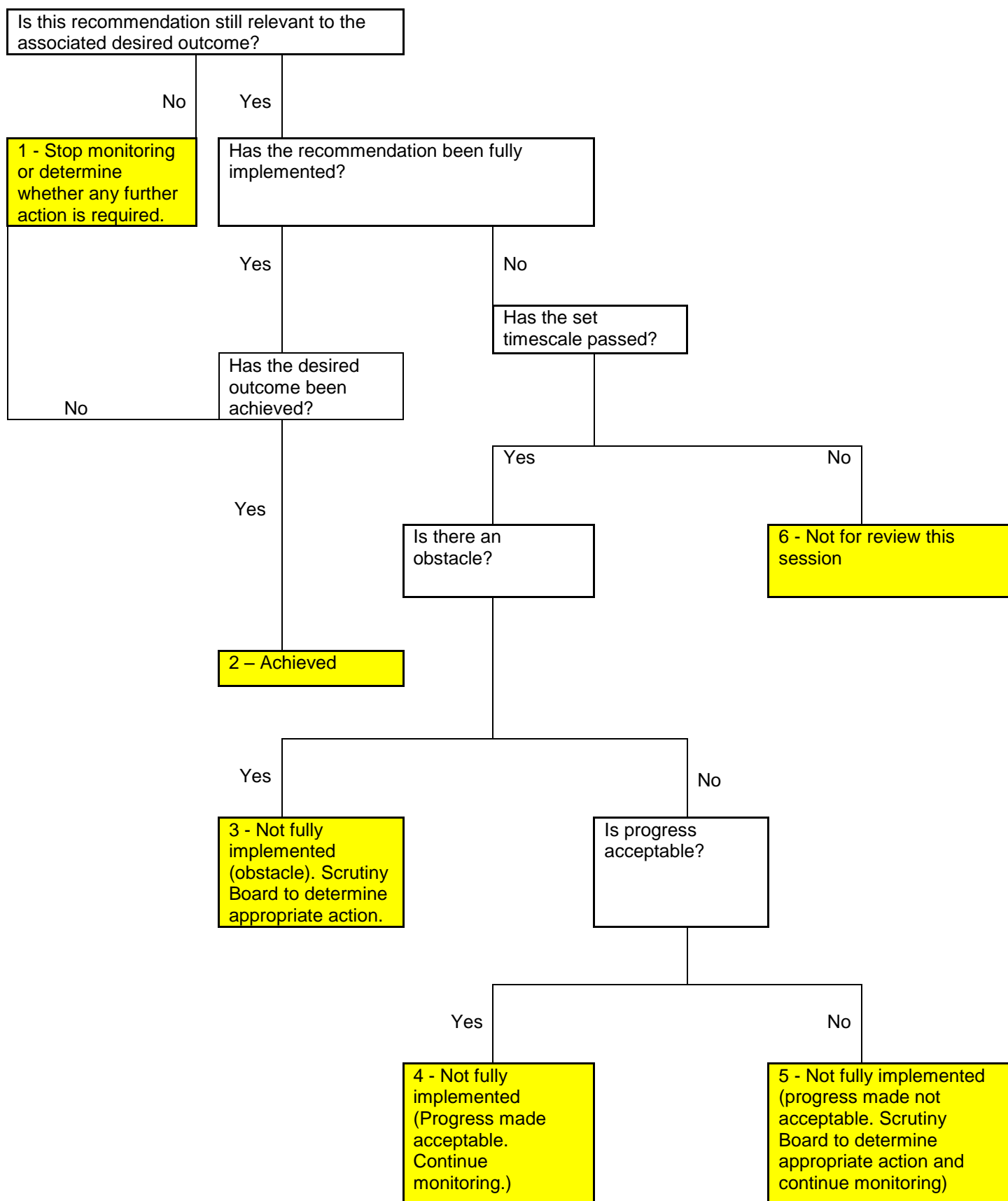
#### **5.0 Background documents<sup>1</sup>**

5.1 None.

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<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

**Recommendation tracking flowchart and classifications:**  
**Questions to be considered by Scrutiny Boards**



Position Status Categories

- 1 - Stop monitoring or determine whether any further action is required
- 2 - Achieved
- 3 - Not fully implemented (Obstacle)
- 4 - Not fully implemented (Progress made acceptable. Continue monitoring)
- 5 - Not fully implemented (Progress made not acceptable. Continue monitoring)
- 6 - Not for review this session

**Desired Outcome** – That there is a strategic and co-ordinated response to migration in Leeds that is underpinned by a city-wide approach towards intelligence gathering and data sharing.

**Recommendation 1** – That the Executive Board:

- (i) supports the principle of urgently establishing a citywide Migration Strategy Group, involving other key Leeds partners, to provide a strategic and co-ordinated response to migration in Leeds based on robust local intelligence gathering and data sharing.
- (ii) nominates a Lead Director and Executive Member to establish, co-ordinate and champion the work of the Migration Strategy Group.
- (iii) tasks the nominated Lead Director and Executive Member to establish absolute clarity in terms of what the Leeds ‘support’ is to new migrants coming to the city and reports back to the Executive Board in this regard.

**Formal response in September 2016:**

A report is going to 21 September Executive Board which outlines the following:

- Officers welcome the impetus from members to establish a citywide migration group. Good practise working has been established through the Cross Council Migration Group and the Refugee Task Force, and the best components of these have been brought together to inform the development of the Leeds Strategic Migration Board. This Board had its first meeting on 8 June where the terms of reference were agreed. It is a partnership Board and at its first meeting it raised the following issues for future focus: unaccompanied asylum seeking children, destitution, provision of housing matching school places, cohesion and integration, and changing demographics.
- The Board has been established by James Rogers, Assistant Chief Executive, and supported by Councillor Coupar, Executive Member for Communities. The work of this Board will report into the Communities Board which has overall responsibility for migration partnership issues and includes political representation from the three main parties.
- Work is taking place in the Communities Team to articulate the Leeds Offer to new migrants to the city, and this will be reported back to the Executive Board in 2017.

**Current position:**

In September 2016 Executive Board resolved:

- That the work which has taken place to establish the Leeds Strategic Migration Board, as detailed within the submitted report, be noted;
- That endorsement be given to the approach being taken to establish what Leeds' 'support' is for those new migrants coming to the city;
- That a report detailing the progress of the Leeds Strategic Migration Board be submitted to Executive Board in the spring of 2017;
- That it be noted that the Assistant Chief Executive (Citizens and Communities) is responsible for leading on such matters.

Since September work has continued with both the Leeds Strategic Migration Board and with the 'offer' work.

The Leeds Strategic Migration Board met in September and December, where discussions included cohesion and integration of migrant communities with a focus on communications and engagement, migrant health, Immigration Act, and Migrant Access Project. In addition to a number of specific actions the Board agreed the following as areas the Board wished to focus on:

- Recognise and support opportunities for inclusion that promote improved use of English through, for example recreation and becoming job ready, as well as supporting both formal and informal learning provision;
- Build on the current welcome approach to ensure that all newcomers to Leeds have positive experiences, and develop a more ongoing framework that includes community ambassadors, or similar;
- Take an asset based approach to engaging with migrant communities in order to build confidence, harness their strengths and to empower them to take actions.

At the meeting in March it will receive an overview of the 'offer' work and have an opportunity to feed into this, prior to a formal report back to the Executive Board on this in June 2017.

A report will go to Executive Board in June giving an update on the progress of the Leeds Strategic Migration Board as referenced in the minutes from the September Executive Board meeting.

**Position Status (categories 1 – 6)** *This is to be formally agreed by the Scrutiny Board*

**Desired Outcome** – That there is greater understanding of changing demography in localities to help inform local service provision aimed at tackling a range of multi layered issues.

**Recommendation 2** – That the Assistant Chief Executive (Citizens and Communities) leads on working closely with Community Committees to identify lessons from existing community based initiatives across the city that seek to provide localised solutions to local problems and use this knowledge to develop a model of good practice that promotes a greater understanding of changing demography in localities in order to inform local service provision aimed at tackling a range of multi layered issues.

**Formal response in September 2016:**

At the heart of the Stronger Communities Breakthrough project is the ambition that communities in Leeds are:

- confident about change,
- not threatened by others,
- able to welcome newcomers,
- the catalysts for change in their local communities, working with community committees to provide localised solutions to local problems.

There are many examples of where community committees have addressed local problems and identified and implemented local solutions. In addition, community conversations have led to increased connectivity and understanding of changing communities, different needs at a local level and how this impacts on the community as a whole. This has resulted in, for example, supporting conversational English classes; a focus on how to connect better with the Roma community needs; recognising community tensions around young people and developing a programme of work to address this; funding local projects delivered by local organisations which are inclusive organisations but particularly sensitive to the needs of new migrant communities; funding human trafficking training for local organisations in response to community conversations and concerns; and funding a worker to undertake community capacity building activity.

The work has been informed by communities and delivered working in close partnership with third sector organisations. Closer links are being made between the soft and hard intelligence and service delivery and it is now timely to ensure that there is structured learning and sharing of this work in order to further inform improvements at a locality level. These and other examples will be used to extract good practice on what works so that we can use this learning to inform the re-design of neighbourhood level services.

A better understanding of demographics and the changes taking place is essential to ensure appropriate service provision, at the right time in the right place. Changes in some communities have been dramatic over the last decade. Work is taking place to develop area profiles which can provide a spotlight on changes.

There is considerably more work to do in this area and a council demographics group has been established to take this forward. In addition there are conversations with the Universities to better understand how academic research can also inform the picture. It is clear that this area will be difficult to provide a definite answer to, and will be continually changing. Nevertheless the combination of hard and soft data (collected through community development and other work) should provide sufficient intelligence to inform

service delivery and to consider future needs. There are already examples of this unfolding within community hubs and how these are better understanding the changing demographics of their customers and meeting their needs.

### **Current position**

As part of developing the 'offer', considerable work has been undertaken by the Policy and Intelligence Team to provide detailed socio-economic analysis at a locality-level, including demographic information examining population changes in specific areas. This work has taken place in conjunction with our migrant third sector partners who are already able to access some of this information in order to strengthen funding bids that they are trying to access.

Work will continue and a presentation showing how this work is developing can be made available to Scrutiny if this would be of value.

**Position Status (categories 1 – 6)** *This is to be formally agreed by the Scrutiny Board*

**Desired Outcome** – That a wide range of frontline staff across the Council are equipped with the knowledge to assist in identifying vulnerable migrants and signposting them to appropriate services including those commissioned through Public Health.

**Recommendation 3** – That the Director of Public Health works closely with other directorates to identify appropriate measures for disseminating information that will encourage a wider range of frontline staff across the Council to assist in identifying vulnerable migrants, as well as other vulnerable citizens in Leeds, and signposting them to appropriate services including those commissioned through Public Health.

**Formal response in September 2016:**

Training is taking place to ensure that the needs of different communities are recognised and addressed. There is good uptake for the Introduction to Health and Wellbeing course aimed at front line staff and which is run monthly. The course assists staff to identify citizens who have particular vulnerabilities and challenges (including migrants) and to consider the particular needs of the population that staff are working with, in order to tailor public health messages appropriately and to signpost to appropriate Public Health commissioned services. Attendees are given a resource pack to support them and are directed to further resources on-line.

This course also raises awareness of frontline staff about Public Health services including the offer of Hepatitis B and Hepatitis C screening in GP practices in high prevalence areas (funded by the CCGs), HIV screening for new patients registering with a GP (funded by the Elton John Fund), and increased latent TB testing (funded by NHS England) and targeted work for migrant sex workers around their sexual health

Current Healthy Living Services (NHS) are strengthening their presence in Community Hubs, starting with Armley as an initial pilot. This will improve their visibility to vulnerable groups using the Hub, including migrants. Joint working within the Community Hub will lead to better signposting by all involved to a range of services as appropriate.

A Migrant Network event was held in April 2016 for Public Health staff. One aim of this was to support consideration of migrants needs as part of commissioning, and in programmes with partners including work other LCC directorates.

The important role that commissioned services play in relation to raising awareness of, and meeting the needs of, migrants is recognised. Commissioned services e.g. the recommissioning of Healthy Living Services in Leeds has this embedded in the specification and specifically includes the requirement for the Leeds Integrated Healthy Living Service to be responsive to the needs of new migrant communities, and to provide outreach to people not using the service, with migrants as a specific target group. It also requires the provider to outreach to people not using the service with migrants as a specific target group.

Similarly, Community Health Development Services are currently being re-commissioned by Public Health and will take account of the needs of migrants in localities.

Migration Yorkshire is providing 22 training courses over the next 2 years to council staff to raise awareness of migration and the needs of migrants. This training will be tailored to the needs of the directorate/services and conversations are currently taking place in relation to this. This will ensure appropriate signposting information for all services.



**Current position**

During its September meeting, the Scrutiny Board made particular reference to recent national reports indicating that numbers of unaccompanied asylum seeking children were going missing from the care of local authorities. Assurance was therefore sought in terms of the Council's own procedures to help avoid this happening in Leeds. Further details are set out in appendix 3.

Training continues within the council, with 12 courses being run to date across all the directorates, one of which was for members on 2 February. In total just under 300 staff and 10 members have attended. All training has been well received. A further 10 courses will be run in 2017, and consideration is being given to procuring further sessions.

Funding is also currently being sort under the Controlling Migration Fund, by Migration Yorkshire and by Leeds City Council which will enable further specialist training to take place eg with social workers and with GP practises.

**Position Status (categories 1 – 6)** *This is to be formally agreed by the Scrutiny Board*

**Desired Outcome** – Working in partnership with schools and colleges in providing appropriate learning environments that meet the needs of migrant children.

**Recommendation 4** – That the Director of Children’s Services engages with local schools and colleges to:

- (i) explore opportunities and share existing good practice for providing alternative learning environments for those migrant children aged 14 and 15 who may be struggling to get a GCSE qualification, particularly when English is not their first language.
- (ii) identify and offer support, where appropriate, to parents of migrant children in terms of accessing local adult learning opportunities and particularly ESOL related provision.

**Formal response in September 2016:**

As the diversity of Leeds schools continues to grow, it becomes more important for the city to adapt teaching and learning strategies to meet the needs of the 30% of the population (in primary school), who are from BME communities. Children’s Services are constantly looking at new ways to do this and to support children and young people with English as an Additional Language

There is a significant amount of support in schools for these children and young people through, for example, initial assessment, induction, teaching and learning strategies. In addition, signposting information is available to organisations and local community groups for additional pastoral support. Schools can also refer children with specific targets to homework clubs run by the supplementary schools that are registered with the council for additional help. A member of cluster staff has been seconded on a part-time basis to ensure schools can build their capacity to work effectively with pupils who have English as an additional language

The Young Interpreters scheme has been developed to encourage schools and supplementary schools to use their pupils as buddies and support translation activities. In addition, a pilot is in place to connect schools with students from Leeds Trinity University. These 16 students will go into Leeds’ schools that have been identified with new to English or EAL provision to provide additional support.

Schools are encouraged to develop their systems and processes for the induction of new pupils to ensure that there is a programme of learning in the form of an individual learning plan for new arrivals, whereby the student can access interventions that are focused on English language acquisition. The communication and engagement with peers based in school both in lessons and informally with peers significantly aids language development. The recreation time in schools, after school activities, and extra-curricular activities are all excellent sources of learning and immersion.

We are always exploring alternative ways of ensuring that each and every child achieves their full potential, and will continue to do, being cognisant of the additional challenges faced by children and young people who have English as an additional language.

Conversations are currently taking place with Leeds City College to explore an offer for young (age 14 plus) newly arrived migrants to consider whether and how their needs could be met and their potential fulfilled through working with the college.

We currently share information with schools on the Leeds Education hub website, termly

senior and Headteacher briefings and provide updates on activities for migrant parents in our closing the gap booklet. Learning partnerships with parents and communities is an important aspect of supporting migrant communities to access learning and achieve. Work of the learning improvement 'closing the gap for BME and EAL' specialists covers a range of activities and support to parents of migrant children;

- Promotion of ESOL classes across Leeds in primary and secondary networks (including signposting to the Learning English Leeds website)
- Links with schools of Sanctuary - Primary and Secondary
- Course development and resource gathering to enable schools to work effectively with Roma pupils
- Training courses and networking for schools and supplementary schools (primary and secondary), volunteers and parents
- Signposting and promoting information with families (GRT early years)
- Providing funding to support homework, literacy and numeracy clubs at KS1 & 2
- Working in partnership with our commissioning officer for migrant access to share information with schools.
- Awareness raising at all our courses of how schools can support and include parents
- Resourcing eg. Translated letters and dual language resources
- Developing welcome booklets for parents in partnership with schools of sanctuary to start a parent volunteer programme and have a good model where previous volunteer parents with bilingual skills are now employed as family support workers.

As part of a wider piece of work, research is taking place to understand the advice, advocacy and service provision available for migrant children and young people. This will then help inform where there are gaps in provision and options for addressing these. Once completed, the outcomes will be shared widely, along with examples of existing good practise.

### **Current position**

The range of work outlined above continues, with further developments taking place as appropriate.

10 secondary and 5 primary schools in Leeds have now signed up to run the Young Interpreters Scheme, and interest has been expressed from a number of other schools. The certificated scheme provides additional support to pupils who are learning English as an Additional Language (EAL), to their families and to schools. This year it is fully supported by the LA as part of our new arrivals support strategy.

In response to growing need across the city for EAL support, Child friendly Leeds worked with the learning improvement team to develop a partnership with Leeds Trinity University. The EAL pilot ran from 20 June – 15 July 2016 for Education students to volunteer in Leeds schools and support EAL pupils. 25 schools recorded with the highest number of EAL pupils were initially contacted and 19 schools and 15 students agreed to be part of the pilot.

Education students from Leeds Trinity were given a specialist EAL training session by the learning improvement team. From the schools who took part in the evaluation, they felt EAL pupils had benefited from having the extra support provided by the volunteer. One head teacher commented that the 'support was consistent and effective.' This work benefitted both students, who received training and experience, and the EAL pupils and schools who gained extra support at no additional cost. After having evaluated the pilot, Leeds Trinity will be embedding the scheme into their undergraduate modules to provide continuing support to our EAL pupils across the city.

Schools are keen to play their part and different models/projects are being used to support EAL pupils and parents. In one model a primary school has been running ESOL Classes in order to support migrant pupils' parents learning English and to know more about British culture. The school also provides information specifically about Leeds such as the location of services, businesses and leisure activities and how to access them. This project comes from the recognition of the importance of parent's ability to speak English, in order to support their children's learning with confidence. The objective is to improve the overall achievements of primary schools with a diverse community and make sure that new migrant families settle in a quicker way.

**Position Status (categories 1 – 6)** *This is to be formally agreed by the Scrutiny Board*

**Desired Outcome** – That there is a full comprehensive overview of ESOL provision in Leeds that is maintained and accessed via the Learning English in Leeds website.

**Recommendation 5** – That the Assistant Chief Executive (Citizens and Communities) takes the lead in undertaking a full comprehensive overview of ESOL provision in Leeds and supports, as appropriate, the Migrant English Support Hub (MESH) to ensure that the details of such provision continues to be maintained and accessed via the Learning English in Leeds website.

**Formal response in July 2016:**

As part of the work to understand what support Leeds should offer to migrants, consideration is being given to the provision of, and need for, English language support. This work will take account of both the amount and the level of English language that is available, and assess gaps. The updated Learning English in Leeds website (developed by the Migrant English Support Hub) is being launched in December and provides useful and accessible details. The council has fully supported this work and is continuing to help the project to achieve long term sustainability.

**Current position**

Work is continuing to support MESH. It is planned to seek funding under the Controlling Migration Fund to develop and support a clear ESOL strategy for Leeds, and its implementation around developing English language skills, which recognises different ways of developing this and to share good practise widely.

**Position Status (categories 1 – 6)** *This is to be formally agreed by the Scrutiny Board*

**Desired Outcome** – That there is a shift towards the development of a longer term national strategy on Migration that is underpinned by more accessible and sustainable sources of funding.

**Recommendation 6** – That the Assistant Chief Executive (Citizens and Communities) works with Migration Yorkshire in lobbying the Immigration Minister for the development of a longer term national strategy on Migration that is underpinned by more accessible and sustainable sources of funding.

**Formal response in September 2016:**

The Assistant Chief Executive continues to work closely with Migration Yorkshire to ensure that the Home Office and the Immigration Minister are aware of, and can take account of the needs of Leeds when developing strategies and considering funding. There is a good and productive relationship between Migration Yorkshire, who take the lead regionally, and national government. Current joint working is taking place on the development of the new Controlling Migration Fund.

**Current position**

There have been a number of changes in recent months including Brexit, the Casey Review and a restructure of the Home Office migration teams. Migration Yorkshire is in lobbying and in discussions with the Home Office and the Minister about the future planning of asylum, integration and wider migration around funding and improved, more coordinated approaches with increased local control and oversight.

**Position Status (categories 1 – 6)** *This is to be formally agreed by the Scrutiny Board*

**Desired Outcome** – That the additional government funding provided to schools in supporting the education and welfare of eligible migrant children is accessed immediately and continues to follow the child throughout any school transfers.

**Recommendation 7** – That the Director of Children’s Services works with local schools in lobbying the Department for Education to review its existing funding arrangements to ensure that the additional funding available to schools in supporting the education and welfare of eligible migrant children is accessed immediately and continues to follow the child throughout any school transfers.

**Formal response in September 2016:**

The main sources of funding for schools are:

- the Dedicated Schools Grant (DSG)- this is the main source of funding available for the education of all children and young people.
- the Pupil Premium Grant (PPG) – this is specifically aimed at raising the attainment of disadvantaged pupils.

A schools census is taken each term and funding is distributed to schools by formula, based on the October and January census:

- school funding from the DSG is based on data taken from the October census. The October 2015 census data was used to calculate schools’ funding for the 2016-17 financial year. For those pupils joining after October 15 no funding is distributed until April 2017.
- pupil premium is available for looked after children (unaccompanied asylum seeking children are part of this cohort) and those eligible for free school meals, and is based on data taken from the January census. The January 2016 census data generates pupil premium funding for the 2016-17 financial year. For those pupils joining after January 16 funding is accessed in April 17.

Children and young people joining after the census dates do not attract any funding in the following financial year, unless they have had a special educational needs assessment and are eligible under the Funding for Inclusion criteria. Equally if a child is on the school’s census, and leaves the following day, the school keeps the funding until the following financial year.

Under the current Syrian Resettlement Scheme £4,500 (age 5-18), £2,250 (age 3-4) has been allocated to each child for their first year’s educational funding. This funding is paid to schools when the children and young people enter the system and is not restricted to the start of the year, but must be spent within the year.

There have been significant demographic changes over the last few years and the likelihood is that this will continue. The Director of Children’s Services is mindful of the pressure that is put on schools by not being able to access funding for in-year changes and is working with other local authorities to address this.

**Current position**

The Director of Children’s Services continues to work with other local authorities to address funding issues generally. He is especially disappointed that year 11 children attract no funding as they have left the system before they are eligible for retrospective funding and he is working with other local authorities to create a consensus on this. Leeds continues to

work directly with the Regional Schools Commissioner on behalf of the DfE and the Educational Funding Agency to try to address this anomaly for year 11 pupils and create an appropriate funding mechanism.

The Director of Children's Services is very sympathetic to the situation that the lack of funding for year 11 pupils, and the high levels of accountability there is for final year pupils, has for secondary schools and academies. He has worked with key partners in the Area Inclusion Partnerships and the Leeds City College to establish a strong learning base within the college where these young people can be taught and thrive. This way we can assure a quality learning experience within the city for all eligible migrant children; whatever stage they are in the school continuum. Additional support is also being directed towards clusters of schools where the impact of new arrivals is greatest to support quality teaching and learning within the school system.

**Position Status (categories 1 – 6)** *This is to be formally agreed by the Scrutiny Board*



**Desired Outcome** – That timely and accurate national intelligence surrounding the movement of EU migrant citizens is shared with local authorities to assist in projecting and addressing key service demands such as schools places, housing and health and social care provision.

**Recommendation 8** – That the Assistant Chief Executive (Citizens and Communities) works with Migration Yorkshire in lobbying the Home Office and UK Border Agency to provide accurate and timely national intelligence surrounding the movement of EU migrant citizens that can be accessed easily by local authorities to assist in projecting and addressing key service demands such as schools places, housing and health and social care provision.

**Formal response in September 2016:**

Whilst there are ongoing conversations to at all levels to better understand this picture it is recognised that this intelligence is difficult to gather at a local level. This is due in part to reliance on national insurance data and also on the free movement of people within the country. The newly formed Leeds Strategic Migration Board is conscious that there is a need for further intelligence and will be exploring this further as part of their work programme. In addition there is considerable amount of community intelligence which can be established at a locality level, as part of area profiles and community development knowledge. Ways to capture and use this are being considered.

**Current Position**

All publically available data from the Home Office is currently used, alongside local information, to understand the position in each locality (see response to Recommendation 2)

**Position Status (categories 1 – 6)** *This is to be formally agreed by the Scrutiny Board*

## **Children missing from home or care**

In early 2016 the LSCB Child Sexual Exploitation subgroup reviewed the remit, organisation and focus of the group to encompass strategic oversight and development of the safeguarding partnership response for only Child Sexual Exploitation but also for Children Missing from Home or Care and Harmful Sexual Behaviour (HSB), (including peer on peer sexual exploitation and violence towards girls and young women) Modern Day Slavery and Trafficking, Forced Marriage, Honour Based Violence and Female Genital Mutilation. This led to the group being renamed as the Risk and Vulnerabilities subgroup and the creation of a revised LSCB CSE partnership action plan, to include missing children and the other additional risk and vulnerability strands.

All unaccompanied asylum seeking children are looked after children and the processes described here in relation to children who go missing from care are relevant to this group of children too.

### **The Risk & Vulnerabilities Team, Children's Services, Integrated Safeguarding Unit**

The introduction of the Children Missing Coordinators in the Risk & Vulnerabilities team has provided additional operational and strategic capacity to the partnership and positive progress has been achieved. The Coordinators provide practitioners with advice relating to individual cases, whilst also having a focus on the wider practice improvement and quality assurance agenda. A varied programme of awareness raising and learning and development opportunities is also offered. The Integrated Safeguarding Unit maintain a central missing database and actively share information with children's services and the Safeguarding police team to inform appropriate professional responses.

On-going work between, the Police, Children's Services and the Missing Coordinators is currently focusing on further improving data and information systems, to enable the partnership to confidently report on the children missing problem profile and inform the strategic safeguarding response

### **Partnership Intelligence Morning Meetings (PIMM's)**

PIMM's were introduced in November 2015 as a response to improve better information and intelligence sharing for children assessed to be at risk of CSE and /or for those reported as Missing from home or care. Currently PIMM's are held between Children's Services representatives and the CSE police team on a daily basis (Mon-Fri) at Great George Street. The meetings review all children and young people recorded by the police in Leeds as missing or absent in the last 24 hours and share relevant information appropriately, in addition to requesting that a return interview is undertaken with each child who has been recorded as missing from home or care.

### **Return Interviews**

Currently, for children and young people who are not looked after but who have with an allocated social worker, return interviews are required to undertaken by the child's social worker (Child in Need, Children on a Child Protection Plan). For all other children who are reported as missing in Leeds, return interviews are undertaken by the Youth Offer, Return Interview Service. As from late 2016 the intention is that the Return Interview Service will be

developed to offer independent return interviews for all children reported as missing or absent in Leeds.

More detailed information and guidance regarding missing children can be found on the Leeds Safeguarding Children Board website using the following links:

<http://www.leedslscb.org.uk/About-us/Missing-from-Home-or-Care>

<http://www.leedslscb.org.uk/LSCB/media/Images/pdfs/missing-LSCB-strategy-doc-July-2015.pdf>

<http://www.leedslscb.org.uk/Practitioners/Children-who-go-missing>

<http://www.leedslscb.org.uk/Parents-Carers-Wider-Family/Children-who-go-missing>

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Report author: Anne McMaster  
Tel: 0113 39 50432

**Report of Assistant Chief Executive Citizens and Communities**

**Report to Scrutiny Board (Citizens and Communities)**

**Date: 13 March 2017**

**Subject: Migration Update**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes      x No
Are there implications for equality and diversity and cohesion and integration?	x Yes <input type="checkbox"/> No
Is the decision eligible for Call-In?	Yes      x No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes      x No

**1.0 Summary**

- 1.1 At the Scrutiny Board on 9 January 2017 there was a request to explore issues relating to immigration in Leeds in light of the European Union referendum result.
- 1.2 It is recognised that whilst clarity is required from Government in terms of what immigration changes it would wish to put into place post-Brexit, Members of Scrutiny Board nevertheless considered it appropriate that early consideration be given to any key issues that may need to be considered.
- 1.3 This paper therefore seeks to provide some initial thoughts on the issues that need to be considered in the context of migration in light of the referendum outcome and its potential impact on Leeds. The paper is broken down into the impact on key services but clearly there is considerable overlap between some areas, and therefore the overall paper needs to be considered holistically.

**2.0 Recommendation**

- 2.1 Members of Scrutiny Board are recommended to:
  - note the contents of this report, and;
  - consider the potential implications, and provide comment.

### **3.0 Purpose of this report**

3.1 To provide information in response to the request for information made by Citizens and Communities Scrutiny Board, in January 2017.

### **4.0 Background**

4.1 In June 2016 there was a referendum which resulted in action being taken by Government to formally leave the European Union. For a number of people, migration was seen to be at the heart of the debate and the government has made a clear commitment to reduce migration.

4.2 There are a number of different labour migration models which could be adopted to manage migration in the future, ranging from free movement within a quota or cap; temporary short term permits; through to stringent work permit requirements. It is also possible that this may cover all migrants rather than those from specific countries.

4.3 Commentary on this subject suggests that it is likely that low and middle-skilled work is most likely to be the main target of any policies to reduce EU labour migration. In 2015, 22% of EU born UK workers were in the least skilled occupational categories<sup>1</sup>.

4.4 Whilst there is considerable lack of clarity about what will happen, it is envisaged that there will be impacts on the UK, on Leeds and the lives of people in Leeds.

4.5 The following tries to go some way to raising what some of the issues may be for Leeds from a migration perspective. The structure of this report looks at key services and the potential questions and impacts raised for them.

### **5.0 Main Issues**

#### **5.1 Employment and Skills**

5.1.1 The impact of Brexit on local labour supply could potentially be of some significance and may necessitate changes in employment and skills provision. European Economic Area migrants make up a significant proportion of the current local labour force and employers in some sectors have a strong dependence on EEA migrants to do particular types of job. The greater the restrictions on immigration the greater the risk that we could see skills shortages in important sectors such as digital, construction, and manufacturing, and for public services such as the NHS and the council. In addition, it could also impact on the ability of universities to attract and retain the best academic staff, with the knock on implications this might have.

5.1.2 Whilst a significant proportion of EEA migrants work in unskilled and semi-skilled jobs, in some sectors (such as information and communication)

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<sup>1</sup> <http://www.migrationobservatory.ox.ac.uk/resources/reports/labour-immigration-brexit-trade-offs-questions-policy-design/>

migrants are likely to be employed in higher skilled jobs. In relation to these higher skilled jobs, we will need to see what the Government's proposals are, however, there is the possibility that any future application process could include the need for employers to pay fees or to demonstrate that they have attempted to recruit UK workers before sponsoring a worker from overseas. Dependent upon the rules and process adopted, some employers may consider such to be more expensive and onerous.

5.1.3 For those businesses with the greatest dependence on migrant workers, potential business responses to reduced access to EU migrants include:

- increased investment in automation;
- increased training provision of local people – both in schools and in the skills system;
- potentially relocation of activities outside the UK.

5.1.4 The LEP / West Yorkshire Combined Authority offers a range of skills and business support services, all of which could have new demands placed on them as a result of Brexit so are commissioning research to explore 'EEA Migrant Labour in the City Region'. This will assess business and skills implications for City Region employers from a potential reduction in access to EEA migrant workers and to identify opportunities to develop relevant business support services. It is hoped that this research will be completed by May 2017.

5.1.5 It is difficult to say how Brexit might impact the council's own workforce, and what changes or reassurances may be necessary. Currently we do not believe that we have a high number of highly skilled migrant workers in the council that would potentially be affected, and it is most likely that any changes will have the greatest impact on care staff. EEA information is currently not recorded and so it is not possible to give an accurate position. Whatever direction the government takes in the negotiations, we are clear that our council values will apply throughout any changes and we will be 'Treating people fairly' throughout.

## **5.2 Health and Social Care**

5.2.1 EU workers have played an increasing role in social care, with some 10% of the UK's health and social care workforce coming from the EEA countries. This enables care providers to keep prices low (usually at or just above the minimum wage) and potentially increasing the availability of a service which vulnerable people rely on. This potentially also reduces costs to tax payers as a substantial share of social care is local authority funded.

5.2.2 The care sector faces significant challenges in recruiting to both nursing and care staff and so any actions that potentially impact on the availability of such expertise will have a negative impact on availability of staff and as such quality (more so than any impact on cost). With fewer workers in key roles including nursing, midwifery and domiciliary care, the supply of care services would need to be carefully considered.

- 5.2.3 There are also implications in terms of rights and access to health services for new migrants. Depending on status and benefits then there may be additional issues around NHS charging for services and potential requirement for additional support for adults at risk. A further dimension of this is potential changes to health benefits to UK pensioners living in the EU. If these are not maintained as they currently are then there is a possibility that many pensioners may return home.

### **5.3 Housing**

- 5.3.1 It is unlikely that there will be an impact on housing in the short term, although if there is a spike in migration prior to absolute Brexit and/or there is a move to temporary work permits this could put additional pressure on the private rental sector.

### **5.4 Children**

- 5.4.1 Migration into the city in recent years, including from the EU, has created a vibrant and dynamic school population, where over 190 languages are now spoken. This increase has brought both advantages and challenges. There is a need to ensure that all children do well in their learning, and schools and academies have developed a strong range of quality teaching techniques that are helping to improve education for all groups in our schools; there is also considerable pressure placed on some schools to cope with the additional place demands. Lower levels of migration and/or a move to temporary work permits will probably mean a drop in families moving to Leeds which in the longer term will change the pressures felt in schools.

### **5.5 Community Safety**

- 5.5.1 The hate crime strategy for Leeds recognises that despite increases and fluctuations linked to international and national incidents (Gaza conflict, Jay Report, Charlie Hebdo, Paris Attacks, EU Referendum), significant numbers of hate crimes and incidents often go unreported. Partners across Leeds will therefore continue in their ambitions to raise awareness of and increase reporting of all forms of hate by encouraging communities and individuals to report crimes and incidents as they happen.
- 5.5.2 There is also a concern that if employers cannot attract sufficient workers from the UK (job is too low paid and/or undesirable) and there are limited legal options for recruiting migrant workers, that we could potentially see increases in illegal employment or modern day slavery.

### **5.6 Communities**

- 5.6.1 Following the EU referendum there was some tension experienced in communities. It is possible that there could be a spike in EU migration prior to 2019 (anticipated withdrawal from the EU), and, whilst it is impossible to gauge the potential impact of this on Leeds, it could exacerbate any community tensions that would need to be monitored and managed carefully. At a time when people are expecting migration to go down any possible



upsurge in migration would be counter to these expectations and needs to be planned for.

- 5.6.2 EU nationals living in Leeds (as in the rest of the UK) will be concerned about their status and will be keen to have any issues surrounding this resolved. It is likely that there will be some impact on communities, and indeed, anecdotally we are hearing that some EU migrants are now returning home due to the negative feelings from the settled communities and the fall in the pound not making staying economically attractive. If the level of this increases then there could be issues in relation to skill shortages prior to actual Brexit.
- 5.6.3 It is also worth noting that the reduction in the value of sterling could create inflationary pressures which could affect living standards. In areas where there is already considerable poverty and deprivation this could create further challenges.
- 5.6.4 One labour model could include the move to temporary work permits for seasonal and low skilled work which could then lead to transient populations who do not have a stake in the community. If this was the case it could well be more challenging for migrants to integrate well into settled communities. In addition it is likely the demographics of our communities will be different i.e. more potentially young and single migrant workers.

## **7.0 Corporate Considerations**

- 7.1 **Consultation and Engagement** – this report provides an overview of concerns/questions raised by key services and therefore there is no further relevant consultation and engagement to take place.
- 7.2 **Equality and Diversity / Cohesion and Integration** – equality is at the heart of the migration work and it has taken equality and diversity into account.
- 7.3 **Council policies and the Best Council Plan** – Leeds is a welcoming and compassionate city and the recommendations in this support those values.
- 7.4 **Resources and value for money** – There are no additional costs involved in this work.
- 7.5 **Legal Implications, Access to Information and Call In** - There are no specific legal implications or access to information issues with this report. The report is subject to call-in.
- 7.6 **Risk Management** – Specific service risks are identified and addressed as appropriate by the service.

## **8.0 Conclusion**

8.1 Officers have sought within this report to outline the migration related issues that could develop as a consequence of Brexit, although there is currently very much that is still unknown. The above gives some indications of considerations that services are looking at and will be addressing, once further details are known.

## **9.0 Recommendation**

9.1 Members of Scrutiny Board are recommended to:

- note the contents of this report;
- consider the potential implications, and provide comment.

## **10.0 Background Documents<sup>2</sup>**

10.1 There are no specific background documents linked to this report.

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<sup>2</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

**Report of Assistant Chief Executive (Citizens and Communities)**

**Report to Citizens & Communities Scrutiny Board**

**Date: 13<sup>th</sup> March 2017**

**Subject: Council Tax Support policies**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**Summary of main issues**

1. The new Council Tax Support scheme uses Universal Credit as its basis. Universal Credit reviews its awards every month and there is the likelihood of frequent small changes in earned income being reported to the Council. There needs to be a way of handling these changes that prevents frequent changes to Council Tax Support and frequent new Council Tax bills being issued.
2. One way of dealing with this is to continue to use the 'average earnings' approach that is currently used in relation to Housing Benefit assessment. A proposed approach is provided with this report
3. The current scheme of protections is replaced with a discretionary hardship scheme. This happens only when eligible customers move onto Universal Credit. The intention of the hardship scheme is to help those who may struggle the most in adapting to this change.
4. The proposed policy is provided for the Board to consider.

**Recommendations:**

5. That Scrutiny Board provides its views on the proposed approach to dealing with changes in earned income;
6. That Scrutiny Board provides its views on the proposed discretionary hardship scheme that replaces the current scheme of protections.

## 1. Purpose of this report

- 1.1 The report is intended to seek the views of Scrutiny Board on proposals that a) address the issue of dealing with changes in earned income and b) set out the policy for making payments under discretionary hardship policy.

## 2 Background information

- 2.1 Scrutiny (Citizens & Communities) carried out a review of the proposed Council Tax Support scheme for 2017/8 and made a number of recommendations to the Executive Board. The proposed scheme has now been adopted by Full Council and means that a) the current scheme of protections is replaced with a discretionary hardship scheme and b) there is a need for a new approach to the way changes in earnings are treated.

- 2.2 Scrutiny Board's recommendations to Executive Board included the following:

1. That the Assistant Chief Executive (Citizens and Communities) ensures that the Executive Board is provided with a detailed options appraisal in determining when the Council revises the Council Tax Support award as part of the new Council Tax Support scheme and in doing so, acknowledges the support, in principle, of the Citizens and Communities Scrutiny Board towards an approach based on average earnings.
2. That the Assistant Chief Executive (Citizens and Communities) ensures:
  - That the application of the discretionary hardship scheme is fair and transparent and based on the principle of supporting the most vulnerable of customers that would be worse off under the new Council Tax Support scheme and least able to cope.
  - That the details surrounding the development of the discretionary hardship scheme are shared with the relevant Scrutiny Board.

- 2.3 Executive Board delegated to the Assistant Chief Executive (Citizens & Communities) the decision on how changes in earnings are treated under the new Council Tax Support scheme.

## 3 Main issues

- 3.1 The key elements of the new Council Tax Support scheme are:

1. The new scheme uses only the single person personal allowance and the married couple personal allowance. There are no other allowances or premiums. The rates of these allowances are the same as the rates in Universal Credit;
2. The new scheme ignores all benefit income and takes into account only non-benefit income. This is mainly earnings;

3. The new scheme continues to limit awards to 75% of Council Tax liability and no longer has any automatic protection for specified groups. Instead a discretionary hardship scheme is introduced.

#### *Treatment of earned income*

3.2 Universal Credit will, on a monthly basis, notify the Council of every change of income even where this change is only a few pence a week or a few pounds in a month. Responding to these changes would see new Council Tax bills being issued each month and frequent changes to payment arrangements. In order to avoid this, there is the need to introduce an approach which avoids frequent changes to the CTS award because of earned income changes.

3.3 The main options for achieving this are as follows:

1. A *de minimis* level for changes in earned income. This approach would see increases below a certain value ignored.

The benefits of this approach are:

- The *de minimis* level is easy to understand
- It can be changed relatively easily
- It limits the number of changes to Council Tax Support and, consequently, the number of new bills issued.

The drawbacks of this approach are:

- All changes above the *de minimis* level are taken into account even where the change is a one-off payment or temporary;
- There is a need to consider the cumulative impact of changes to see whether they exceed the *de minimis* level;
- A decision would be needed on whether the *de minimis* applies to reductions in earnings or whether all reductions are applied as a matter of course;
- Short-term fluctuations in income could lead to consecutive monthly changes even where income returns to its 'normal' level.

2. A fixed period award of Council Tax Support. The simplest version of this scheme would see all awards remaining unchanged for a defined period of time.

The benefits of this approach are:

- It would be relatively straightforward to administer and understand;
- There would be no revisions to Council Tax Support awards or Council Tax bills;
- Changes in earnings would be ignored.

The drawbacks of this approach are:

- In reality such a scheme is likely to be too inflexible. For example, if an in-work customer with a small CTS award became unemployed, the fixed period approach would prevent any additional CTS being awarded;
- Changes would be needed to reflect the fact that people move address, marry, separate and die;

- Variations to the approach that allow changes that increase CTS to be taken into account but not changes that result in a reduction, would add complexity.
  - Limiting a fixed period benefit scheme to in-work customers would also add complexity and would need to deal with periods of employment/unemployment and require consideration around earnings to ensure that an appropriate level of earnings is applied for the full fixed period;
  - A fixed-period scheme would also have cost implications.
3. An average earnings scheme. Under this scheme, an assessment of a customer's average earnings would be made and used to award Council Tax Support.

The benefits of this approach are:

- It reflects the approach currently used for Housing Benefit awards;
- It caters for fluctuating earnings and avoids the need for frequent changes to the Council Tax Support award;
- It is responsive to more significant changes such as a larger increase or decrease in earnings

The drawbacks of this approach are:

- In the short-term, it will often require additional information from the customer needed to assess the average earnings. In the longer-term, it is hoped that Council's will be able to access HMRC's Real Time Information solution to avoid the need to contact the customer;
- There may be insufficient information at the start of a claim to make an assessment of average earnings, particularly for customers just starting work;
- A decision is needed on whether a change in earnings is temporary or reflective of a new average.

- 3.4 On balance, it is proposed to use an average earnings solution. A detailed approach is set out at Appendix 1 showing how the approach would work in more detail.

*Discretionary Hardship scheme*

- 3.5 Appendix 2 sets out the proposed Discretionary Hardship Scheme that replaces the scheme of protections. The Board will be aware that the current scheme of protections is only withdrawn when the customer moves onto Universal Credit. The migration of existing cases onto Universal Credit is expected to start after the completion of the roll out of Universal Credit's Full Service for new claims – this is planned to be completed by July 2018. The migration from this point is expected to take until 2022 to complete.

- 3.6 The main points of the discretionary hardship scheme are:

1. The budget is expected to be around 10% of the estimated gradual savings from removing the current scheme of protections;

2. The hardship scheme will be limited to those being taken off the current scheme of protections;
3. The hardship scheme will focus on those that are worse off overall following the migration to Universal Credit; and
4. The hardship scheme will look at exceptional circumstances when deciding whether to make a payment.

3.7 In order to help make the scheme accessible, customers will be invited to make a claim at the point at which they move onto Universal Credit. There will also be an option to make a payment without an application where there is information to show that the customer should receive a payment.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

4.1.1 The Council Tax Support scheme has been subject to a full consultation which included information about the replacement of the current scheme of protections with a discretionary hardship scheme.

### **4.2 Equality and Diversity / Cohesion and Integration**

4.2.1 An equality impact assessment was carried out as part of the review of the Council Tax Support scheme, including the proposal to replace the current scheme of protections with a discretionary hardship scheme.

### **4.3 Council policies and Best Council Plan**

4.3.1 A key priority for the council in addressing poverty and deprivation. The proposals within this report will help to provide a degree of stability for in-work claimants and will offer support to the most vulnerable through the discretionary hardship scheme.

### **4.4 Resources and value for money**

4.4.1 The proposals set out in this report are expected to reduce overall scheme costs in line with the expectations provided to Scrutiny Board as part of its enquiry into Council Tax Support and are also relatively straightforward to administer.

### **4.5 Legal Implications, Access to Information and Call In**

4.5.1 The adoption of an average earnings approach to dealing with changes in earned income reflects the current approach for Housing Benefit and Council Tax Support. The adoption of a *de minimis* scheme or a fixed period scheme may be considered a more fundamental change to the scheme and may, therefore, be subject to the same restrictions that prevent schemes being changed without consultation.

## 4.6 Risk Management

- 4.6.1 The proposals in this report are intended to address the risks caused by frequent changes to CTS and the implications this has for Council Tax liability. The key risks are that customers receive new bills on a regular basis, that any liability orders obtained are superseded by new bills requiring new liability orders and that payment arrangements are collection of Council Tax become more difficult.

## 5 Recommendations

- 5.1 That Scrutiny Board provides its views on the proposed approach to dealing with changes in earned income;
- 5.2 That Scrutiny Board provides its views on the proposed discretionary hardship scheme that replaces the current scheme of protections.

## 6 Background documents<sup>1</sup>

- 6.1 None

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<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.



## **Council Tax Support (Universal Credit) Scheme Treatment of earnings Policy outline**

### **1. Background**

Leeds has been receiving Council Tax Support claims from Universal Credit claimants since February 2016.

Until 1 April 2017 the Leeds Council Tax Support scheme adopted the governments default arrangements for Universal Credit claimants which resulted in frequent revisions in the Council Tax Support award for Universal Credit claimants who had fluctuating incomes and Universal Credit awards.

Any change in the claimant's income resulted in a revision to the Universal Credit award and this then resulted in a change in the Council Tax Support award. Subsequently there could be up to 12 Council Tax Support revisions made each year, with each revision resulting in the claimant receiving another Council Tax bill. This situation caused confusion and uncertainty for claimants and administrative difficulties for Leeds Welfare and Benefits Service.

### **2. The new scheme**

The new Council Tax Support Scheme for Universal Credit claimants requires far fewer revisions to the Council Tax Support award. The reasons for this are:

- 1) Benefits are not counted. Any changes in benefit levels do not affect the Council Tax Support award.
- 2) Universal Credit claimants with monthly pay or non-benefit income that is below the personal allowance of £317.82 (or £498.89 for couples) qualify for maximum Council Tax Support and as such require no revisions if their income remains below this level.
- 3) Universal Credit claimants with non-benefit income over the personal allowance, fall out of Council Tax Support entitlement altogether on lower levels of income than they did under the default scheme which was more generous for Universal Credit claimants.

The new scheme allows us to make our own assessment of the level of earnings that should be taken into account in the calculation of the Council Tax Support award, rather than being required to use the income included within the Universal Credit award.

### **3. The aim of this policy**

The aim of this policy is to provide an approach to setting the level of income to be used in the Council Tax Support assessment that;

- ensures that claimants receives a Council Tax Bill that reflects their average income level;
- reduces the number of revisions that are made because of minor fluctuations in income;
- ensures that claimants receive a revised bill that reflects their new circumstances when they have a change in their circumstances.

#### **4. There are two types of Universal Credit claims:**

- **Cases where the Universal Credit award has no earned or unearned Income included**

Where the Universal Credit award has no earned or unearned income included there is no assessment of income required. Universal Credit is a benefit and as such is disregarded. Claimants are entitled to a maximum award of Council Tax Support.

- **Cases where the Universal Credit award includes earned or unearned Income**

Where the Universal Credit award has an amount of earned or unearned income included we must make an assessment of the claimants non benefit income on which to determine the Council Tax Support award.

However, the Universal Credit award includes only the net income that the claimant has received in earnings and unearned income in the monthly assessment period prior to the Universal Credit assessment day. There is no information provided about how many payments (paydays) are included within the figure or over what period the income has been earned or has accrued.

Over time it is possible to establish the claimant's average pay, but not until a number of assessment periods have passed which means that it is a number of months before the Council Tax Support award can be accurately determined.

#### **5. Methods and options for gathering information about income:**

- **Income enquiry**

A standard income enquiry form which gathers information about the claimant's employment and pay is sent to the claimant. This information is used alongside the Information provided in the Universal Credit award to determine the claimant's average income.

- **Request evidence of pay**

The claimant is asked to provide evidence of their non-benefit income.

- **Wider Use of Real Time Information Solution (WURTI)**

This initiative is currently being trialled in Leeds for use in Housing Benefit cases and will be rolled out very soon nationally in Housing Benefit. It cannot yet be used for Council Tax Support unless there is also a Housing Benefit claim, but it is anticipated that once the legal gateway is clear that WURTI may be used for Council Tax Support only claims. WURTI will give us access to real time information about claimant's pay and pensions, specifically:

- employers name
- employment start and end dates
- all payment made including deductions and the date that payments were made

Once we have registered an interest in accessing our claimant's records their details can be looked up as far back as 3 months prior to the date that the Council Tax Support claim was made.

After the initial interest has been registered we will also receive alerts about that claimant's income, specifically:

- when employment ends
- when the claimant commences a new employment
- any irregular payments that are made
- when there is a change in the amount of pay

WURTI will allow us to ascertain the claimant's average level of pay at the start of the claim and will also alert us when there has been a change in the level or frequency of pay.

## **6. Method of calculating Income**

The initial assessment of the claimant's income at the outset of the in-work claim is made based on all of the information that is available.

This can be a combination of:

- the Universal Credit award
- the response to the Income enquiry
- evidence provided by the claimant
- Information from WURTI (once it is available for Council Tax Support purposes)

We have continued the practice followed in Housing Benefit and Council Tax Support, that average pay should normally be based on 2 x monthly payslips or 5 x weekly payslip, or any other period that is reasonable to establish the claimant's average pay during the period of the claim. No assessment will be made until there is sufficient evidence available to enable an accurate assessment to be made.

## **7. Processes for reviewing Income**

Once the award has been made the level of income used in the calculation is reviewed periodically to ensure that the award continues to reflect the claimant's income:

- **Claimant request**

Where a claimant reports that their income has changed and provides information and evidence to support the change, their Council Tax Support will be reviewed.

- **Triggered review**

Changes in the Universal Credit award (including the earned income) are received electronically and are imported into the benefit computer system. This is held for information purposes only to prevent frequent re-assessment of the Council Tax Support award. Regular reports compare the income that is used in the calculation of the Council Tax Support award with the Income that was reported in the latest Universal Credit award. Where there is a significant difference between the two figures the income level that is used in the Council Tax Support award is reviewed. Once WURTI is in place for Council Tax Support, the alerts that are produced will trigger a review instead as the information provided by Universal Credit. WURTI information will be used because it is more detailed than that provided in Universal Credit award.

- **Structured Review**

Where there are no reported changes, and no triggered review has taken place for 6 months a structured review takes place.

This entails reviewing the Universal Credit awards for period since the last review took place and also possibly contacting the claimant.

Once WURTI is in place the review will be based on information from WURTI.

## **Council Tax Support Discretionary Protection (Hardship) Scheme**

### **Policy Outline**

#### **1. Background**

From 1 April 2017 there is a new Council Tax Support scheme for working age residents who claim Universal Credit. Over the next 5 years up to 43,000 working age Council Tax Support claimants will move onto the new scheme when they are transferred onto Universal Credit.

The scheme of automatic protection from the 25% reduction for some people with disabilities, carers and lone parents of children under the age of 5, has been replaced with a Discretionary Protection Scheme.

Around half of existing claimants who will eventually move onto the new scheme are currently protected and will lose their automatic protection from the 25% reduction when they transfer to Universal Credit and the new Council Tax Support Scheme. The average loss in Council Tax Support will be £3.43 per week, but this can be higher for couples and those living in properties in higher Council Tax bands. It will also be higher in future years if there are increases in the Council Tax charge.

Studies by Policy in Practice who were commissioned by Leeds City Council to undertake research into the impact of welfare reform on households in Leeds have indicated that around 29% of households are expected to be financially better off when they transfer onto Universal Credit with the remainder receiving the same level of benefit. (government have stated that transitional protection arrangements will ensure that no-one will lose benefit when they transfer to Universal Credit)

#### **2. Aim of the scheme**

The aim of the scheme is to provide a safety net of additional support to the most vulnerable Council Tax Support recipients who experience financial hardship because they lose the protection from the 25% reduction in Council Tax Support when they move onto Universal Credit.

The protection will not replace the current automatic protection for all claimants that currently qualify for protection, it will be awarded only those who are the most adversely affected when they move onto Universal Credit.

#### **3. Budget provision**

Automatic protection from the 25% reduction has been removed to reduce expenditure on the scheme and by the time that Universal Credit roll-out is complete (which is currently projected by DWP to be 2022) annual savings from this measure should reach around £5m per annum. In order to achieve the required savings but provide a safety net to the

most vulnerable it is recommended that a budget is initially set at 10% of the value of savings arising from the removal of protections.

To calculate the budget; the cost of providing protections in the next financial year will be determined annually once the level of Council Tax has been set. An assumption will be made in respect of the number of cases that are likely to move onto Universal Credit and lose protection in the next financial year. The assumption will be based on information provided at the time by the DWP in respect of UC transition and migration policy. Based on this assumption an estimate will be made of the amount that the cost of providing protection to these cases is likely to reduce by.

However, it should be noted that the number of protected cases and therefore the cost of providing protection has increased each year since 2013, which means that because of the gradual transition to Universal Credit the actual reduction in the protections in 2017-18 and possibly 2018-19 may simply limit the extent of the increase in protections identified and the associated costs in providing those protections.

#### **4. Publicity and application process**

All Council Tax Support recipients who lose protection will be advised that there is a Discretionary Protection (Hardship) scheme when protection is removed and will be invited to apply if they cannot pay their Council Tax. Applications will be accepted on a Discretionary Protection (Hardship) application form, in writing or verbally by the claimant.

Support workers and advisors from external organisations will be advised of the existence of the scheme and may make a written request on behalf of their client providing any relevant information that they have available where they have authority to act.

Council officers and elected members may also make a request on behalf of the recipient providing any relevant information that they have available.

Council Tax and Benefit administration officer may award discretionary protection based on information available where the recipient has not made a specific request.

#### **5. Qualifying criteria**

A hardship award may be considered where;

- a person was entitled to protected status in their Council Tax Support award before they transferred on to Universal Credit and;
- changes to the scheme mean that the claimant is no longer entitled to protected status, but otherwise would have qualified for protected status had the scheme not changed and;
- the Council Tax Support award has reduced by an amount equal to at least 25% of the award immediately before the claimant's transfer to Universal Credit and;
- the claimant has an overall loss of benefit following their transfer to Universal Credit that is equal to or more than their loss in Council Tax Support. This includes Universal

Credit, Transitional Protection, benefits that are out of scope of Universal Credit and Council Tax Support and;

- the claimant has demonstrated financial hardship and has exceptional circumstances.

## **6. Financial hardship**

When determining if there is financial hardship the decision maker will take into account all of the claimant's and their partner's income and expenditure and determine if they have surplus income with which to pay the shortfall due to the loss of Council Tax Support.

Benefit income, savings and the income of other adults living in the household are not taken into account when determining entitlement to Council Tax Support, but when considering Discretionary Protection:

- all income, including universal credit, child benefit and disability benefits that are currently disregarded (e.g. PIP and DLA) will be considered
- savings will be taken into account
- the income of other adults living in the household will be considered.
- specific allowances will be made in respect of actual expenses incurred by the claimant and their partner to cover extra health-related expenses for example.

Other factors that may be taken into account;

- Does the claimant have other debts? Have they sought advice on how to clear their debts? Can the claimant re-negotiate non-priority debts, such as credit card agreements?
- Can the claimant change their spending pattern on non-essential items?
- Is the claimant entitled to other welfare benefits that they are not claiming?
- If in work, can the claimant increase his or her hours or do any overtime? Is the claimant in work but with high travel costs, because of distance from work or shift patterns?
- Is the claimant a care leaver?

This list is not exhaustive and all of the claimant's financial circumstances will be considered.

## **7. Exceptional Circumstances**

When determining if there are exceptional circumstances the decision maker will take into account the claimant's individual circumstances and determine whether the claimant has circumstances that are different or unusual to other claimants who have lost protection from the reduction in Council Tax Support. There will be no definition of what Exceptional Circumstances are, as each case will be by nature unusual.

## **8. Making an award**

All decisions will be made by a Council Tax and Benefit administration officer in accordance with the agreed policy and procedure, based on information and evidence specifically provided in support of any request and all other information that is available.

The award will take the form of the protected status being reinstated rather than being a monetary value. This will result in Council Tax Support being calculated based on 100% of the Council Tax liability rather than 75%.

Protection will be awarded as an ongoing award, with no fixed review date although the following changes will trigger a review of the discretionary protection:

- welfare changes
- a break in the claim
- a change in household
- a change in employment status,

## **9. Appeal Rights**

There will be an internal review process that will be offered to anyone who makes a request that is refused which will involve the decision being looked at again by another officer.





Report author: Angela Brogden  
Tel: 247 4553

**Report of Head of Governance and Scrutiny Support**

**Report to Scrutiny Board (Citizens and Communities)**

**Date: 13<sup>th</sup> March 2017**

**Subject: Work Schedule**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**Summary of main issues**

1. The Board's work schedule is attached as appendix 1. This will be subject to change throughout the municipal year.
2. Also attached at appendix 2 are the minutes of the Executive Board meeting held on 8<sup>th</sup> February 2017, for the Board's information.

**Recommendation**

3. Members are asked to consider the work schedule and make amendments as appropriate.

**Background documents<sup>1</sup>**

4. None used

<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

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Scrutiny Board (Citizens and Communities) Work Schedule for 2016/2017 Municipal Year

Area of review	Schedule of meetings/visits during 2016/17		
	June	July	August
<b>Development of a revised Council Tax Support Scheme</b>		Initial briefing and agreeing terms of reference. SB 25/07/16 @ 10 am	
<b>Safeguarding issues linked to the night time economy.</b>			
<b>Reducing repeat customer contacts</b>			
<b>Briefings</b>	Scrutiny Board Terms of Reference and Sources of Work SB 27/06/16 @ 10 am		
<b>Recommendation Tracking</b>		Universal Credit SB 25/07/16 @ 10 am	
<b>Performance Monitoring</b>			

## Scrutiny Board (Citizens and Communities) Work Schedule for 2016/2017 Municipal Year

Areas of review	Schedule of meetings/visits during 2016/17		
	September	October	November
<b>Development of a revised Council Tax Support Scheme</b>	Session 2 on the inquiry WG – 19/09/16 @ 1.30 pm  Session 3 of the inquiry WG – 28/09/16 @ 1 pm	Session 4 of the inquiry WG – 4/10/16 @ 10 am  Session 5 of the inquiry WG – 18/10/16 @ 1.30 pm	Agree final report SB 07/11/16 @ 10 am
<b>Safeguarding issues linked to the night time economy.</b>		Overview of actions taken within Taxi and Private Hire Licensing and Entertainment Licensing. SB 10/10/16 @ 10 am	
<b>Reducing repeat customer contacts</b>		Scoping terms of reference WG – 6/10/16 @ 2pm	Agree terms of reference and introductory session SB 7/11/16 @ 10 am
<b>Briefings</b>	Future changes to the Leeds Advice Consortium. SB 12/09/16 @ 10 am		The roll out of Community Hubs SB 7/11/16 @ 10 am
<b>Budget &amp; Policy Framework/pre-decision Scrutiny</b>			
<b>Recommendation Tracking</b>	Migration in Leeds SB 12/09/16 @ 10 am  Development of Community Committees SB 12/09/16 @ 10 am	Development of Community Hubs SB 10/10/16 @ 10 am	
<b>Performance Monitoring</b>	Performance Update SB 12/09/16 @ 10 am		

Key: SB – Scrutiny Board (Citizens and Communities) Meeting

WG – Working Group Meeting

## Scrutiny Board (Citizens and Communities) Work Schedule for 2016/2017 Municipal Year

Area of review	Schedule of meetings/visits during 2016/17		
	December	January	February
<b>Reducing repeat customer contacts</b>	Session 2 of the inquiry WG 05/12/16 @ 9.30 am		Session 3 of the inquiry WG 15/02/17 @ 2 pm
<b>Briefings</b>			Welfare Reforms – Update SB 13/02/17 @ 10 am
<b>Budget &amp; Policy Framework/pre-decision Scrutiny</b>		Financial Health Monitoring SB 09/01/17 @ 10 am  2017/18 Initial Budget Proposals SB 09/01/17 @ 10 am	
<b>Recommendation Tracking</b>			Universal Credit SB 13/02/17 @ 10 am  Revised Council Tax Support Scheme SB 13/02/17 @ 10 am
<b>Performance Monitoring</b>		Performance Update SB 09/01/17 @ 10 am	

## Scrutiny Board (Citizens and Communities) Work Schedule for 2016/2017 Municipal Year

Area of review	Schedule of meetings/visits during 2016/17		
	March	April	May
<b>Reducing repeat customer contacts</b>	Session 4 of the inquiry WG 13/3/17 @ 9 am	Agree final report SB 10/04/17 @ 10 am	
<b>Briefings</b>	Exploring issues relating to immigration in Leeds in light of the EU referendum result. SB 13/3/17 @ 10 am  Impact of welfare reforms WG 8/3/17 @ 2pm	Phase 3 of the Community Hub programme. SB 10/4/17 @ 10 am  Mental Health Employability Project – update SB 10/4/17 @ 10 am	
<b>Budget &amp; Policy Framework/pre-decision Scrutiny</b>	Council Tax Support Policies SB 13/3/17 @ 10 am		
<b>Recommendation Tracking</b>	Migration in Leeds SB 13/3/17 @ 10 am	Development of Community Committees SB 10/04/17 @ 10 am  Development of Community Hubs SB 10/4/17 @ 10 am	
<b>Performance Monitoring</b>			

## EXECUTIVE BOARD

WEDNESDAY, 8TH FEBRUARY, 2017

**PRESENT:** Councillor J Lewis in the Chair

Councillors A Carter, R Charlwood,  
D Coupar, S Golton, R Lewis, L Mulherin,  
M Rafique and L Yeadon

**APOLOGIES:** Councillor J Blake

**131 Chair of the Meeting**

In accordance with Executive and Decision Making Procedure Rule 3.1.5, in the absence of Councillor Blake who had submitted her apologies for absence from the meeting, Councillor J Lewis, as Deputy Leader, presided as Chair of the Board for the duration of the meeting.

**132 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 to the report entitled, 'Long Term Leases for Third Sector Affordable Housing Associations', referred to in Minute No. 144 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). As this report relates to the granting of leases to 3<sup>rd</sup> sector affordable housing providers it is considered that the public interest in maintaining the content of Appendix 1 as exempt from publication outweighs the public interest in disclosing the information;
- (b) Appendix 1 to the report entitled, 'Design and Cost Report for the Acquisition of Unit 5, Landmark Court for Council Accommodation', referred to in Minute No. 146 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 it relates to the financial or business affairs of a particular of a person and 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 relates to a financial offer that the Council has submitted to purchase

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the property in a one to one negotiation 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 the 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 2 to the report entitled, 'Relocation of the Medical Needs Teaching Service from the Grafton Centre' referred to in Minute No.151 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 within it relates to the financial or business affairs of the Council. It is considered that the release of such information would, or would be likely to prejudice the Council's commercial interests in relation to the potential future disposal of the site in question by prospective purchasers having 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 any disposal transaction and consequently the public interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time.

### **133 Late Items**

No formal late items of business were added to the agenda, however, prior to the meeting, Members were in receipt of supplementary information to agenda item 17 (Leeds Site Allocations Plan Submission Draft Stage (Including Advertisement of Pre-Submission Changes to the Plan)) which sought the Board's approval to recommend that full Council agrees to provide the necessary authority to the independent inspector appointed to hold Public Examination in order to enable the Inspector to make modifications to the Submission Draft of the Aire Valley Leeds Area Action Plan.

In addition, regarding the same agenda item, prior to the meeting Members were also in receipt of an updated version of a plan concerning Site Reference: MX2-39 (5372) – Parlington Estate, Aberford (Phase 1) which formed part of appendix 2 to the submitted report. (Minute No. 148 refers).

In addition to this, Members were also in receipt of an addendum to agenda item 24 (Update on the Green Care Home), which updated paragraph 3.2 of the submitted report and provided Members with the latest position on this matter. (Minute No. 136 refers).



**134 Declaration of Disclosable Pecuniary Interests**

There were no declarations of interest made at the meeting.

**135 Minutes**

**RESOLVED** – That the minutes of the previous meeting held on 14<sup>th</sup> December 2016 be approved as a correct record.

**HEALTH, WELLBEING AND ADULTS**

**136 Update on The Green care home**

Further to Minute No. 99 of the Executive Board meeting held on 16<sup>th</sup> November 2016, and also further to Minute No. 68(b) of the Council meeting held on 11<sup>th</sup> January 2017, the Director of Adult Social Services submitted a report which provided an update regarding The Green residential care home, following a previous decision about its future as part of the Better Lives Phase Three review of services.

In receiving the submitted report, Board Members were also in receipt of an update on the current position in the form of an addendum to paragraph 3.2 of the submitted report. The update presented to Members notified the Board that further to the written commitment in principle, the Council had now received written confirmation that all three CCGs had committed to supporting up to 37 beds for intermediate / recovery services. It was intended that the 37 beds would be provided at The Green.

In presenting the report, the Executive Member paid tribute to all concerned for the extensive work which had been undertaken on this issue to date. In addition, emphasis was placed upon the high levels of demand for intermediate care in the city and how this proposal looked to maximise the use of resource in order to help to address such demands. Furthermore, it was noted that a transition plan for The Green would be submitted to the Board in due course, with it also being reiterated that individual residents of The Green, and their families, would be supported throughout any transition process.

In receiving and responding to concerns raised regarding the process by which the Council had reached the current position, the Board received reassurances: specifically noting that in terms of funding for the 37 bed provision, this had been secured as part of the wider NHS development of intermediate care beds and the Council and CCG intended to draw up a funding agreement for the service as part of the Better Care Fund arrangements. In addition, reassurance was also provided on next steps, the process by which any transition would be progressed and received further information on the associated timescales.

**RESOLVED** – That the contents of the submitted report, including the updated information provided to Board Members in the form of an addendum to paragraph 3.2 of the submitted report, be noted.

(Given that the substantive decisions taken on such matters were the subject of a previous Call In, the matters referred to within this minute were not eligible for Call In)

## **ECONOMY AND CULTURE**

- 137 Leeds European Capital of Culture 2023 and Leeds Cultural Strategy**  
Further to Minute No. 178, 18<sup>th</sup> March 2015, the Director of City Development submitted a report providing an update on the timescale of Leeds' bid to become European Capital of Culture 2023, and also providing details on the development of the new Culture Strategy for Leeds 2017-2030.

In addition, the Board also received a presentation from the Chief Officer and the Principal Officer (Culture and Sport) which accompanied the submitted report. In receiving the presentation, it was noted that a formal consultation exercise in respect of the proposed Culture Strategy was to be undertaken, following which the Strategy was scheduled to be submitted to the Board in June 2017 for consideration.

Responding to the presentation, the engagement process undertaken to date was welcomed, with Members highlighting the importance of continuing to liaise with children and young people and those groups representing them as part of the process to develop the strategy and the bid.

**RESOLVED** – That the contents of the submitted report, together with the accompanying presentation, be noted.

- 138 Revenue Budget Proposals and Capital Programme**  
Further to Minute No.130, 14th December 2016, the Deputy Chief Executive submitted a report regarding the proposals for the City Council's Revenue Budget for 2017/2018 and the Leeds element of the Council Tax to be levied in 2017/2018.

The Board noted that the final Local Government Finance Settlement was still to be received from Government, and as such, the submitted reports were based upon the provisional Settlement, with Members discussing the implications of such matters when considering the overall budget setting process.

Members also highlighted the high level of demand which existed in respect of adult social care provision, and the limited resources available to meet such demands.

### **(A) Leeds City Council Revenue Budget and Council Tax 2017/2018**

#### **RESOLVED –**

- (a) That Executive Board recommends to Council the adoption of the following:
- i. That the revenue budget for 2017/18 totalling £492.67m be approved.  
This means that the Leeds element of the Council Tax for 2017/18 will

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increase by 1.99% plus the adult social care precept of 3%. This excludes the Police and Fire precepts which will be incorporated into the report to be submitted to Council on the 22<sup>nd</sup> February 2017;

- ii. That approval be given for grants totalling £75k to be allocated to parishes;
  - iii. That approval be given to the strategy at appendix 9 of the submitted report in respect of the flexible use of capital receipts;
  - iv. That, in respect of the Housing Revenue Account, Council be recommended to approve the budget with:
    - A reduction of 1% in dwelling rents in non-Private Finance Initiative areas.
    - An increase of 2% in dwelling rents in PFI areas.
    - A 5% increase in garage rents.
    - A 2% increase in district heating charges.
    - That service charges for multi-storey flats be increased by £2 per week.
    - That service charges for low/medium rise properties be increased by £1 per week.
    - That the charge for tenants who benefit from the sheltered support service currently paying £2 a week be increased to £4 per week.
- (b) That officers be authorised to begin consultations without delay on the proposals to introduce new fees and charges and increases to existing fees and charges;
- (c) That the Executive Board's thanks be extended to Scrutiny Boards for their comments, and in considering the specific recommendations made:
- i) The Board agrees that, during 2017/18, there should be further review of fees and charges, including revisiting the previous report and recommendations from Scrutiny Board (Strategy and Resources) in order to help ensure that the Council maximises its income streams;
  - ii) The Board agrees that, as part of the development of the 'Leeds £' approach, there should be a review of joint funding arrangements in order to help ensure a consistent and strategic approach that is fair and equitable to all partners involved;
  - iii) The Board agrees that, where any directorate is anticipating a significant budget overspend, support be given to the need for the section 151 Officer and the relevant Director to work closely and proactively with the relevant Scrutiny Board in order to provide suitable assurance that there is robust financial risk management and transition planning in place;
  - iv) The Board agrees that for all proposed budget savings, there is a clear narrative that explains how the savings will be achieved, including (but not limited to) service redesign and service commissioning/ decommissioning;

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- v) The Board notes the comments of the Scrutiny Board (Adult Social Services, Public Health, NHS) in respect of the Adult Social Care precept and the assurances provided through the submitted report on the justification and how the additional funding will be utilised.
- (d) That the update to the 2017/18 to 2019/20 medium-term financial strategy, and the intention to present a fully updated financial strategy to the Board at its meeting in July 2017, be noted.

**(B) Capital Programme Update 2017 – 2020**

The Deputy Chief Executive submitted a report setting out the proposed Capital Programme for the period 2017-2020.

**RESOLVED –**

- (a) That Executive Board recommends to Council:
  - (i) the approval of the Capital Programme for 2017-20 totalling £1,282.4m, including the revised projected position for 2016/17, as presented in Appendix F to the submitted report;
  - (ii) the approval of the revised Minimum Revenue Provision (MRP) policy for 2016/17, as set out in Appendix D to the submitted report.
- (b) That Executive Board approval be given to the list of land and property sites shown in Appendix B of the submitted report to be disposed of in order to generate capital receipts for use in accordance with the MRP policy;
- (c) That Executive Board approval be given to the following injections into the capital programme:
  - £116.2m, of annual programmes as set out in Appendix A(iii) of the submitted report to be funded by £37.2m LCC borrowing, £8.5m HRA Borrowing, £64.5m of HRA specific resources and £6.0m of general fund specific resources;
  - £20.3m, of pressures as set out in Appendix A(iii) to the submitted report funded by £14.3m of net borrowing and £6.0m of general fund specific resources.

(With it being noted that the above resolutions to inject funding of £136.5m will be implemented by the Chief Officer (Financial Services)).
- (d) That Executive Board approval be given to the delegation of the future injections and 'authority to spend' of the acquisition of strategic assets in support of the Council's financial strategy, to the Director of City Development and the Chief Finance Officer in consultation with the relevant Executive Board Member for Regeneration, Transport and Planning and Group Leaders of Executive Board.

### **(C) Treasury Management Strategy 2017/2018**

The Deputy Chief Executive submitted a report setting out the Treasury Management Strategy for 2017/2018 and which provided an update on the implementation of the 2016/17 strategy.

#### **RESOLVED –**

- (a) That the Treasury Strategy for 2017/18, as set out in Section 3.3 of the submitted report be approved, and that the review of the 2016/17 strategy and operations, as set out in Sections 3.1 and 3.2, be noted;
- (b) That full Council be recommended to set the borrowing limits for 2016/17, 2017/18, 2018/19 and 2019/20 as detailed in Section 3.4 of the submitted report, and to note the changes to both the Operational Boundary and the Authorised limits;
- (c) That full Council be recommended to set the treasury management indicators for 2016/17, 2017/18, 2018/19 and 2019/20 as detailed in Section 3.5 of the submitted report;
- (d) That full Council be recommended to set investment limits for 2016/17, 2017/18, 2018/19 and 2019/20 as detailed in Section 3.6 of the submitted report;
- (e) That full Council be recommended to adopt the revised Treasury Management Policy Statement.

(The matters referred to in Minute Nos. 138(A)(a)(i)-(iv)(Revenue Budget and Council Tax); 138(B)(a)(i)-(ii)(Capital Programme) and 138(C)(b)-(e)(Treasury Management Strategy), given that they were decisions being made in accordance with the Budget and Policy Framework Procedure Rules, 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)

### **RESOURCES AND STRATEGY**

#### **139 Best Council Plan 2017/18 Proposals**

Further to Minute No. 120, 14<sup>th</sup> December 2016, the Deputy Chief Executive submitted a report which presented the Best Council Plan 2017/18 for consideration and approval that it be recommended for adoption by Council on 22<sup>nd</sup> February 2017.

Members discussed some key areas of performance and priority for the Council, how they were covered as part of the Best Council Plan and the actions being taken to monitor progress in such areas.

**RESOLVED –**

- (a) That full Council be recommended to adopt the Best Council Plan for 2017/18, as detailed at Annexe 1 to the submitted report;
- (b) That it be noted that further development and graphic design work will take place prior to the publication of the refreshed Best Council Plan 2017/18 at end March 2017.

(The matters referred to within this minute, given that they were decisions being made in accordance with the Budget and Policy Framework Procedure Rules, were not eligible for Call In)

**140 Financial Health Monitoring 2016/17 - Quarter 3 (Month 9)**

The Deputy Chief Executive submitted a report which set out the Council's projected financial health position for 2016/17, as at month 9 of the financial year.

In considering the submitted report, Members received further information regarding proposals in respect of the Council's Minimum Revenue Provision (MRP) Policy with regard to debt repayment, noted the levels of income which had been received by the Council to date arising from the New Homes Bonus initiative, and also discussed the budgetary pressures within Children's Services.

**RESOLVED –** That the projected financial position of the authority, as at month 9 of the financial year, be noted.

**141 Safeguarding the Integrity of the Elections Process**

The Chief Executive submitted a report detailing the actions which had been taken to date by the Council's Electoral Services in response to the 50 recommendations contained within the "Securing the Ballot" paper published in August 2016. In addition, the report also identified any further actions which could be taken to ensure that the Council continued to develop the integrity of the election process in Leeds. The submission of the report was in response to a resolution of full Council on 14<sup>th</sup> September 2016 (Minute No. 44 of that meeting refers).

Members welcomed the contents of the submitted report.

**RESOLVED –**

- (a) That the contents of the submitted report, together with the comments of the Electoral Services Manager, as detailed within Appendix A to the submitted report, be noted;
- (b) That the Board be reassured that the Electoral Services Manager will ensure that the Electoral Services Section will continue to provide a high level of service to the electorate, delivering an accessible, transparent and secure election process for the people of Leeds.

## **REGENERATION, TRANSPORT AND PLANNING**

### **142 Storm Eva Flood Investigation Section 19 Report**

Further to Minute No. 86, 19<sup>th</sup> October 2016, the Director of City Development submitted a report which presented for the Board's approval the Storm Eva Flood Investigation Section 19 Report.

The Board welcomed the comprehensive piece of work which had been undertaken in compiling the 'Section 19' report. In addition, responding to Members' comments, the Board noted the ongoing work which continued in order to develop appropriate flood alleviation measures, and the joined up and multi-agency approach which was being taken on such work.

#### **RESOLVED –**

- (a) That the Storm Eva Flood Investigation Section 19 Report, as appended to the submitted report, be approved;
- (b) That agreement be given for a copy of the approved Section 19 report to be sent to the Secretary of State for the Department of the Environment, Food and Rural Affairs (DEFRA), drawing particular attention to the recommendations contained within it;
- (c) That it be noted that the Chief Officer Highways and Transportation will be responsible for the implementation of resolution (b) (above).

### **143 The Housing Growth and High Standards in all Sectors Breakthrough Project**

The Director of City Development and the Director of Environment and Housing submitted a joint report providing an update on the 'Housing Growth and High Standards in all Sectors' Breakthrough Project, which aimed to deliver new housing through direct investment in new housing stock in the public and private sectors, bringing empty homes back into use and enabling delivery through a programme of intervention and support for housing associations, third sector partners and private sector land owners and developers.

In considering the report, Members noted the disparity which existed between the level of planning permissions which had been granted in Leeds and the number of new homes delivered. The Board also discussed the important role played by small and medium sized house builders in the delivery of new homes in Leeds, whilst also noting the discussions which were taking place with Government on the ways in which housing delivery in the city could be increased.

In discussing the provision of extra care housing and the significant demand which existed, it was noted that a report regarding extra care housing was scheduled to be submitted to the Board over the course of the next few months.

**RESOLVED –**

- (a) That the progress of the ‘Housing Growth and High Standards in all Sectors’ Breakthrough Project, be noted;
- (b) That the subsequent production of an Annual Report within a wider approach towards stakeholder engagement, be approved.

**144 Long Term Leases for 3rd Sector Affordable Housing Organisations**

The Director of City Development and the Director of Environment and Housing submitted a joint report which sought approval to the surrender of existing lease arrangements between the Council, GIPSIL, Canopy and Unity Housing Association, and which also sought approval to delegate authority to the Director of City Development in order to approve terms of new 99 year leases and nomination agreements for the 66 subject properties, at £1 per property per annum.

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 –**

That the following be approved:-

- i) The surrender of existing lease arrangements, as listed in exempt Appendix 1 to the submitted report, between the Council, GIPSIL, Canopy and Unity Housing Association;
- ii) That the Council enters into new 99 year leases and nomination agreements for all 66 council owned properties, as listed within exempt Appendix 1 to the submitted report, with GIPSIL and Canopy, at Less Than Best consideration;
- iii) That the Council enters into nomination agreements on any new properties acquired by GIPSIL or Canopy;
- iv) That the necessary authority be delegated to the Director of City Development in order to approve the terms of the new leases at ‘Less than Best’ consideration, based on a peppercorn rent of £1 per annum per property.

**145 Revised Leeds District Heating Network Local Development Order (Revised LDO 3)**

Further to Minute No. 159, 9<sup>th</sup> March 2016, the Director of City Development submitted a report on proposals to adopt a revised Leeds District Heating Network Local Development Order (Revised LDO 3A) with the aim of supporting the development of district heating provision in the city.

Members highlighted the importance of the district heating initiative and its potentially significant contribution towards the cutting carbon agenda.



The Board received an update on the development of the business case for the district heating scheme, whilst also receiving further information on the practical procedures involved around the mitigation against disruption from any associated road works.

**RESOLVED –**

- (a) That the adoption of the Revised Leeds District Heating Network Local Development Order (Revised LDO 3A), as set out in Appendices 1 and 2 to the submitted report, be approved;
- (b) That approval be given for the Chief Planning Officer to submit a copy of the Leeds District Heating Network Local Development Order (Revised LDO 3A), together with the updated statement of reasons, to the Secretary of State for the Department of Communities and Local Government (DCLG), and that the relevant authority be provided to the Chief Planning Officer in order to make any minor modifications to the Order whilst being taken through that submission process.

**146 Design and Cost Report for Acquisition of Unit 5 Landmark Court for Council Accommodation**

The Director of City Development submitted a report which sought approval to the acquisition of Unit 5, Landmark Court, in order to deliver revenue savings to contribute towards the Council's Medium Term Financial Plan.

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 contents of the submitted report, and specifically the progress made to deliver revenue savings through asset rationalisation, be noted;
- (b) That the acquisition of Unit 5, Landmark Court, on the terms identified within exempt appendix 1 to the submitted report, be approved;
- (c) That the necessary authority be delegated to the Director of City Development in order to agree the final detailed terms for the acquisition;
- (d) That the injection of the sum, as identified within exempt Appendix 1, into the Capital Programme be approved, and that the relevant authority to spend the monies, as required, also be approved;
- (e) That it be noted that the Head of Land and Property is responsible for the implementation of such matters.

## 147 Core Strategy Selective Review

Further to Minute No. 65, 17<sup>th</sup> September 2014, the Director of City Development submitted a report which sought approval to commence the formal steps for a selective review of the Core Strategy, to agree the suggested scope of that review and also to commence the first regulatory stage of preparation.

A specific request was made for a further resolution to be agreed in order to ensure that a review of the employment growth projections used in the current Core Strategy (in relation to the Objectively Assessed Needs for Housing) was included within the Selective Review process.

The Board considered the challenges faced by the Local Authority in adapting to population growth across the city and the actions which were being taken by the Council in a bid to meet such challenges. Emphasis was also placed on the need to ensure that the Council fully contributed towards any consultation process associated with the Government's recently published housing White Paper.

Members discussed the objectives of the Selective Review, the timing of it, and highlighted the need for such a review process to be commenced at the earliest opportunity.

### **RESOLVED –**

- (a) That approval be given to the initial scope of the Core Strategy Review, as follows:-
- (i) Update the housing requirement in Policy SP6, considering and making any necessary consequent revisions to other parts of the Plan and considering any implications for the spatial strategy;
  - (ii) Extend the plan period to 2033;
  - (iii) Update the wording for Policies EN1 and EN2, arising from the Government's withdrawal of the Code for Sustainable Homes in March 2015, which is currently set out in the document "Implementation of Core Strategy Policies EN1 and EN2" on Leeds City Council's website;
  - (iv) Update Affordable Housing Policy H5 in response to anticipated proposals in the forthcoming Housing White Paper and amend the policy as necessary in response to findings of the SHMA (Strategic Housing Market Assessment) and viability assessment of policy;
  - (v) Amend Greenspace Policy G4 as necessary in response to findings of viability assessment of the policy;
  - (vi) Respond to policy implementation issues, which have arisen through Plan delivery;
  - (vii) Incorporate the Housing Standards policy work into the Core Strategy Review instead of undertaking it in a separate development plan document;
  - (viii) That a review of the employment growth projections used in the current Core Strategy (in relation to the Objectively Assessed

Needs for Housing) be included as part of the Core Strategy Selective Review process.

- (b) That it be noted that the Head of Strategic Planning is responsible for the implementation of such matters.

(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)

**148 Leeds Site Allocations Plan Submission Draft Stage (Including Advertisement of Pre-Submission Changes to the Plan)**

Further to Minute No. 73, 21<sup>st</sup> September 2016, the Director of City Development submitted a report which sought approval to advertise a consolidated set of proposed pre-submission changes to the Site Allocations Plan (Publication Draft Site Allocations Plan and Revised Publication Draft for Outer North East HMCA). In addition, the report also sought Executive Board to recommend that full Council approves the Submission Draft Plan for submission to the Secretary of State for the purposes of independent examination.

Board Members were in receipt of supplementary information in the form of an addendum to the submitted cover report which sought the Board's approval to recommend that full Council provided the necessary authority to the independent inspector appointed to hold Public Examination to make modifications to the Submission Draft of the Aire Valley Leeds Area Action Plan. In addition, Members were also in receipt of an updated version of a plan concerning Site Reference: MX2-39 (5372) – Parlington Estate, Aberford (Phase 1) which formed part of appendix 2 to the submitted report.

Members discussed the level of land proposed to be allocated for development as part of this process within the green belt, discussed specific sites Meanwood (HG2-49) and Tingley (HG2-169), whilst also considering the associated timescales regarding the submission of the Site Allocations Plan, together with the relationship between the Site Allocations Plan and the Selective Review of the Core Strategy.

**RESOLVED –**

- (a) That the request from Development Plan Panel (10th January 2017) that Executive Board receive further information on two housing allocations at Weetwood (HG2-49) and Tingley (HG2-169) in light of the recent withdrawal by the Cricket and Rugby Clubs of their planning applications for housing development at Weetwood be noted, together with the information on such matters, as detailed within the submitted report. Also, having considered this information, and having considered the implications and risks of removing the sites at this stage with any necessary changes to the Pre-Submission Changes made, both sites remain within the Submission Draft Plan, as currently presented;

- (b) That the Board approves and recommends that full Council approves the pre-submission changes to the Publication Draft Site Allocations Plan, as set out in Appendix 1 to the submitted report;
- (c) That the Board approves and recommends that full Council approves the Submission Draft of the Site Allocations Plan (comprising the Publication Draft Plan, the Revised Publication Draft Plan for the Outer North East and the Pre-Submission Changes – together known as the “Submission Draft Plan”) 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 as amended;
- (d) That the Board approves and recommends that full Council approves the Sustainability Appraisal Report, as detailed at Appendix 3 to the submitted report, in support of the Plan, for Submission to the Secretary of State for independent examination pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004 as amended;
- (e) That full Council be recommended to grant authority to the independent inspector appointed to hold the Public Examination, in order to make modifications to the Submission Draft Plan, pursuant to Section 20 (7C) of the Planning and Compulsory Purchase Act 2004 as amended;
- (f) That agreement be given that a further period of advertisement on the pre-submission changes to the Publication Draft Site Allocations Plan is provided, and that any further comments received be submitted to the Secretary of State at the time the Submission Draft Plan is submitted for independent examination;
- (g) That agreement be given and that it be recommended to full Council that it delegates authority to the Chief Planning Officer, in consultation with the relevant Executive Member, to make any factual and other minor changes to the pre-submission changes, prior to advertisement;
- (h) That the necessary authority be delegated to the Chief Planning Officer, in consultation with the relevant Executive Member, to:
  - a) approve the detail of any further technical documents and supporting evidence required to be submitted alongside the plan for consideration at Public Examination;
  - b) continue discussions with key parties and suggest to the Inspector any edits and consequential changes necessary to be made to the Submission Draft Plan following Council approval up to and during the Examination; and
  - c) prepare and give evidence in support of the Plan at Examination;
- (i) That full Council be recommended to grant authority to the independent inspector appointed to hold the Public Examination, in order to make modifications to the Submission Draft Aire Valley Leeds Area Action Plan, pursuant to Section 20 (7C) of the Planning and Compulsory Purchase Act 2004, as amended.

(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)

(The matters referred to within this minute, given that they were decisions being made in accordance with the Budget and Policy Framework Procedure Rules, were not eligible for Call In)

**149 East Leeds Orbital Road (ELOR): Land Assembly and Procurement**

Further to Minute No. 129, 10<sup>th</sup> February 2016, the Director of City Development submitted a report setting out the next steps in bringing forward housing development and related infrastructure in the East Leeds Extension, with particular reference to the procurement exercise now required to support the delivery of the East Leeds transport package and associated land assembly to secure the site for its delivery.

Members highlighted the importance of ensuring that the correct infrastructure was established as part of this initiative, whilst the Board also discussed the timing and process by which housing development would take place in this area.

**RESOLVED –**

- (a) That approval be given that the Chief Officer for Highways and Transportation commences procurement of the East Leeds transport package, as set out at paragraphs 3.2 – 3.4 of the submitted report, and that authority be given for the invitation of tenders for a single contract;
- (b) That approval be given for the Director of City Development to be authorised to acquire land by agreement for ELOR, in accordance with his existing delegated authority;
- (c) That approval be given for the Head of Land and Property to progress all work necessary in order to establish a case for compulsory purchase of land required for the ELOR scheme;
- (d) That approval, in principle, be given for the use of compulsory purchase powers for the acquisition of the land outlined in red on the draft map, as detailed at Appendix 3 to the submitted report, together with the making of an Side Roads Order (SRO) in order to facilitate the construction of ELOR, as set out within paragraphs 3.11 – 3.27 of the submitted report;
- (e) That approval be given for the Board to receive a further report at the earliest opportunity, which sets out the detailed case for the making of a Compulsory Purchase Order (CPO) for the acquisition of land and for the making of an SRO in order to facilitate the delivery of ELOR;
- (f) That it be noted that the Council's Red Hall site will be marketed for sale later in 2017 in order to support the Capital Receipts Programme.

**150 Leeds City Centre Cycle Superhighway - City Connect 2 Proposals (Design and Cost)**

The Director of City Development submitted a report which sought approval for the Leeds City Centre Cycle Superhighway (City Connect 2) proposals and also to gain authority to progress the delivery of the Phase 1 scheme at a total estimated cost of £6,497,000, to be funded by the West Yorkshire Combined Authority (WYCA) City Connect programme, with support from a Department for Transport grant.

The Board discussed the levels of usage of City Connect 1 and the lessons learned which would be taken forward into the proposed next phase of the initiative, whilst responding to an enquiry, Members received further information regarding the provision of funding for future elements of the scheme.

**RESOLVED –**

- (a) That the design and cost to implement Phase 1 of the City Connect 2 ambition (as set out in section 3.6 of the submitted report) be approved, and that authority be provided to incur expenditure of £6,497,000: comprising works costs of £4,634,000 and design/ supervision costs of £1,862,000, funded by the WYCA City Connect programme budget which is funded through a Department for Transport grant;
- (b) That the principle of the Leeds City Centre Cycle Superhighway (City Connect 2) ambition proposals, as set out in section 3.1 of the submitted report, be agreed, subject to further design and development;
- (c) That approval be granted for the invitation of tenders for works, as set out in resolution (a) (above), and that subject to the tender sums being within the tendered budget, approval and authorisation be given to the award of the Contract to undertake the construction of the scheme.

(Under the provisions of Council Procedure Rule 16.5, Councillors A Carter required it to be recorded that he voted against the decisions referred to within this minute)

**151 Relocation of the Medical Needs Teaching Service from the Grafton Centre**

The Director of Children's Services and the Director of City Development submitted a joint report which sought approval to a programme of capital works at Queenswood Education Centre in order to enable the relocation of the Medical Needs Teaching Service from the Grafton Centre to the Queenswood Education Centre, with the subsequent disposal of the Grafton Centre site.

Following consideration of Appendix 2 to the submitted report, designated as exempt from publication under the provisions of Access to Information

Draft minutes to be approved at the meeting to be held on Wednesday, 22nd March, 2017

Procedure Rule 10.4 (3), which was considered in private at the conclusion of the meeting, it was

**RESOLVED –**

- (a) That the contents of the submitted report be noted;
- (b) That capital works at Queenswood Education Centre be approved in order to enable the relocation of Medical Needs Teaching Service from the Grafton Centre and subsequent disposal of the site, as per the monetary values as detailed within exempt appendix 2 to the submitted report;
- (c) That the injection of funds into the Capital Programme, as outlined within exempt appendix 2 to the submitted report, be approved;
- (d) That it be noted that the authority to spend the capital budget at Queenswood Education Centre will be sought from the Director of City Development, in-line with the Council's scheme of delegation;
- (e) That it be noted that the Head of Asset Management is the officer responsible for the implementation of such matters.

**HEALTH, WELLBEING AND ADULTS**

**152 Making Leeds the Best City to Grow Old In Annual Report**

The Director of Public Health and the Director of Adult Social Services submitted a joint report providing an update on the 'Best City to Grow Old In' breakthrough project.

Responding to an enquiry, Members were provided with information on and examples of the actions being taken as part of this initiative to provide targeted support to vulnerable older people.

**RESOLVED –**

- (a) That the information presented within the Annual Report, as detailed at Appendix A to the submitted report, be noted;
- (b) That it be noted how the Breakthrough Project is a good example of cross directorate working which looks to maximise impact and outcomes on a key issue for the city.

**153 Refresh of the Better Lives Strategy**

The Director of Adult Social Services submitted a report presenting a refreshed and updated 'Better Lives Strategy' for the Board's consideration and comment.

**RESOLVED –**

- (a) That the refreshed 'Better Lives Strategy', as outlined within the submitted report, be noted;

- (b) That approval be given for the strategy to be the subject of a period of comment, feedback and consultation with a view to reporting back to Executive Board in July 2017 for final approval;
- (c) That it be noted that the Director of Adult Social Services is responsible for the implementation of such matters.

**154 Better Lives, Better Living: Black and Minority Ethnic Older People's Day Services Review**

The Director of Adult Social Services submitted a report which provided an update regarding the progress made in respect of the review of Black and Minority Ethnic (BME) Older People's Day Services. As such, the report provided details of the proposed new service model, future management of the service, proposed Partnership Board and the outcome of the extensive consultation which had taken place.

**RESOLVED –**

- (a) That the proposed new service model for future delivery of BME Older People's Day Services, which includes the following, be approved:
  - Adult Social Care continuing to manage the service, supported by a Partnership Board consisting of third sector, health partners, community organisations and service users and carers;
  - Retain Frederick Hurdle Day Centre as an expanded BME Older People's Communities Health and Wellbeing Hub and decommissioning of the Apna Day Centre building; and
  - Increased outreach work from the Health and Wellbeing Hub to older people from BME communities across the city.
- (b) That the use of prudential borrowing of £130,000 to fund the refurbishment of the Frederick Hurdle centre in order to enable it to deliver its enhanced role as a BME older people's communities health and wellbeing hub, be approved, and that the repayment costs will be met from the existing budgets of Apna day centre, with a delegated decision on such matters being submitted in due course;
- (c) That consultation be undertaken on changing the name of Frederick Hurdle Day Centre in order to support its enhanced role as a BME Older People's Communities Health and Wellbeing Hub for a wider range of BME communities in the city;
- (d) That it be noted that the lead officer responsible for the implementation of such matters is the Director of Adult Social Services.

**155 A Break with Tradition: Transforming Short Breaks in Adult Social Care**

The Director of Adult Social Services submitted a report highlighting that Adult Social Care was to enter into a 12 week period of formal consultation in order to support the transformation of short breaks provision in Leeds.

Members noted the key areas of the proposed consultation exercise. Also, responding to a Member's enquiry, officers undertook to provide the Member



in question with anonymised data regarding the number of registered carers and those in receipt of the short breaks service located within their local community.

The Board also discussed the ways in which the short breaks service could be used more creatively, in order to enable such provision to further meet the interests of individuals and maximise the benefit provided.

Also, it was suggested that a report could be submitted to a future cycle of Community Committees in respect of short breaks provision and the locality approach which could be taken.

**RESOLVED –**

- (a) That it be noted that Adult Social Care is to enter into a period of consultation in order to support the transformation of short breaks provision;
- (b) That a further report setting out the conclusions and recommendations from the consultation exercise be presented to a future Executive Board meeting.

**CHILDREN AND FAMILIES**

**156 Outcome of Statutory Notice to increase learning places at Carr Manor Community School**

Further to Minute No. 95, 19<sup>th</sup> October 2016, the Director of Children's Services submitted a report detailing the outcomes from the Statutory Notice regarding proposals to expand primary provision and establish Special Educational Needs (SEN) provision at Carr Manor Community School. In addition, the report also sought a final decision in respect of such proposals.

**RESOLVED –**

- (a) That the proposal to permanently expand primary provision at Carr Manor Community School from a capacity of 210 pupils to 420 pupils, with an increase in the admission number from 30 to 60 with effect from September 2018 be approved, and that approval also be given to the establishment of provision for pupils with Complex Communication Difficulties including children who may have a diagnosis of ASC (Autistic Spectrum Condition) for approximately 12 pupils (6 primary, 6 secondary) with effect from September 2018;
- (b) That it be noted that the responsible officers for the implementation of such matters are the Head of Learning Systems and the Head of Complex Needs.

## **COMMUNITIES**

### **157 Community Asset Transfer of Bramley Community Centre to Bramley Elderly Action**

The Director of City Development and the Assistant Chief Executive (Citizens and Communities) submitted a joint report which sought approval for the Community Asset Transfer of Bramley Community Centre to Bramley Elderly Action by way of a 25 year lease.

#### **RESOLVED –**

- (a) That the community asset transfer of Bramley Community Centre to Bramley Elderly Action by way of a 25 year full repairing and insuring lease for a peppercorn consideration, be approved;
- (b) That the necessary authority required to finalise the terms of the disposal to Bramley Elderly Action be delegated to the Director of City Development;
- (c) That the necessary authority required to finalise the terms of any sub-lease to the Council from Bramley Elderly Action for Housing staff, (should such a sub-lease be required), be delegated to the Director of City Development;
- (d) That it be noted that the Chief Officer (Economy and Regeneration) will be responsible for ensuring the implementation of such matters, with it also being noted that it is expected that the transfer itself will take place by 1st June 2017.

## **ENVIRONMENT AND SUSTAINABILITY**

### **158 Memorial Woodland**

The Director of Environment and Housing submitted a report which outlined a proposal regarding a potential partnership agreement with a registered charity, 'Life for a Life' Memorial Forests, in order to create a memorial woodland at a site of just over 2 hectares adjacent to the Leeds-Liverpool canal near Kirkstall Abbey.

#### **RESOLVED –**

- (a) That support be given to enter into an agreement with 'Life for a Life' Memorial Forests with a view to establishing a 30 year lease on the land, as identified within paragraph 3.1 of the submitted report and for the purposes as described in the report;
- (b) That it be noted that the Chief Officer (Parks and Countryside) is responsible for the implementation of such an agreement, which is anticipated to be in place during 2017.

**159 The proposed Retail and Hospitality Skills Centre of Excellence**

The Director of Children's Services submitted a report regarding the Council's ambition to create a Retail and Hospitality Skills Centre of Excellence, in partnership with the business community through the Leeds Business Improvement District (the Leeds BID).

Members welcomed the proposals detailed within the submitted report, and highlighted the key importance of the retail and hospitality sector to the regional and national economy.

**RESOLVED –**

- (a) That the decision to enter into partnership with the Leeds BID in order to create a Retail and Hospitality Skills Centre of Excellence be supported, and that approval be given to undertaking the initial stage of a business planning and sustainability study to be delivered by March 2017, with approval also being given to the commitment of the Council providing a maximum of £195,000 towards the project, subject to the outcomes of the study.
- (b) That it be noted that the officer responsible for the implementation of such matters is the Head of Employment Access and Growth.

**DATE OF PUBLICATION:** FRIDAY, 10<sup>TH</sup> FEBRUARY 2017

**LAST DATE FOR CALL IN  
OF ELIGIBLE DECISIONS:** 5.00 P.M. ON FRIDAY, 17<sup>TH</sup> FEBRUARY  
2017

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