

SCRUTINY BOARD (ENVIRONMENT AND HOUSING)

Meeting to be held in Civic Hall, Leeds, LS1 1UR on
Thursday, 20th April, 2017 at 10.00 am

(A pre-meeting will take place for ALL Members of the Board at 9.30 a.m.)

MEMBERSHIP

Councillors

J Bentley Weetwood;
A Blackburn Farnley and Wortley;
K Bruce Rothwell;
D Collins Horsforth;
A Gabriel Beeston and Holbeck;
A Garthwaite Headingley;
P Grahame Cross Gates and Whinmoor;
A Khan Burmantofts and Richmond Hill;
A Lamb (Chair) Wetherby;
M Lyons Temple Newsam;
K Ritchie Bramley and Stanningley;
G Wilkinson Wetherby;

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

Principal Scrutiny Adviser:
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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>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</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>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</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>RESOLVED – 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>No exempt items have been identified.</p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			LATE ITEMS To identify items which have been admitted to the agenda by the Chair for consideration. (The special circumstances shall be specified in the minutes.)	
4			DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS 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.	
5			APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES To receive any apologies for absence and notification of substitutes.	
6			MINUTES - 23RD MARCH 2017 To confirm as a correct record, the minutes of the meeting held on 23 rd March 2017.	1 - 4
7			PRIVATE RENTED SECTOR HOUSING - UPDATE To receive a report from the Director of Resources and Housing which provides a more detailed update on the issues surrounding Private Rented Sector housing.	5 - 16
8			HOUSING RELATED MATTERS To receive a report from the Director of Resources and Housing covering particular areas of housing policy/activity as requested by the Scrutiny Board.	17 - 22
9			WORK SCHEDULE To consider the Board's work schedule.	23 - 40

Item No	Ward/Equal Opportunities	Item Not Open		Page No
10			<p>DATE AND TIME OF NEXT MEETING</p> <p>Tuesday, 23rd May 2017 at 1.00 pm (Pre-meeting for all Board Members at 12.30 pm)</p> <p>THIRD PARTY RECORDING</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"> 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. 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. 	

SCRUTINY BOARD (ENVIRONMENT AND HOUSING)

THURSDAY, 23RD MARCH, 2017

PRESENT: Councillor A Lamb in the Chair

Councillors A Blackburn, K Bruce,
D Collins, P Grahame, M Harland, A Khan,
M Lyons, J Pryor, K Ritchie and
G Wilkinson

80 Late Items

There were no late items.

81 Declaration of Disclosable Pecuniary Interests

There were no disclosable pecuniary interests declared to the meeting.

82 Apologies for Absence and Notification of Substitutes

Apologies for absence were submitted by Councillors J Bentley, A Gabriel and A Garthwaite.

Notification had been received that Councillor M Harland was to substitute for Councillor A Gabriel and Councillor J Pryor for Councillor A Garthwaite.

83 Minutes - 16 February 2017

RESOLVED – That the minutes of the meeting held on 16 February 2017 be approved as a correct record.

84 Environment related matters

The Director of Environment and Housing submitted a report which provided an update on a series of waste issues presented to the Board in September 2016:

The appendices provided summaries in relation to the following main areas:

- Appendix 1 – Recycling performance
- Appendix 2 – Odour and air quality monitoring in relation to the RERF and wider Cross Green area
- Appendix 3 – Engaging communities in the recycling agenda
- Appendix 4 – Reviewing existing recycling services and recyclables collected
- Appendix 5 – Maintenance of gullies.

The following were in attendance:

Draft minutes to be approved at the meeting
to be held on Thursday, 20th April, 2017

- Councillor Lucinda Yeadon, Executive Member for Environment and Sustainability
- Neil Evans, Director of Environment and Housing
- Andrew Lingham, Head of Waste Strategy and Infrastructure
- Tom Smith, Chief Officer (Waste Management)
- Paul Spandler, Environmental Health Manager
- Jason Singh, Head of Service, Environmental Action
- Tim Price, Operations Director, Veolia UK Energy
- Paul Fowler, General Manager, Veolia Leeds ES UK.

The key areas of discussion were:

- Confirmation that materials were either recycled or combusted at the RERF. No materials were diverted to landfill. The Board was advised that there was some element of storage on-site linked to the overall waste input management processes.
- An update on outage issues, planned maintenance and arrangements for the treatment of waste during this period.
- Concern that Veolia had not met its recycling target. The Board was advised that the mechanical pre-treatment equipment at the RERF had since been reviewed and that Veolia have agreed to replace a key piece of machinery (the ballistic separators) to help resolve the problem and are undertaking temporary repair work in the meantime.
- The Board welcomed recent improvements that had been made, although there was some concern that 3 improvement notices had so far been served. The Board was advised that sanctions were available if contract obligations were not met.
- An update on arrangements for recycling garden waste. The Board was advised that there were 8 household waste sites in Leeds for residents living in areas where kerbside recycling was not available. Residents were also encouraged to use a composter.
- A request that future reporting included numbers as well percentages to provide overall context.
- The challenges obtaining data and information in relation to commercial waste when trying to provide an overall picture of how Leeds is managing its waste.
- The need to raise awareness about what items could be recycled, with particular reference to plastics. However, the Board also acknowledged the need to introduce national legislation to tackle the longstanding problems associated with packaging. In the meantime, the Board suggested that further analysis be undertaken to determine the implications of the Council adopting an approach whereby all types of plastics are collected in the green bins for processing.
- Concern about current emission permit thresholds, particularly in relation to oxides of Nitrogen (No_x) in view of the findings arising from the Board's recent inquiry into Air Quality. It was acknowledged Veolia had already installed the best available technology for reducing emissions and would continue to adapt as such technology evolves.

- The need to provide the Board with further information and data in relation to responsive gully cleansing. The Board was advised about the development of new software, which improved how information and data was being recorded.
- The need to develop greater links with highways regarding the reporting of issues. Linked to this, the Board was advised about plans to bring the maintenance, cleansing and repairs functions within one service area (Highways and Transportation) to create a more joined up service.
- Clarification sought regarding arrangements for drainage inspection by Yorkshire Water. It was suggested that a representative from Yorkshire Water be invited to attend a future Board meeting to provide further information.

In conclusion to this item, it was acknowledged that Neil Evans would be commencing his new role as Director of Resources and Housing from 1st April 2017 and would no longer have responsibility for the waste and environmental management service areas. The Scrutiny Board therefore took this opportunity to thank Neil for his leadership and support within these particular service areas.

RESOLVED –

- (a) That the update on environment related themes be noted.
- (b) That the above requests for information be provided.

(Councillor A Blackburn joined the meeting at 11.25am during the consideration of this item.)

85 Work schedule

The Head of Governance and Scrutiny Support submitted a report which invited Members to consider the Board's work schedule for the 2016/17 municipal year.

The key points were:

- Proposed date of working group in relation to reviewing the role of wider tenant involvement groups on Tuesday, 25 April 2017 (10am-12noon)
- A suggestion that an additional Board meeting be arranged to take place on Tuesday, 23 May 2017, to consider any outstanding issues and sign off reports.

RESOLVED – That subject to any on-going discussions and scheduling decisions, the Board's outline work schedule be approved.

86 Date and Time of Next Meeting

Thursday, 20 April 2017 at 10.00am (pre-meeting for all Board Members at 9.30am)

(The meeting concluded at 11.35am)



Leeds
CITY COUNCIL

Report author: Mike Brook &
Mark Ireland
Tel: 01133789728

Report of Director of Resources and Housing

Report to Environment and Housing Scrutiny Board

Date: 20th April 2017

Subject: Private Rented Sector Housing - update

Are specific electoral wards affected? If yes, name(s) of ward(s):	<input type="checkbox"/> Yes x No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes x No
Is the decision eligible for call-in?	<input type="checkbox"/> 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

Summary of main issues

1. This report provides an update on private rented sector housing issues which were identified by the Environment and Housing Scrutiny Board as of particular interest at the January 2017 meeting. They are as follows:
 - The Housing and Planning Act 2016 and how it affects the private rented sector
 - The progress made by Housing Leeds on implementing the recommendations of the Executive Board Report in March 2016

Recommendations

2. Scrutiny Board are requested to note the content of the report.

1 Purpose of this report

- 1.1 The purpose of the report is to update the Scrutiny Board on the Housing and Planning Act 2016 as it affects the private rental sector and the progress made by Housing Leeds in implementing the recommendations of the Executive Board Report in March 2016 - Establishing a Council's Letting Agency and the future policy direction for the regulation of the Private Rented Sector.

2 Background Information

- 2.1 The private rented sector continues to grow significantly, within the city with an estimated 65,000 properties. This includes all privately rented accommodation – including university accommodation. There is no single privately rented market in the city. There are a number of markets which address the different needs of households such as the professional, student, family and low rental markets. However, it is estimated that 25% of the sector is in the low market rental areas, with some of the poorest housing in the city. This market has seen a significant growth in recent years and provides the biggest challenge to the Council
- 2.2 Certain areas of the inner parts of the city have seen a change of tenure mix so that the private rental market is now the dominant sector. This can be over 50% of properties in some neighbourhoods. These changes have led to some areas having issues of transient populations, community cohesion, new communities migrating into an area and an increase in the level of inadequate and unacceptable managed accommodation provided by poor landlords. This has affected rent levels in the city which in turn has affected the supply of homes.
- 2.3 With the issue of a shortage of affordable home, including new build ones, the loss of social homes and the low availability of mortgages the private rented sector is increasing and becoming the only option or the option of choice for a large number of individuals and families.
- 2.4 Overall the private rented sector is generally of poorer quality than either the owner/occupation or social sector. Whilst it is recognised that there is no single private rental market in the city, with a variety of quality accommodation on offer, it is noted that most of the sector still offers quality homes above the legal minimum which the Council can enforce.
- 2.5 However, the majority of the private rental sector is actually contained within the pre 1919 stock and in the majority of this stock would be classified as in a poor condition. Overall around 45% of the private rented stock, compared to the Owner/Occupation sector at 30%, does not meet the decency standard previously required in the social sector. Most of this stock is the pre 1919 housing with the highest level of non-decent found within the inner areas of the city, especially in south and east.
- 2.6 One in five of the private rented sector has at least one or more category 1 hazards present in their property, this compares to just over one in ten in the Owner/Occupation sector. The main hazards found in the sector are excess cold, falls, disrepair and damp/mould. Again the highest level of

- properties with hazards is within the inner areas of the city.
- 2.7 Unfortunately the most vulnerable, the young and elderly who tend to be on low income are generally found in the poorest quality privately rented homes in the city.
- 2.8 The size of the private rented sector has significantly increased over the last ten years, yet the resources to address the issues have not kept pace. The service is funded via the general fund which since 2010 has been subject to considerable financial pressure. Therefore there is a limit to the capacity currently available to the Council to address the concerns within the sector without additional pressures on the general fund. There is currently limited ability to generate additional income to support the work of the service. While the legislation allows a fee income to support HMO mandatory licensing, the income can only be used to support the administration of the scheme and not for other activities. Mandatory licensing, in any case, does not apply to the vast majority of homes.
- 2.9 The Housing Act 2004 does allow landlords to be charged for the service of notices but this only generates a limited income. In 2015/6 this was less than £20k. Government has recognised this issue and as part of the civil penalties under the Housing and Planning Act 2016, the Council will be able to keep all the income from fines provided it is used for private sector housing. Whilst welcomed, the level of fines has yet to be known and it is anticipated that due to the maximum fine being £30k that these will be subject to appeal by landlords and the recovery of the monies may prove to be problematic.
- 2.10 The Housing Act 2004 does allow a Council to introduce discretionary licensing, namely selective or additional HMO licensing. Both have to be subject to a business case based upon criteria laid down by Government. Whilst it is possible to charge a fee, as per mandatory HMO licensing, to deliver any such scheme, the income can only be used for this purpose and not to support other activity to address private rented issues. We are re-examining the case for selective licensing in parts of the city.
- 2.11 The Council's approach to the sector is to look to support the good landlords who provide good quality well managed accommodation which is essential to a city such as Leeds in order to continue to be prosperous and continue to grow its economy. However if you are a poor or rogue landlord the approach is to target resources to ensure that they do comply with their legal duties or face the full action of the Council and partners. The Council has agreed a more robust approach to the sector which supports this approach which together with the proposed Leeds Rental Standard has been subject to consultation with the sector in general. The National and local Landlord Associations are fully supportive of this approach to the regulation of the sector, as it helps to create a level and fair market for all by targeting those in the sector who have a disregard for their legal duties and create a bad reputation for landlords in the city.

- 2.12 In order to address the issues of poor property and management conditions in the sector, the Council has mandatory and discretionary powers available under the Housing Act 2004.
- 2.13 Below is a brief summary activity undertaken by the private sector housing service between 1st April 2016 and 31st December 2016 the Council:
- Received 1,528 requests for service from tenants in the private rented sector;
 - Inspected all properties under the Temporary Accommodation contract and let via the Private Sector Letting and Bond Schemes;
 - Carried out over 1300 separate property inspections;
 - Undertook work to improve the standards of over 4,000 individuals living in the sector;
 - Undertaken proactive targeted interventions as part of the Leeds Neighbourhood Approach in Holbeck;
 - Falls, Excess Cold, Fire safety, Electrics and damp are the major hazards identified.
- 2.14 The Council continues to look at developing new and better ways of working. As part of this approach officers regularly attend meeting with DCLG on new developments and are part of the implementation working group for the Housing and Planning Act 2016 in relation to the private rented sector. Officers also attend meetings with other authorities to share good practise and new ways of working. This is both on a National and Regional level. As a result the Council's approach to the sector and its ways of working it is regularly invited to attend conferences to present papers on the way it works and the innovative ways it approaches it work on the private rented sector and empty homes.

3 Main Issues

- 3.1 The Housing and Planning Bill gained Royal Ascent on the 12th May 2016. An overview of the provisions was presented to the meeting of the Scrutiny Board in January. This report provides a further update on the latest position of the implementation of the Act as it affects the private rented sector.
- 3.2 The Act is broadly welcomed in terms of the Private Rented Sector as it is seen as providing additional tools by which the Council can regulate the sector. Officers from Leeds are represented on the DCLG working group working on its implementation and have had the opportunity to help determine the scope and extent of the new proposals.
- 3.3 It should be noted that official notification has now been received from the Department of Communities and Local Government (CLG) that the option to use Civil Penalties and the extension of the use of Rent Repayment Orders have been approved to start from 6th April 2017. Whilst this is welcomed, we are still awaiting the formal guidance to allow formal policies and

enforcement protocols to be established. Officers are currently working through options and liaising with other local authorities in preparation for this new work area.

3.4 The main provisions in the Act are outlined below:

3.4.1 **Introduction of the option to serve Civil Penalties as an alternative to Prosecution**

We welcome the broad proposals but are still awaiting the full guidance. Initial discussions with CLG, as part of the working group, indicate that the level of Civil Penalty will have a maximum penalty of £30K per offence and CLG are expecting penalties to be towards this higher range rather than lower levels. The main impact of this option is to act as a real deterrent and be punitive – the cost of the penalty has to be seen to be higher than the potential gain by the landlord.

Officers are working on potential options and use of a matrix that should allow consistent application of penalties. Officers are intending to liaise at a local, regional and national level to help achieve a level of consistency in the approach to using and setting the Civil Penalties.

Once full guidance is received then officers will determine alternatives and look to amend the existing enforcement policy to identify when such penalties should be used, when to still use prosecution and set appropriate guidelines for determining each penalty level. Any such penalties can be retained by the housing authority but are subject to appeal by the landlord and a process will also need to be established with Legal and Finance to allow the recovery of Civil Penalties.

3.4.2 **Extending the use of Rent Repayment Orders**

Again, we broadly welcome these proposals as it will act as a further tool to use against rogue and criminal landlords. The intention is to extend the use of RRO's to cover offences other than purely licensing and that they are used as an extra financial penalty against landlords.

We are now aware that this option will be implemented from 6th April 2017. As with the Civil Penalties, we are still awaiting full guidance on how this is likely to be implemented.

3.4.3 **Banning Orders**

Officers welcome the opportunity to consider banning orders against the very worst performing landlords and consider this as a real step forward in taking direct action in the lower end of the rental market. Further detail is still awaited on the use of banning orders and which offences will be included in the criteria. Officers have had the opportunity to directly communicate with CLG / Government on which offences should be considered and how this should be applied. Implementation is not expected until October 2017.

3.4.4 Rogue Landlord Database

Government /DCLG have now commenced technical work on developing a database that will be operated on a national basis but with each local authority responsible for updating the database locally – this is a huge undertaking for Government and local authorities and we await further advice on this. Implementation is not expected until October 2017.

3.4.5 Electrical Safety

Discussions are still ongoing and CLG have requested evidence from the sector on proposals to require greater electrical safety checks in the PRS. We await further information but as yet there is no indication as to the extent or likely implementation for this proposal.

3.4.6 Improved Data Sharing

We are on proposals to provide access to the 3 Tenancy Deposit Scheme data which will help to improve the intelligence available to a local authority. This is expected in April/May of this year.

The Government is also proposing to issue best practise guidance on the use Council Tax data and other intelligence sources to support the work of Council's in tackling rogue landlords. Currently Government proposes to issue this in April/May of this year.

3.5 In addition to the above the Government is also considering the extension of mandatory House in Multiple Occupation (HMO) licensing. Currently the Council has a mandatory duty to licence all houses in multiple occupation which as 3 storeys or above and occupied by 2 or more households. Leeds has the largest number in the country with around 2800 at any one time. Preparations for the third phase of licensing have commenced with the majority of existing licences due for renewal between April and August 2017. The cost of licensing to the Council is covered by the licence fee charged to owners.

3.6 In addition, the Government has issued further draft consultation to local authorities on proposals to widen the scope of Mandatory HMO Licensing. The Council has already made written representations and broadly welcomes the proposals. However, the proposals appear to be limited in that they will remove the number of storey criteria but still retain the minimum number of tenants at the existing level of 5 or more and occupied by 2 or more households. No further guidance or information has been made available since the last technical consultation last year.

3.7 In Leeds, this is likely to have a limited impact, although until full details are known it is difficult to accurately predict. The Government has indicated that the new regime will come into force as of October 2017 with an implementation date of April 2108. However these dates may be subject to change.

- 3.8 In March 2016 the Executive Board approved the recommendations for the future policy direction of the private rented sector and agreed in principle to create a Council Letting Agency. The service has implemented further strategies to support these:

3.8.1 **Replace the existing Leeds Landlord Accreditation Scheme (LLAS) with a new sector led Leeds Rental Standard.**

The aim is to introduce an element of self-regulation in the market whereby good landlords will voluntarily meet agreed property and management standards. This will be overseen by a governing body administered by the sector and with Council approval. The successful introduction of such a scheme will be unique across the country and will allow the Council to target its limited resources on the areas of greatest need.

Detailed preparations and discussions have now been completed with key private sector groups including the Residential Landlord Association (RLA), the National Landlord Association (NLA) and Unipol. Significant progress has been achieved and the sector has now proposed a singular approach, detailed governance procedures, and a detailed business case and costing plan. Subject to formal approval by the Council it is proposed to have a launch date for the new scheme— this is likely to be late April 2017 and Cllr Coupar, Executive Lead Member, has agreed to host the launch event.

- 3.8.2 **Creation of a rogue landlord unit** – this is a specific small team of officers (taken from existing resources) that are tasked with identifying those landlords who consistently act in a criminal or rogue manner. The proactive action will be robust and co-ordinated with other services and agencies to maximise impact.

Although this new Unit has only been operational for a number of months, it has already taken significant targeted action against a number of poorly performing rogue/criminal landlords. This action has included the use of a range of enforcement options and resulted in:

- Over 220 separate full property inspections, re-inspections and visits,
- 35 proactive property inspections in targeted areas
- Over 285 formal enforcement notices being issued, of which,
 - 31 were formal improvement notices under the Housing Act 2004
 - 14 were Prohibition Orders under the Housing Act 2004,
 - 3 formal prosecutions are currently underway.

A range of other legislation has also been used including the Building Act, Environmental Protection Act, Town and Country Planning Act etc. to achieve compliance.

In order to be successful it is essential to develop partnerships. The RLU have developed closer working relationships with other Council Services

(Revenues and Resources, Planning etc.) and external agencies (Police, Immigration, financial institutions etc.) to ensure all enforcement is fully co-ordinated to maximise the actions taken against the targeted landlords.

The work of the unit has attracted widespread interest and led to filming by the BBC regarding property inspections being undertaken and the links to illegal evictions.

- 3.8.3 Leeds Neighbourhood Approach (LNA)** - As part of addressing standards in the sector the Council continued with its Leeds Neighbourhood Approach in Holbeck, which is currently targeting 404 properties in the Receptions to address poor quality homes, return empty homes back into occupation and working with partners to address issues affecting individuals concerns.

These include access to health services, addressing social and financial exclusion, fire safety, security and jobs and skills. In the first two target areas 291 properties have been inspected and 515 hazards identified which are being addressed. In addition, 315 referrals have been made to partners to address issues and 62 empty homes returned to occupation since the start of the work in the area. In July 2016, Executive Board agreed that the approach should remain in Holbeck for a further 3 years at a cost of £1.2m. This will allow all properties to be visited and inspected, including all of the Council's own stock to ensure full compliance with the relevant legislation.

In November 2016 Executive Board agreed a further initiative to support more investment into Holbeck which will see an additional £4.5M funding to an initial phase of group repair in Holbeck. This will include external energy efficiency works as well as typical renovations such as new roofs and windows.

- 3.8.4 Empty homes** – This continues to be a priority for the service. The Core Planning Strategy has a target of a net reduction of 2000 empty homes from April 2012 to March 2017. As of February 2017 the net reduction was actually 2376. The Council has adopted a new Empty Homes Strategy for 2016 to 2019. This continues the work to address empty homes, not just by the work of the Council but also with partners in the Community Led Housing Sector. As part of the November 2016 meeting, the Executive Board agreed to extend the support to the Empty Homes Doctor for a further 3 years at a cost of £100K per annum.

- 3.8.5 Council Letting Agency** – options are currently being developed based on best practice across the country, the performance of the existing Private Sector Letting Scheme, consultation feedback from the sector and the legal and financial constraints different models of an agency may give rise too. Officers have visited and discussed the approaches adopted by a number of other Council's as to how their schemes operate, their financial models and the success of the approach in their specific areas and markets.

As part of the creating an agency there needs to be consideration given to the financial viability of a standalone agency, the issue of state aid, the

market for such an approach by the Council, the legal position of the agency in relation to its duties, the risks proposed by the approach and whether this will provide a better service than the current letting scheme to increase the supply of quality homes for those who need to rent within the sector.

The existing lettings scheme is managed across the Leeds Housing Options service (with a service objective of meeting housing need) and the Private Sector Housing Team – with a service objective of improving housing standards. The two service objectives are complementary. The Private Sector Housing team inspect each potential letting and a letting cannot progress without a satisfactory inspection/necessary works being carried out. This improves housing stock and fosters confidence in potential tenants that a private rented tenancy is a good housing option. At the same time, the Leeds Housing Options Service has a vested interest in only proposing prospective tenants to landlords in whom there is reasonable confidence that they will be good tenants. Landlords would soon pull out of the scheme if they were not being offered potentially good tenants. The scheme is in two parts: properties let directly let through the scheme, with a commitment to pay up to the equivalent of four weeks rent (damage liability payment) for rent loss/damage occurring during the tenancy or the payment of a bond (to be held in a nationally recognised bond protection scheme in the name of Leeds City Council) for a property advertised through wider routes. The condition of the payment is that the property passes a property inspection. The damage liability or bond payment is the Council's maximum liability in respect of the tenancy. In 2016/17, 436 private rented tenancies were secured through the two scheme options.

The existing lettings scheme has a number of positive attributes: it helps to address housing need, it leads to improvements in housing stock, it establishes working contact with private landlords, it reduces demand for homeless temporary accommodation and pressure on council housing stock whilst at the same time minimises the Council's exposure to financial liability relating to private rented tenancies.

Nevertheless, there is a commitment to continue to develop a fee charging private sector lettings scheme, whilst not exposing the Council to legal challenge (relating to the state aid status of a scheme), any conflict of interest in being simultaneously a managing agent and sector regulator and financial risk.

There are a number of ways in which the existing scheme can be enhanced including:

- Offering a dedicated support helpline for landlords in relation to tenancy management
- Offering a proactive support service for landlords which could cover advice on tenancy renewals and ending tenancies
- An inspection service including inventory/exit inspections, and

- gas, electric and energy performance certification
- Full repairs service.

Clearly one of the key issues is whether there is a market for such a service and, if so, what landlords would be willing to pay.

It is proposed to bring forward options to determine the best practical approach to improve standards in the sector, whilst supporting landlords with the management of their properties to ensure good quality homes for their tenants. It is proposed that any scheme will link into the proposed Leeds Rental Standards as part of the support offered to landlords.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 Consultation and engagement is embedded within the individual policies and areas of activity.

4.1.2 Officers are actively engagement in working groups with DCLG over the implementation of the Housing and Planning Act 2016, including helping to draft statutory guidance.

4.2 Equality and diversity / cohesion and integration

4.2.1 An equality impact assessment is not required at this stage as this report is primarily an information report

4.3 Council policies and best council plan

4.3.1 The Private Sector Housing Service supports the Best Council Plan in relation to living in good quality affordable homes within a clean and well cared for place by addressing poor housing conditions, improving external appearance of the property to enhance the overall street scene.

4.4 Resources and Value for Money

4.4.1 Individual evaluations are undertaken on the different policy and work activities.

4.4.2 Civil penalties under the Housing and Planning Act 2016 allows any fine to be retained within the private sector housing service to target rogue landlords

4.4.3 Any increase in the definition of mandatory HMO licensing will be covered by additional fee income to cover the extra cost of enhance scheme.

4.5 Legal implications, access to information, and call-in

4.5.1 All the new provisions of the Housing and Planning At 2016 are being considered as part of the ongoing implementation of the legislation.

4.5.2 This report does not contain any exempt or confidential information.

4.6 Risk Management

4.6.1 Risk management is embedded within the individual policy and activity areas highlighted in the report.

5 Conclusions

- 5.1 The report covers the issues identified by the Resources and Housing Scrutiny Board at their January 2016 meeting in relation to the private rented sector.

6 Recommendations

- 6.1 Scrutiny Board is requested to note the contents of the report.

7 Background Documents¹

- 7.1 None

¹ 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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Report author: Mandy Sawyer
Tel: 276430

Report of Director of Environment and Housing

Report to Environment & Housing Scrutiny Board

Date: 20 April 2017

Subject: Housing Theme – Update

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

This report provides an update on two key housing issues which were identified by Environment and Housing Scrutiny Board as particular areas of interest. They are as follows:

- Turnaround times for filling void Council properties;
- Re-commissioning of Housing Related Support

The Board also requested an update on the implications of the 2016 Housing and Planning Act on Leeds City Council and progress with planning for implementation of policy changes. However, as we are still waiting for updates from Central Government on all proposed policy changes there are no updates further to those provided in the January Housing Themed Report. If updates are received from Central Government by the time of the meeting, a verbal update on progress will be provided to the meeting.

Recommendations

Scrutiny Board is requested to note the content of this report and identify areas for further investigation.

1. Purpose of this report

The report covers areas of housing policy / activity highlighted by the Board and sets out the context, current position and the key challenges or next steps.

2. Main Issues

2.1 Void Turnaround Times of Council Homes

- 2.2 As of week 48 (up to the end of February 2017), citywide re-let days stand at 28.02 days compared to 2015/16 year-end figure of 30.52 days, against a target of 30 days. Please see below for a detailed breakdown.

	Jan 17	Feb 17
BITMO	28.94	30.2
East	26.92	26.9
South	29.39	29.4
West	27.43	27.6
Housing Leeds	27.90	28.02

- 2.3 Monthly performance reports continue to show stronger performance than 2015/16. The number of voids as at week 48 (end of February 2017) is 363 (+61 new build, buy backs and major refurbishments which will be discounted once re-let). Voids excluding new build, buy backs and major refurbishments is 0.65% of the total LCC stock and the percentage rent loss from voids is 0.62%, an historic low.
- 2.4 There continue to be some variances in relet times between different areas of the city. Performance in the South dipped again during January and February as a result of the impact of letting a number of difficult to let properties in the area, including sheltered bedsits, back to backs and 2 or 3 bedroomed flats, which had been vacant for long periods. The Housing Team is currently undertaking greater analysis of difficult to let voids in the South and will consider options to improve the relet times of these property types.
- 2.5 We are continuously looking at how we can further improve performance through improved processes and place a greater emphasis on quality and customer care, whilst ensuring that budgets are managed effectively.
- 2.6 Improvements include the following:
- From April 2017, the client role for the voids service in East Leeds will be carried out by the Voids Team rather than Leeds Building Service, to mirror the South and West process. This will ensure that there is greater consistency across the city. The teams have been working hard over the last few months to realign the service so that processes and customer experience are consistent across the city.

- Monthly void operational meetings and joint meetings with the Lettings Team will continue to monitor performance, quality and spend. Any issues will be dealt with and discussed at these meetings.
- Customer satisfaction with the void service is 90.2% for the period April 2016 to January 2017. In terms of those tenants who are dissatisfied, in the main this has been due to follow on work identified once the tenant has moved in. The Voids Team is assisting wherever possible to try and resolve the issues as quickly as possible.
- In November 2016, Housing Leeds introduced a Variable Lettable Standard which enables us to offer an enhanced lettable standard (decoration to the kitchen, bathroom and one other room) to 22 blocks / streets which have sustainability issues, high turnover and low levels of customer satisfaction (listed in appendix 1). This has been completed at 55 properties to date and we have received positive feedback, although it has increased the relet times for each property by an average of 3 days. A full evaluation will be undertaken in due course.

2.7 Re-commissioning of Housing Related Support

2.8 A review of housing related support has been undertaken over the last year and new services have been procured. The review has sought to deliver 'a step change' and has included extensive consultation with stakeholders and service users. The new model features new services and will be implemented from 1 April 2017. It is expected that the new model will better meet the needs of all service users including people who are rough sleeping. The new model features a move away from larger hostels to dispersed accommodation or smaller communal properties, in line with service user preference.

2.9 Delivery will be focused upon the following themes: Prevention of homelessness and early intervention, sustainment and a person's ability to live in safe and suitable accommodation and integration -supporting people to participate and access the services and social/recreational opportunities available to them.

2.10 Key features of the new model are outlined below:

2.10.1 A new IT gateway which will facilitate referrals, information and collation of performance data.

Visiting Housing Related Support Service - Engage Leeds

2.10.2 A new single, city wide service delivered by a consortium led by Gipsil and including Barca-Leeds, Riverside and Connect Housing Association to provide support to vulnerable adults, couples and families to enable them to live independently whilst improving and sustaining their long term wellbeing. The agencies involved have considerable experience of supporting people with housing related support needs.

2.10.3 Engage Leeds will provide a range of support options including: formal 1-2-1 visiting support offered with flexibility of intensity and duration, informal drop-in provision, locally based to enable easy access, peer support, befriending and community engagement opportunities.

- 2.10.4 The Service will develop a focus on recovery and person centred planning & support and will work in partnership with a wide range of other agencies to help all clients, particularly those people who have multiple or complex needs to tailor their own personal 'recovery journey' and improve client choice. It will assist in building client resilience and maximise opportunities for sustainable outcomes.

Accommodation Based Service - Beacon

- 2.10.5 Beacon has been commissioned to provide a new city wide Housing Related Support (HRS) accommodation service for vulnerable adults, couples and families to prevent homelessness, and address housing need. Beacon will be delivered by a consortium led by Leeds Housing Concern in partnership with Touchstone and Foundation.
- 2.10.6 The service will provide accommodation and support and enable individuals to have choice and control through a personalised, responsive and flexible service promoting independence whilst improving and sustaining individuals' long term wellbeing and independent living.
- 2.10.7 The service will work in partnership with a wide range of other agencies to help all clients, particularly those people who have multiple or complex needs to tailor their own personal 'recovery journey'.
- 2.10.8 Accommodation will be delivered through a mixture of intensive accommodation (28 units) with access to staff 24 hours a day, 7 days a week and community dispersed properties with visiting support (206 units).
- 2.10.9 Peer support, befriending and volunteering is an integral part of the new model and part of a range of options available to clients. The service will ensure that all clients have the opportunity to access this as part of their support package.
- 2.10.10 In addition a number of accommodation based housing related support services have been retained as part of the wider model. These services include emergency accommodation at St George's Crypt Overnight Centre and Hub and RD Willis; Regents Terrace and Carr Beck for people with ongoing alcohol support needs and Kirkstall Lodge for longer term offenders who are unable to live independently.
- 2.10.11 We have also retained the street outreach service which undertakes night time outreach three times a week to support rough sleepers and daily outreach five times a week to support people who are rough sleeping or begging. This service supports individuals and ensures they have access to accommodation and support.

3. Corporate Considerations

Consultation and Engagement

Consultation and engagement is embedded within the individual policy / areas of activity.

Equality and Diversity / Cohesion and Integration

An equality impact assessment is not required at this stage as this report is primarily an information report. Equality impact assessments are undertaken of each key policy change.

Council policies and City Priorities

Housing policy and activities contribute towards the delivery of a number of Best Council Plan outcomes:

- Be safe and feel safe;
- Live with dignity and stay independent for as long as possible;
- Live in good quality, affordable homes within clean and well cared for places;

Housing also supports a number of the Council's Breakthrough Projects – Tackling domestic violence and abuse, housing growth and high standards in all sectors, making Leeds the best city to grow old in, strong communities benefiting from a strong city, cutting carbon and improving air quality, and early intervention and reducing health inequalities.

Resources and value for money

Individual evaluations are undertaken within the individual policy / areas of activity

Legal Implications, Access to Information and Call In

This report does not contain any exempt or confidential information.

Risk Management

Risk management is embedded within the individual policy / areas of activity.

4. Conclusion

The report covers two main policy areas identified by Environment and Housing Scrutiny Board.

5. Recommendations

Scrutiny Board is requested to note the contents of this report, and highlight any areas for further investigation.

6. Background documents¹

None

¹ 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.

APPENDIX ONE – LIST OF BLOCKS / STREETS PART OF VARIABLE LETTINGS STANDARD

Address	Cottingley Heights	Recreation Place
Alderton Heights	Cottingley Towers	Recreation Row
Boston Towers	Cromwell Heights	Recreation Street
Burnsall Grange	Gledhow Towers	Recreation Terrace
Clayton Court	Parkway Towers	Recreation View
Clayton Grange	Ramshead Heights	Wortley Heights
Clyde Court	Raynville Court	Wortley Towers
Clyde Grange	Recreation Grove	

Report of Head of Governance and Scrutiny Support

Report to Scrutiny Board (Environment and Housing)

Date: 20th April 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 22nd March 2017.

Recommendation

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

Background documents¹

4. None used

¹ 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 (Environment and Housing) Work Schedule for 2016/2017 Municipal Year

Schedule of meetings/visits during 2016/17			
June		July	August
		Main Theme – Community Safety	
		Refreshed Safer Leeds Plan 2016-2017 SB 07/07/16 @ 10 am	
Inquiry into Air Quality		Scope terms of reference WG meeting – 21/07/16	
General Briefings	Scrutiny Board Terms of Reference and Sources of Work SB 09/06/16 @ 10 am Crime and Disorder Scrutiny in Leeds SB 09/06/16 @ 10 am		
Budget and Policy Framework/Pre-decision Scrutiny		Lettings Policy Review - Consultation Update SB 07/07/16 @ 10 am	
Recommendation Tracking		Domestic Violence SB 07/07/16 @ 10 am	
Performance Monitoring		General performance update SB 07/07/16 @ 10 am	

Scrutiny Board (Environment and Housing) Work Schedule for 2016/2017 Municipal Year

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Schedule of meetings/visits during 2016/17			
	September	October	November
	Main Theme - Environment	Main Theme – Housing	Main Theme – Community Safety
	<p>To consider the following matters:</p> <ul style="list-style-type: none"> Addressing areas of underperformance in recycling Engaging communities in the recycling agenda Reviewing existing recycling services and recyclates Maintenance of gullies <p>SB 22/09/16 @ 10 am</p>	<p>To consider the following matters:</p> <ul style="list-style-type: none"> Implications and progress surrounding the Housing and Planning Bill 2015 The quality of private rented sector housing in Leeds Turnaround times for filling void council properties <p>SB 13/10/16 @ 10 am</p>	<p>To consider the following matters:</p> <ul style="list-style-type: none"> Tackling begging across the city The future provision of CCTV Addressing anti-social behaviour Addressing youth offending <p>SB 24/11/16 @ 10 am</p>
Inquiry into Air Quality	<p>Agree terms of reference</p> <p>SB 22/09/16 @ 10 am</p>		<p>Session 1 of the inquiry</p> <p>WG 17/11/16 @ 12.30 pm</p>
General Briefings	<p>Air quality management and monitoring of the Recycling and Energy Recovery Facility and surrounding area.</p> <p>SB 22/09/16 @ 10 am</p>		
Budget and Policy Framework/Pre-decision Scrutiny		<p>Lettings Policy Review</p> <p>SB 13/10/16 @ 10 am</p>	
Recommendation Tracking	<p>Peckfield Landfill Site</p> <p>SB 22/09/16 @ 10 am</p>		
Performance Monitoring			

Key: SB – Scrutiny Board (Environment and Housing) Meeting

WG – Working Group Meeting

Scrutiny Board (Environment and Housing) Work Schedule for 2016/2017 Municipal Year

Schedule of meetings/visits during 2016/17			
December		January	February
Main Theme - Environment		Main Theme - Housing	Main Theme – Community Safety
To consider the following matters: <ul style="list-style-type: none"> A general update on Peckfield Landfill Site, including a response from the Environment Agency. SB 08/12/16 @ 10 am		To consider the following matters: <ul style="list-style-type: none"> Implications and progress surrounding the Housing and Planning Bill 2015 The quality of private rented sector housing in Leeds Turnaround times for filling void council properties Tenant Scrutiny Board SB 19/01/17 @ 10 am	To consider the following matters: <ul style="list-style-type: none"> Tackling begging across the city The future provision of CCTV Addressing anti-social behaviour Addressing youth offending Pubwatch scheme SB 16/02/17 @ 10 am
Inquiry into Air Quality Session 2 of the inquiry SB 08/12/16 @ 10 am			
General Briefings			Peckfield Landfill Site – briefing with the Environment Agency WG 27/02/17 @ 10 am
Budget and Policy Framework/Pre-decision Scrutiny		Financial Health Monitoring SB 19/01/17 @ 10 am Initial budget proposals 2017-2018 SB 19/01/17 @ 10 am	
Recommendation Tracking			
Performance Monitoring		General performance update SB 19/01/17 @ 10 am	

Key: SB – Scrutiny Board (Environment and Housing) Meeting

WG – Working Group Meeting

Scrutiny Board (Environment and Housing) Work Schedule for 2016/2017 Municipal Year

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Schedule of meetings/visits during 2016/17			
March		April	May
Main Theme – Environment		Main Theme - Housing	
To consider the following matters: <ul style="list-style-type: none"> Addressing areas of underperformance in recycling Engaging communities in the recycling agenda Reviewing existing recycling services and recyclates Maintenance of gullies Odour and air quality monitoring in relation to the RERF and wider Cross Green area SB 23/03/17 @ 10 am		To consider the following matters: <ul style="list-style-type: none"> Implications and progress surrounding the Housing and Planning Act 2016 The quality of private rented sector housing in Leeds Turnaround times for filling void council properties Re-commissioning of housing related support SB 20/04/17 @ 10 am	
Inquiry into Air Quality Session 3 of the inquiry WG - 01/03/17 @ 10.30 am Session 4 of the inquiry WG 15/03/17 @ 2pm			Agree inquiry report SB 23/05/17 @ 1pm
Tenant Involvement Groups		Reviewing the role of wider tenant involvement groups. WG – 25/04/17 @ 10 am	Reviewing the role of wider tenant involvement groups – key observations from Scrutiny SB 23/05/17 @ 1pm
Budget and Policy Framework/Pre-decision Scrutiny			
Recommendation Tracking			
Performance monitoring			

Key: SB – Scrutiny Board (Environment and Housing) Meeting

WG – Working Group Meeting

EXECUTIVE BOARD

WEDNESDAY, 22ND MARCH, 2017

PRESENT: Councillor J Blake in the Chair

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

160 Retirement of Alan Gay, Deputy Chief Executive

The Board paid tribute to the Deputy Chief Executive, Alan Gay for his services to the Council, as this would be the final Board meeting in which he would be in attendance prior to his retirement. Members thanked Alan for his always professional approach and for the crucial role he has played over the years in the management of the Council's finances. In response, Alan thanked Members for the kind words received, both at today's meeting and at the Council meeting of 22nd February 2017, and also for all of the support he had received during his time with the Council.

161 Late Items

With the agreement of the Chair, a late item of business was admitted to the agenda entitled, 'European Structural and Investment Funds (ESIF) Programme 2014-2020: The Local Flexibility for Reducing Unemployment Programme'. This was due to the fact that given the timing of the funding announcement by the Department for Work and Pensions (13 March 2017), it was not possible to include this item on the agenda as published on 14 March 2017, and due to the requirement that the funding agreement is signed within 30 days of issue, it was not possible to defer this matter to the next scheduled Board meeting (19 April). (Minute No. 175 refers).

162 Declaration of Disclosable Pecuniary Interests

There were no Disclosable Pecuniary Interests declared at the meeting, however, in relation to the agenda item entitled, 'Better Lives for People with Care and Support Needs in Leeds: The Annual Local Account of Adult Social Care in Leeds 2016/17', Councillor Golton drew the Board's attention to his position as Director on the Board of the 'Aspire' organisation. (Minute No. 167 refers).

163 Minutes

RESOLVED - That the minutes of the previous meeting held on 8th February 2017 be approved as a correct record.

REGENERATION, TRANSPORT AND PLANNING

164 The Development of Mixed Residential Communities in Leeds City Centre

The Director of City Development submitted a report which provided an update on the development of city centre housing provision, highlighted the

Draft minutes to be approved at the meeting
to be held on Wednesday, 19th April, 2017

important role to be played by the city centre in providing a mixed and vibrant residential community, whilst also noting the city centre's contribution towards the delivery of the city's housing targets. In addition, the report proposed an approach which looked to encourage and help secure the development of 'Build to Rent' housing, whilst also securing resources for investment in city centre affordable housing provision.

In considering the submitted report, Members reiterated the key role played by the city centre in the provision of accommodation, the delivery of affordable housing provision and in the achievement of the city's housing targets. In addition, Members highlighted the need to continue to progress the proposals as outlined within the submitted report, and linked to this, noted the work being undertaken with Department for Communities and Local Government on such matters, whilst also highlighting how the provision of high quality affordable housing was integral to the successful development of mixed residential communities.

RESOLVED –

- (a) That the approach, as set out within the submitted report, regarding the development of mixed residential communities in the city centre and the role this plays in housing growth, be approved;
- (b) That endorsement be given to an approach which recognises that the acceptance of commuted sums from 'Build to Rent' schemes may be appropriate and justified in accordance with Core strategy Policy H5;
- (c) That the proposed investment of commuted sums for affordable housing being reinvested in schemes within the boundary identified in Appendix 1 to the submitted report, be approved, which will be via a range of measures, as identified in paragraphs 3.11 to 3.13 of the submitted report and which is in line with the strategic approach towards developing mixed communities in Leeds City Centre, also as set out within the submitted report.

165 The Making of Clifford Neighbourhood Plan

The Director of City Development submitted a report which sought approval to 'make' the Clifford Neighbourhood Plan, following the result of the community referendum which took place in January 2017. In addition, the report also sought agreement for the Chief Planning Officer, in consultation with the Executive Member for Regeneration, Transport and Planning, to 'make' future neighbourhood plans under existing delegations. Finally, the report also provided an update on the scope and scale of neighbourhood planning across the city and highlighted areas of progress and good practice.

Members welcomed the submitted Neighbourhood Plan and commended the community and all relevant parties for the significant work which had been undertaken to date in order to get the Plan to its current position.

The Board considered the varying degrees to which different areas of the city were pursuing 'neighbourhood planning', and discussed the actions being

taken by the Council to assist those geographical areas which may not have established levels of community infrastructure in place, with reassurance being provided on the local support being provided, alongside City Development, by the Communities Teams.

RESOLVED –

- (a) That approval be given to ‘make’ the Clifford Neighbourhood Plan for the Clifford Neighbourhood Area;
- (b) That approval be given for subsequent Neighbourhood Plans to be ‘made’ by the Chief Planning Officer in consultation with the Executive Member for Regeneration, Transport and Planning, pursuant to existing delegations within the Constitution.

(The Council’s Executive and Decision Making Procedure Rules state that a decision may be declared as being exempt from the Call In process if it is considered that any delay would seriously prejudice the Council’s, or the public’s interests. In line with this, the resolutions contained within this minute were exempted from the Call In process, given that, as stated within the submitted report considered by the Board, it would not be possible to ‘make’ the Plan in accordance with the statutory timeframe which requires that the Plan be ‘made’ within 8 weeks from the day after the referendum is held, that being 27 January 2017).

HEALTH, WELLBEING AND ADULTS

166 Early Intervention and Reducing Health Inequalities Annual Report

The Director of Public Health and the Director of Adult Social Services submitted a joint report which presented an update on the ‘Early Intervention and Reducing Health Inequalities’ breakthrough project in the form of an Annual Report.

Responding to Members’ enquiries, the Board received an update on the progress which had been made on the procurement of specific contracts, as had been referenced within the 2016 Annual Report.

In considering the extent and rate of the progress being made as part of the breakthrough project and the monitoring of such progress, the complexities of the health issues being addressed were highlighted, whilst reassurance was provided in respect of the progress being made, and that when future Annual Reports were submitted, they would include a range of data and case studies regarding the performance of new services which had been commissioned in this area.

Officers noted a request that future versions of the Annual Report be made more accessible to the reader.

RESOLVED –

- (a) That the information, as presented within the submitted report and the appended Annual Report, be noted;

Draft minutes to be approved at the meeting
to be held on Wednesday, 19th April, 2017

- (b) That in addition to noting the aims and outcomes from the breakthrough project, it also be noted that this collaborative project supports the ambition for Leeds to be the Best City in the UK by 2030 and contributes towards the Leeds Health and Wellbeing Strategy 2016-21 (LHWS) vision that 'Leeds will be a healthy and caring city for all ages, where people who are the poorest will improve their health the fastest';
- (c) That it be noted that the breakthrough project also supports the key deliverables in the Leeds Health and Care Plan and the West Yorkshire and Harrogate Sustainability and Transformation Plan (STP).

167 Better Lives for People with Care and Support Needs in Leeds: The Annual Local Account of Adult Social Care in Leeds 2016/17

Further to Minute No. 133, 10th February 2016, the Director of Adult Social Services submitted a report which presented the Council's 2016/17 Local Account of Adult Social Care Services in Leeds. The Local Account document, entitled, 'Creating Better Lives for People with Care and Support Needs' was appended to the submitted covering report.

Responding to a Member's enquiry, the Board received an update and further information on several specific performance indicators, as detailed within the data associated with the Local Account, together with an offer to the Member in question that further detail could be provided if required.

In addition, Members considered the format of the 2016/17 Local Account document together with the date range of the associated data. In response to comments that such data was from 2015/16, Members were advised that at the time of production, the 16/17 statistics were not available, and as such, it was suggested that consideration be given to the timing at which future Local Accounts were submitted to the Board, in order to enable the inclusion of the latest information. With regard to the format of the document, the Board was advised that the aim of the concise format was to effectively communicate the key messages from it.

RESOLVED –

- (a) That the contents of the submitted report, together with the appended 2016/17 Local Account for Leeds, entitled "Creating Better Lives for People with Care and Support Needs in Leeds", be noted;
- (b) That it also be noted that the Head of Policy, Performance and Improvement for Adult Social Care will ensure that 'Creating Better Lives for People with Care and Support Needs in Leeds' Local Account is published on the Leeds City Council website within four weeks of consideration by Executive Board.

CHILDREN AND FAMILIES

168 Future in Mind: Leeds Strategy and Progress towards completion of Leeds' new SEMH Educational Provision

Further to Minute No. 93, 18th November 2015, the Director of Children's Services submitted a report presenting a strategy entitled, 'Future in Mind: Leeds 2016-2020' which had been co-produced by partners from the Children and Families Service and Leeds Clinical Commissioning Groups and which set out a vision for the city in tackling the universal, targeted and specialist social, emotional and mental health (SEMH) needs of children and young people in Leeds aged between 0-25 years.

In considering the strategy, Members noted the comments within it regarding attainment levels. In addition, responding to a Member's specific enquiry, the Board was provided with information on the actions being taken and the initiatives in place to support young people during the transitional period that they experienced between leaving the care of Children's Services and coming under the care of Adult Social Care. The Board also received further information regarding the 'high needs budget', which formed part of the Dedicated Schools Grant.

Furthermore, Members and officers noted a request that the Board received further information in the future which evaluated the provision and application of services for children and young people with mental health needs in Leeds.

In conclusion, the ground breaking nature of the joint strategy, together within the partnership approach being taken in this area was noted and welcomed.

RESOLVED –

- (a) That the following be noted:-
 - (i) Leeds is proudly leading the way in the UK through implementing an integrated strategy to support children and young people with social, emotional and mental health (SEMH) needs;
 - (ii) That the strategy is unique in having been co-produced by partners from the Children and Families Service and Leeds Clinical Commissioning Groups;
 - (iii) That 'Future in Mind: Leeds 2016 – 2020' was launched on 7th February 2017 at an event attended by 160 professionals, colleagues and partners from across the city pledging their commitment in working together to improve the lives of some of the most vulnerable 0 – 25 year olds in Leeds.
- (b) That the progress made in creating a world-class provision for children in Leeds with specialist social, emotional and mental health (SEMH) needs, be welcomed and endorsed;
- (c) That the implementation of a robust multi-agency mechanism which has been created in order to ensure that children and young people are

appropriately placed and have the right support, be welcomed and endorsed;

- (d) That it be noted that the officer responsible for overseeing the progress and continued implementation of the multi-agency mechanism is the Head of Complex Needs Service.

169 Leeds Joint Area Inspection of Services for Children and Young People with Special Educational Needs and Disabilities (SEND)

The Director of Children's Services submitted a report providing an overview of the changes to services for children with Special Educational Needs and Disabilities (SEND) as introduced by the Children and Families Act (2014), and the joint Ofsted and Care Quality Commission (CQC) framework for inspecting local area arrangements established to implement the Act. In addition, the report noted the findings of the Leeds SEND inspection which took place in December 2016, and outlined the next steps that would be taken in order to address the areas for development that the inspectors had identified.

Responding to a Member's request, officers undertook to submit to a future meeting of the Board, details of the actions to be taken in order to address those 'areas for development', as identified within the inspection outcome letter, and as specifically highlighted during the discussion.

It was also noted that Scrutiny Board (Children's Services) was scheduled to consider the directorate response to the inspection outcome.

RESOLVED –

- (a) That the contents of the submitted report, together with the outcome of Leeds' SEND inspection, be noted;
- (b) That the proposals for the post-inspection action plan, as detailed within the submitted report, which aims to address those areas identified for development and which would be monitored by the re-configured Steering Group, which reports to the Complex Needs Partnership Board (as chaired by the Executive Member for Children and Families), be noted and approved;
- (c) That it be noted that the responsible officer for the implementation of such matters is the Head of Complex Needs.

170 Innovation in Children's Services

The Director of Children's Services submitted a report advising of Children's Services' success in negotiating a three year investment of £9.6m in the city's services for children and families, which would be used to accelerate the city's reform agenda, helping to trial and develop new approaches and also reshape and refocus existing services. In addition, the report sought the Board's endorsement of the acceptance and use of such funding, and to give the Director of Children's Services delegated responsibility for the implementation of associated actions.

Members considered the level of funding which had been received, the period over which it would be allocated, and noted the undertaking that it would be fully utilised to continue to progress the improvement of outcomes for children and young people in Leeds.

Having noted the recent publication of the All Party Parliamentary Group for Children (APPGC)'s report into Children's Social Care in England entitled, 'No Good Options' and the fact that young people from Leeds had been involved in providing evidence as part of the compilation of that report, it was requested that Executive Board Members receive a copy of the document for their information.

RESOLVED –

- (a) That the success of Children's Services in attracting funding to the city be welcomed;
- (b) That the acceptance, use and planned investment of the Innovation Funding be endorsed;
- (c) That following resolution (b) above, the responsibility for the implementation of such matters be delegated to the Director of Children's Services.

COMMUNITIES

171 Housing Revenue Account Business Plan 2017/18 to 2026/27

The Director of Environment and Housing submitted a report presenting an updated Housing Revenue Account (HRA) Business Plan, including an outline of the main priorities, an updated Financial Plan and details of some of the emerging risks to the successful delivery of the plan.

In considering the submitted report, a request was made that further comparative information detailing how Leeds performed against other Local Authorities in the provision and the delivery of Council Housing be included within related reports in the future.

Responding to a Member's request to continue to lobby Government on the options available to the Council in order to assist with the delivery of further Council housing in Leeds, the Board was assured that the Council continued to pursue such matters with Government. Members considered the options available in terms of the further lobbying of Government, with a suggestion being made that a further cross-party letter could be submitted on behalf of the Council in respect of such matters.

RESOLVED –

- (a) That the HRA Business Plan for 2017/18 to 2026/27, as appended to the covering report, be endorsed;

- (b) That the future risks to the HRA, as detailed within the submitted report, and the impact that such risks may have upon the Council's ability to deliver some of its Business Plan priorities, be noted.

ENVIRONMENT AND SUSTAINABILITY

172 The development of Middleton Park and the establishment of an Urban Bike Park

The Director of Environment and Housing submitted a report which provided an update on the development of Middleton Park undertaken since 2014, and highlighted the evolution of land use proposals for the site, with specific reference to a proposal for the development of an urban bike park.

Members welcomed the proposals detailed within the submitted report, noted the interest that the project had already generated within the local community, together with the aim of the proposals to build upon the legacy of the 2014 Tour de France Grand Depart.

RESOLVED –

- (a) That the injection of £400k of grant funding from British Cycling, as a contribution towards the costs of establishing a series of trails and cycling facilities within Middleton Park, be authorised;
- (b) That the injection of £238.5k of grant funding from Sport England, as a contribution towards the cost of enhancing and renovating the former golf club house facility in Middleton Park in order to enhance opportunities for community engagement and participation in physical activity and to support the cycle trail facility, be authorised;
- (c) That the injection of a revenue income contribution of £240.0k from Parks and Countryside, together with the transfer of existing Leeds City Council match funding from within the current capital programme of £284.0k into the scheme, be authorised;
- (d) That expenditure of £1,162.5k to deliver an Urban Bike Park in Middleton Park, be authorised;
- (e) That the conditions attached to the funding to be provided by Sport England, namely the requirement to use both professional support and building contractors that are part of a competitively tendered framework contract established by Sport England, be noted, and with this in mind, approval be given that Contract Procedure Rules 8.1, 8.2, 9.1 and 9.2 are waived in order to support these appointments to implement any necessary improvements to the building, subject to the successful receipt of planning consent;
- (f) That it be noted under Contract Procedure Rule 3.1.4, that all external landscaping works are to be undertaken and overseen by the Parks and Countryside Service. It also be noted however, that as a condition of the grant from British Cycling, the service is required to engage with

a trail construction specialist for technical elements of the development, and as such, approval be given that Contract Procedure Rules 8.1 and 8.2 are waived in order to support the direct appointment of a specialist contractor to provide this support function;

- (g) That the engagement work already taking place on site be noted, and that the necessary authority be delegated to the Director of City Development in order to agree terms with Cycle Pathways, at market consideration, for their use of the former golf club house building, with the agreement that any arrangement entered into should include a community use agreement in order to facilitate the continued use of the facility by community organisations, groups and the Local Authority in its sport development activities;
- (h) That it be noted that the Chief Officer Parks and Countryside will be responsible for the implementation of the resolutions made, and the taking of any subsequent and related decisions regarding the principles of development as contained within the report.

(The Council's Executive and Decision Making Procedure Rules state that a decision may be declared as being exempt from the Call In process if it is considered that any delay would seriously prejudice the Council's, or the public's interests. In line with this, the resolutions contained within this minute were exempted from the Call In process, to enable, as stated within the submitted report considered by the Board, acceptance of the grant offers within the time limitations as set by the grant funders. The implication of not exempting these resolutions from Call In is that, should Call In be invoked, then Leeds City Council would potentially need to forgo the opportunity to benefit from the funding offer provided from external partners and in turn lose the opportunity to develop this flagship development in Leeds. In addition, both grant offers were formally submitted at the end of February, and as such, this had been the first opportunity to bring forward such proposals to a scheduled Executive Board meeting).

ECONOMY AND CULTURE

173 The Christmas Experience at Lotherton Hall

The Director of City Development and the Director of Environment and Housing submitted a joint report providing an update on the delivery of a new initiative entitled, 'The Christmas Experience at Lotherton Hall' held during the Christmas period 2016.

Members welcomed the submitted report and commended the innovative work of all staff involved. Given the success of this initiative, it was suggested that consideration could be given to potentially holding a similar event in a different part of the city, should the demographic data obtained from those who visited the 'Christmas Experience at Lotherton Hall' support such a proposal.

RESOLVED –

- (a) That the success of the project for both income generation and joint working across Council services, be noted;
- (b) That the potential of this, and similar schemes to support the delivery of Council services in the future, be noted and that such initiatives be encouraged;
- (c) That it be noted that the surplus generated from the initiative will be used to support the activities of the services involved and the continued provision of the 'Christmas Experience at Lotherton Hall';
- (d) That the staff involved in the delivery of this initiative be commended for their work.

EMPLOYMENT, SKILLS AND OPPORTUNITY

174 Ofsted Inspection of Adult Learning

The Director of Children's Services submitted a report providing information on the outcome of the recent Ofsted Inspection of the Council's adult learning provision delivered in communities across Leeds. The report provided summary information on the Adult Learning programme, the Inspection process, the key findings and also the actions required to continue to strengthen the quality of the provision and outcomes for learners.

Members welcomed the positive outcomes from the Ofsted inspection, as detailed within the submitted report, and extended their thanks to all staff who had been involved in achieving such outcomes.

RESOLVED – That the inspection outcome for the Council's adult learning provision, together with the actions being taken to continue to strengthen performance and quality, be noted.

175 European Structural and Investment Funds Programme 2014 - 2020: The Local Flexibility for Reducing Unemployment Programme

The Director of Children's Services submitted a report which notified that on 13th March 2017, confirmation was received by the Council that its joint bid with the City of Bradford Metropolitan District Council (CBMDC) to deliver the European Structural and Investment Fund (ESIF) Local Flexibility to Reduce Unemployment Programme had been successful, with the Department for Work and Pensions approving in principle the award of £4.9m ESIF grant to the Skills, Training and Employment Pathways (STEP) project. In addition, the report sought authorisation to commit a maximum of £1.4m of Council match funding to deliver the Leeds element of the STEP Project, and for the Council to work in partnership with CBMDC to manage this provision.

For those reasons set out within the submitted report, and as detailed at Minute No. 161, the Chair agreed for this report to be considered as a late item of business at the meeting. Copies of the submitted report and appendix had been provided to Board Members prior to the meeting.

Members welcomed the ESIF funding which had been received. Responding to a Member's enquiry, clarification was provided to the Board in respect of the amounts of funding which had been allocated to the two delivery partners, whilst Members considered the current position in respect of Brexit and what implications this may have in terms of similar funding initiatives in the future.

RESOLVED –

- (a) That the Council, as Delivery Partner, be authorised to work with the City of Bradford Metropolitan District Council under a Service Level Agreement, to deliver the Skills, Training and Employment Pathways Project, as part of the ESIF Local Flexibility for Reducing Unemployment Programme;
- (b) That a total expenditure of up to £2.8m by the Council, inclusive of £1.4m maximum match funding to deliver the Leeds element of the STEP Project over the next three years, 2017-2020, be approved;
- (c) That the authorisation of contract awards and the proposed funding allocations to subcontractors, which would enable the delivery of this specialist provision in Leeds, be delegated to the appropriate Director with the relevant scheme of delegation, in consultation with the Executive Member for 'Employment, Skills and Opportunity';
- (d) That it be noted that the timescales for the implementation of the above resolutions will be April 2017, as determined by the Department for Work and Pensions (DWP), acting as the ESIF Managing Authority and in accordance with the Council's Corporate Procurement Rules;
- (e) That it be noted that the Head of Projects and Programmes in the Employment and Skills Service will be responsible for the implementation of the STEP Project in Leeds, which is anticipated to commence in April 2017 and be completed by December 2019.

(The Council's Executive and Decision Making Procedure Rules state that a decision may be declared as being exempt from the Call In process if it is considered that any delay would seriously prejudice the Council's, or the public's interests. In line with this, the resolutions contained within this minute were exempted from the Call In process, given that, as stated within the submitted report considered by the Board, notification of the award of funding was received from the DWP on 13 March 2017, and as such the matter could not have been submitted to an earlier Board meeting. In addition, given the requirement that the funding agreement is signed within 30 days of issue, any invoking of the Call In process could jeopardise the Council's ability to be in a position to sign a Service Level Agreement to be the delivery partner with Bradford Council, and it in turn would mean that the Council was not in a position to sign the Funding Agreement with the DWP by the required date).

RESOURCES AND STRATEGY

176 Financial Health Monitoring 2016/17 - April - January (Month 10)

The Deputy Chief Executive submitted a report setting out the Council's projected financial health position for 2016/17 after 10 months of the year.

Responding to a Member's enquiry, the Board received further information regarding the latest position in respect of Business Rates reliefs and concessions, and discussed the number of businesses in Leeds which were affected by such provisions.

Furthermore, the Board noted the revised Minimum Revenue Provision (MRP) policy as agreed by Council on 22nd February 2017. In addition, and in response to a Member's enquiry regarding the continued pressures upon the Children's Services directorate budget, Members noted that actions were ongoing in order to monitor and look to address such matters.

RESOLVED –

- (a) That the projected financial position of the authority, as detailed within the submitted report, be noted;
- (b) That a budget virement of £906.8k from Civic Enterprise Leeds to Environment and Housing as outlined within paragraph 3.1.6 of the submitted report, be approved;
- (c) That the additional funding allocations for Leeds following the Spring Budget be noted, and that it also be noted that spending proposals will be brought forward in due course.

DATE OF PUBLICATION: FRIDAY, 24TH MARCH 2017

**LAST DATE FOR CALL IN
OF ELIGIBLE DECISIONS:** 5.00 P.M. ON FRIDAY, 31ST MARCH 2017