

EXECUTIVE BOARD

WEDNESDAY, 19TH OCTOBER, 2016

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

79 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, 'Vine: Proposal to Transfer to Leeds City College', referred to in Minute No. 94 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 relates to the financial or business affairs of particular persons, or organisations, and of the Council. This information is not publicly available from the statutory registers of information kept in respect of certain companies and charities. It is considered that since this information is to be used as part of one to one negotiations in respect of the leases of these properties in this report, 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 Leeds City Council's commercial interests in relation to other similar transactions of other similar properties.

80 Late Items

With the agreement of the Chair, a late item of business was admitted to the agenda entitled, 'Outcome of the Call In of the Decision taken at Executive Board on 21st September 2016 in relation to the 'Better Lives Programme: Phase Three: Next Steps and Progress Report'. This report had been submitted as a late item of business, as this matter, originally considered by Executive Board on 21st September 2016, had been the subject of the Call In procedure, and as such was considered by the Scrutiny Board (Adult Social Services, Public Health & NHS) on 11th October 2016, which resolved to refer the matter back to Executive Board for reconsideration. The Scrutiny report detailing the outcomes of that Call In meeting was circulated on the 14th October 2016, as required. Given the statutory requirement to publish the Executive Board agenda by the 11th October 2016, there was not the opportunity to include such matters in the published agenda. However, the

Council's Executive & Decision Making Procedure Rules require that where a Scrutiny Board resolves that a decision is to be referred back to the decision taker for reconsideration, where this is the Executive Board, the report is to be submitted to the next meeting of the Executive Board. As such, with the agreement of the Chair, the matter was submitted for consideration as a late item of business (Minute No. 83 refers).

In addition, and also with the agreement of the Chair, prior to the meeting, Board Members were provided with an updated version of paragraph 4.5.4 to agenda item 16 (Vine – Proposal to Transfer to Leeds City College) for their consideration (Minute No. 94 refers).

81 Declaration of Disclosable Pecuniary Interests

There were no Disclosable Pecuniary Interests declared at the meeting, however, in relation to the agenda item entitled, 'Sustainability and Development of Cultural Organisations in New Briggate', Councillor Yeadon drew the Board's attention to her position as a member of the Leeds Grand Theatre Board and Opera House Board of Management (Minute No. 85 refers).

82 Minutes

RESOLVED – That the minutes of the previous meeting held on 21st September 2016 be approved as a correct record.

HEALTH, WELLBEING AND ADULTS

83 Outcome of the Call In of the Decision taken at Executive Board on 21st September 2016 in relation to the 'Better Lives Programme: Phase Three: Next Steps and Progress Report

Further to Minute No. 60, 21st September 2016, the Director of Adult Social Services submitted a report which presented the outcome of the Scrutiny Board (Adult Social Services, Public Health & NHS) Call In meeting held on 11th October 2016, and which addressed the recommendations made by the Scrutiny Board in its statement when referring the matter back to Executive Board for reconsideration. Finally, Executive Board was invited to further consider those decisions taken on 21st September 2016, in light of the recommendations made by the Scrutiny Board.

For those reasons set out within the submitted report, and as detailed at Minute No. 80, the Chair agreed for this matter to be considered as a late item of business.

The Board paid tribute to the extensive and detailed consideration that the matter had been given by the Scrutiny Board on 11th October 2016.

In presenting the report, the Executive Member undertook to work with any individuals and families who were affected by any actions taken as a result of the decisions made by the Board on this matter.

Responding to a specific enquiry, the Board received an update with regard to the current position in respect of the Manorfield House site. With regard to the current 9 residents at Manorfield House, the Board was assured that they would be guaranteed to receive a level of provision which was at least equal in quality, if not better, to the standard of their current provision, with the caveat that should an individual or the family of that individual choose provision that was rated less than their current standard, then where appropriate, checks may be duly undertaken in order to ensure that that choice was in the individual's best interest. In addition, the Board also received assurances regarding the due regard which had been given to the equality impact procedures in respect of Manorfield House.

Also responding to an enquiry, Members received clarification regarding the occupancy numbers in respect of the Radcliffe Lane Day Centre, and that, as appropriate, further information would be provided to the Member in question in response to the enquiry raised.

With regard to The Green, responding to a Member's enquiries, the Board noted that the intention was to utilise the facility for immediate care / recovery beds, subject to further discussion and agreement with NHS commissioners. However, if such agreement was not reached and the new facility was not progressed, then the current facility would need to be closed. Also, it was confirmed that should this circumstance arise, a further report would be submitted to the Board on this matter, and that in any event, the Board would be kept up to date on the progress of these issues.

It was confirmed that with the agreement of Group Whips, the ordering of the business at the 9th November 2016 Council meeting would be amended in order to facilitate Member comment upon this matter.

In discussing the provision of adult social care in the city, together with the role of the Council and other providers, emphasis was placed upon the importance of ensuring that older people in the city had access to good quality adult social care provision, with the role and involvement of Elected Members being highlighted. Emphasis was also placed upon the importance of the relationship between Elected Members and the Adult Safeguarding Board in terms of safeguarding the welfare of older vulnerable citizens.

In conclusion, the Chair reiterated the importance of continuing to highlight the level of resource that the Local Authority needed in order to ensure that there were the necessary levels of social care provision for older people in the city.

RESOLVED –

- (a) That the Scrutiny Board's recommendations, as detailed at 3.2.1 to 3.2.6 of the submitted report, be accepted, subject to the additional comments in relation to The Green, as per resolution (b) below;
- (b) That the original decisions taken by the Executive Board on 21st September 2016, be re-affirmed, subject to The Green being retained until there can be a seamless transition to the new facility, with it being

noted that the establishment of that new facility is subject to agreement with NHS commissioners, and it also be noted that if such agreement was not reached and the new facility was not progressed, then the current facility would need to be closed;

- (c) That it be noted that a further report will be submitted to Executive Board in order to update the Board on the transition of The Green to the new facility;
- (d) That it be noted and highlighted that the input of the Scrutiny Board is appreciated, and that it also be noted that the Scrutiny Board will be kept informed in order to enable it to monitor the progress made against any decisions taken.

(Under the provisions of Council Procedure Rule 16.5, Councillor A Carter required it to be recorded that he abstained from voting on the decision to re-affirm the resolutions made on 21st September 2016 as referred to within this minute, whilst under the same provisions, Councillor Golton required it to be recorded that he voted against the decision to re-affirm the resolutions made on 21st September 2016 as referred to within this minute)

(In accordance with the Council's Executive and Decision Making Procedure Rules, the matters referred to within this minute were not eligible for Call In, as the power to Call In decisions does not extend to those decisions which have been the subject of a previous Call In. The Executive's decisions in respect of such matters were originally taken by the Board on 21st September 2016 (Minute No. 60 refers) and subsequently Called In. The Scrutiny Board (Adult Social Services, Public Health & NHS) considered the Call In on 11th October 2016 and referred the matter back to the decision taker for reconsideration, with those decisions being further considered by Executive Board at today's meeting (19th October 2016)

ENVIRONMENT AND SUSTAINABILITY

84 Parks and Countryside Attractions Development Plan

The Director of Environment and Housing submitted a report which sought support to the principle of continuing the process of improving attractions at Tropical World, Home Farm and Lotherton Hall Bird Garden. In addition, the report also highlighted the discussions which had taken place regarding the potential to develop an aerial adventure course within Roundhay Park.

Members highlighted the improved offer that the proposals would deliver, and noted how investment in such visitor attractions was able to act as a catalyst for growth in income, and as such making the facilities more sustainable.

In considering the proposals, Members discussed matters including associated consultation exercises, accessibility to the facilities, whilst in response to an enquiry, it was noted that the provision of parking facilities at the three sites would be taken into consideration when progressing the proposals.

RESOLVED –

- (a) That the principle of incurring expenditure to an estimated value of £3.1m in order to deliver the improvements to attractions which are outlined in the submitted report be approved, and that each phase of development at each site be subject to separate approvals, once detailed design and cost estimates are in place;
- (b) That the Chief Officer Parks and Countryside be requested:
 - (i) To implement proposals outlined in the submitted report that will continue the themed development of the visitor attraction elements of the Arnold and Marjorie Ziff Tropical World;
 - (ii) To enter into an agreement with 'Go Ape' regarding the establishment of an aerial adventure concession within Roundhay Park and to support the development of a detailed design from which planning consent is to be sought;
 - (iii) To develop plans and gain any necessary consent that may be required in order to implement the proposals outlined in the submitted report relating to the development of Lotherton Hall Bird Garden; and
 - (iv) To develop plans and gain any necessary consent that may be required in order to implement the proposals outlined in the submitted report relating to the development of Home Farm Temple Newsam.

ECONOMY AND CULTURE

85 Sustainability and Development of Cultural Organisations on New Briggate

Further to Minute No. 25, 22nd June 2016, the Director of City Development submitted a report which provided an update on the issues and opportunities regarding the regeneration of the area around New Briggate. In addition, the report also identified current proposals, and detailed the actions being taken by the Council and other stakeholders to re-energise the area.

Responding to an enquiry, Members were assured that the proposal to lease 34-40 New Briggate would be subject to support for the scheme being obtained from The Grand Theatre and Opera House Board, and also subject to a successful application for Arts Council funding being received, and if such funding was not obtained, then the matter would be resubmitted to the Executive Board for further consideration.

Members also highlighted the importance of ensuring that any wider proposals for regeneration in this area were of benefit to the whole of the city and were complimentary to those buildings which were key to Leeds' cultural offer, such as the Grand Theatre.

RESOLVED –

- (a) That the leasing of 34-40 New Briggate to Opera North Ltd. at market rent be approved, subject to support for the scheme from The Grand

Theatre and Opera House Board, a successful application for Arts Council funding and also the required planning approval;

- (b) That the agreement of the detailed terms for the disposal be delegated to the Director of City Development under delegated powers, with the matter being reported back to Executive Board;
- (c) That it be noted that the £750,000 currently in the capital programme to finance a reverse premium will no longer be required to fund landlord improvements at 34-40 New Briggate, and instead it is proposed that this funding contributes towards complementary public realm improvements as part of the wider regeneration of the New Briggate area, as outlined within Section 3.2 of the submitted report;
- (d) That officers reporting to the Director City Development be requested to continue partnership working in order to develop more detailed design of the public realm and the funding options to implement public realm improvements.

86 Storm Eva: Recovery Update

Further to Minute No. 21, 22nd June 2016, the Assistant Chief Executive (Citizens and Communities) submitted a report providing an update on the impact of Storm Eva in Leeds, specifically with respect to the recovery plan, lessons learned, flood alleviation proposals for the city and the support provided to those businesses and residents affected.

The Chair highlighted a cross-party delegation which had met with Therese Coffey MP, and also reiterated the importance of continuing to highlight to Government the need to ensure that Leeds received the required support in order to establish appropriate flood alleviation and defence mechanisms.

Responding to an enquiry, the Board received further information and clarification on the levels of take up in respect of the Community Support Scheme and also the Property Level Resilience Scheme.

Members also received an update regarding the actions being taken, in partnership with the Environment Agency, to clean up the River Aire.

Responding to an enquiry, officers undertook to provide Board Members with an update in respect of the work being undertaken around the compilation of riparian land ownership details in respect of the River Aire.

In conclusion, Members welcomed the regular updates that the Board had received on such matters since the events of Storm Eva in December 2015, and welcomed the submission of any further updates in the future, as and when appropriate.

RESOLVED –

- (a) That the updates detailed within the submitted report, including the details regarding the progress of the Strategic Recovery Plan, be noted;
- (b) That the progress regarding the recommendations from the lessons learned review, be noted;
- (c) That support be provided for the decision to formally close the Council's recovery phase of work and for remaining issues to now be allocated to 'business as usual' projects and programmes, or service delivery;
- (d) That approval be given for the additional Communities and Business Recovery Scheme initiative of £100,000 for phase two of the River Aire clean-up activity, subject to the Director of City Development consulting with the Local Enterprise Partnership;
- (e) That approval be given for the additional Communities and Business Recovery Scheme initiative of £150,000 to introduce a business growth scheme specifically to support Business Growth projects in affected areas, subject to the Director of City Development consulting with the Local Enterprise Partnership.

EMPLOYMENT, SKILLS AND OPPORTUNITY

87 The Leeds Adult Learning Programme

The Director of Children's Services submitted a report which outlined the delivery plans for the Council's Adult Learning programme for the 2016/17 academic year and which also summarised the achievements to date. The report presented the potential future changes as part of the proposals to devolve the Adult Education Budget to local areas and detailed the planned work to respond to this which would look to ensure that all citizens could continue to access provision and achieve positive outcomes.

Responding to a Member's enquiry, the Board received an update on the current position regarding the Government's proposed transfer of control of the Adult Education Budget to the West Yorkshire Combined Authority.

RESOLVED –

- (a) That the current programme offer and its contribution towards the achievement of Council objectives, be noted;
- (b) That the planned approach towards developing a place based approach to adult skills with local stakeholders under the proposed devolved funding arrangements, be supported;
- (c) That it be noted that the responsible officer for the implementation of such matters is the Head of Project and Programmes, Employment and Skills.

RESOURCES AND STRATEGY

88 Financial Health Monitoring 2016/17 - Month 5

The Deputy Chief Executive submitted a report which presented the Council's projected financial health position for 2016/17, as at month 5. The report reviewed the position of the budget and highlighted any potential key risks and variations at this stage of the financial year.

RESOLVED – That the projected financial position of the authority, as detailed within the submitted report, be noted.

89 Payment of a Minimum Hourly Rate of £8.25 to Leeds City Council Employees

Further to Minute No. 50, 23rd September 2015, the Deputy Chief Executive submitted a report which provided an update on the progress made in the past twelve months as the Council worked towards paying a recognised living wage rate. In addition, the report also set out the further work which was proposed in order to support this commitment.

Responding to a Member's enquiry, it was noted that £8.25/hour was the current minimum pay rate as recommended by the National Living Wage Foundation, which was reviewed on an annual basis.

RESOLVED –

- (a) That the progress made in addressing low pay and in-work poverty issues amongst the workforce regionally, in response to signing the Low Pay Charter, be noted, and that it also be noted that whilst the Council is not an accredited Living Wage Employer, it is committed to the West Yorkshire Low Pay Charter and the Ethical Care Charter;
- (b) That the work that the Council is undertaking, as detailed within the submitted report, be noted, and that the Board's agreement be given to increasing the minimum hourly rate to £8.25 from January 2017, which is the current Living Wage Foundation recommended rate. It also be noted that this minimum rate of pay is inclusive of any pay award which is applied in April 2017 and in the instance where the pay award exceeds the minimum proposed rate of £8.25, then the higher amount of the two will be paid. It also be noted that such matters will be implemented by the Deputy Chief Executive;
- (c) That the Board's agreement be given to the Council continuing to engage suppliers, partners and the business community in Leeds in order to help tackle the wider issues of poverty in the city and develop projects to build a stronger local economy and compassionate city, which will reflect commitments made in the West Yorkshire Low Pay Charter and integrate with Breakthrough Projects.

90 Local Government Association Corporate Peer Challenge: Findings and Initial Response

The Deputy Chief Executive submitted a report which presented the findings from the Local Government Association (LGA) Peer Challenge of the Council that took place in July 2016. The report summarised the scope of the Peer Challenge and the approach taken by the review team, provided headline messages, detailed the key resulting recommendations and set out the Council's initial response, together with the further work planned.

Members welcomed the submitted report together with the findings and recommendations arising from the Corporate Peer Challenge. It was highlighted that the recommendations made were very much valued and were being taken into consideration as part of the approach to move the Council forward in line with the Best Council Plan priorities.

In conclusion, the Chief Executive paid tribute to all staff for their contribution towards what was a very positive outcome.

RESOLVED – That the following be noted:-

- (i) The content of the Corporate Peer Challenge feedback report, as appended to the submitted report;
- (ii) The initial assessment of actions and progress being made by the Council against the key recommendations;
- (iii) That further improvement work to use the findings will be delivered through existing initiatives, such as the Best Council Plan 2017/18 refresh, the organisational service reviews including the Locality Review, the annual review of the Constitution and the People and Culture strategy;
- (iv) That the Deputy Chief Executive will be responsible for taking forward the improvement work, and that an update will be submitted to Executive Board in October 2017.

REGENERATION, TRANSPORT AND PLANNING

91 Establishment of the Leeds Tech Hub Fund

Further to Minute No. 50, 27th July 2016, the Director of City Development submitted a report providing an update on the development of proposals for a Tech Hub, and which also proposed the establishment of a Leeds Tech Hub Fund, with the running of an open grant competition in Autumn 2016 in order to determine the most appropriate project(s) to support via the fund. In addition, the report also sought approval to delegate subsequent authority to the Director of City Development with regard to the selection of the winning project(s) and also to enter into any associated funding agreements.

Members welcomed the approach being taken in respect of the open grant competition and also welcomed the involvement of the tech sector in this initiative.

RESOLVED – That in recognising the opportunity that has been provided by the £3.7m Department of Culture, Media and Sport (DCMS) grant for a Tech Hub in Leeds:

- (i) Approval be given to the establishment of a Leeds Tech Hub Fund;
- (ii) The necessary authority be delegated to the Director of City Development in order to run an open competition for the allocation of the Leeds Tech Hub Fund, together with the selection of the successful project(s) to be supported via the Fund;
- (iii) The decisions being made in line with the resolutions above be supported via input from the tech sector, through input from the Leeds Digital Board.

HEALTH, WELLBEING AND ADULTS

92 The Director of Public Health Annual Report 2016

The Director of Public Health submitted a report which presented a summary of the background to, and content of the Director of Public Health's 2016 Annual Report entitled, "1866-2016: 150 Years of Public Health in Leeds – A Story of Continuing Challenges".

Responding to a Member's enquiry, the Board received an update on the progress being made in respect of developers following the principles set out in the *Neighbourhood for Living* document and using the Director's 2015 Annual Report as a guide on the public health benefits of good design.

In addition, Members also discussed, and received an update on the actions being taken to address the issue of stress and anxiety being experienced by young people.

RESOLVED –

- (a) That the availability of the following be noted:-
 - (i) This year's digital Annual Report at www.leeds.gov.uk/dphreport;
 - (ii) The digital materials on 150 years of Public Health in Leeds;
 - (iii) Indicators on the current health status for the Leeds population;
- (b) That the inclusion of improving health status as a specific objective within the new Council approach to locality working, regeneration and the Breakthrough projects as a contribution towards the delivery of the Health & Wellbeing Strategy and the Best Council Plan, be supported;
- (c) That it be recommended that the Health & Wellbeing Board ensures that improving health status is a specific objective within the development of New Models of Care being led by the NHS as a contribution towards the delivery of the Health & Wellbeing Strategy;
- (d) That the progress made on the recommendations of the Director of Public Health Annual Report 2014/15 be noted.

CHILDREN AND FAMILIES

93 Outcome of School Admission Arrangements 2016

The Director of Children's Services submitted a report presenting statistical information on the annual school admissions round for entry into Reception and Year 7 for September 2016.

Officers responded to comments made regarding the provision of school places available in the North East of the city.

RESOLVED – That the following be noted, as detailed within the submitted report:-

- (i) The number of applications for both phases of education; the percentage of successful first preferences for Secondary admissions being 82.4%; and for Reception admissions the figure being 87%;
- (ii) The percentage of parents receiving one of their top three preferences being 95% for Secondary, and 96% for Primary; and
- (iii) That the officer responsible for such matters is the Admissions and Family Information Service Lead.

94 Vine - Proposal to Transfer to Leeds City College

The Director of Children's Services submitted a report which provided information on the current governance situation regarding Vine, outlined the potential options for future governance arrangements and provided recommendations in respect of future arrangements for Members' consideration.

It was noted that prior to the meeting, an updated version of paragraph 4.5.4 of the submitted report had been circulated to Board Members for their consideration which superseded the version of that paragraph, as contained within the original agenda papers.

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 be noted, subject to paragraph 4.5.4 being superseded by the updated text as provided to the Board prior to the meeting;
- (b) That the transfer of the Vine Service from Leeds City Council to Leeds City College, be approved;
- (c) That, following the approval given in resolution (b) (above), it be noted that the transfer is scheduled for completion on 1st November 2016;

- (d) That it be noted that the officer responsible for the implementation of such matters is the Complex Needs Area Lead West North West – Disability, Children’s Services;
- (e) That approval be given to the granting of a lease, with the approval of detailed terms being delegated to the Director of City Development, at a rental level, as set out within exempt Appendix 1 to the submitted report.

95 Outcome of consultation to increase learning places at Carr Manor Community School

Further to Minute No. 151, 9th March 2016, the Director of Children’s Services submitted a report detailing proposals brought forward to meet the local authority’s duty to ensure sufficiency of both school and Special Educational Needs (SEN) places. Specifically, this report described the outcome of the consultation regarding proposals to expand primary school provision and establish SEN provision at Carr Manor Community School, noted why the proposals had not been progressed previously and sought permission to publish a new statutory notice in respect of such proposals.

RESOLVED –

- (a) That the publication of a Statutory Notice be approved to 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, and also to establish 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 officers responsible for the implementation of such matters are the Head of Learning Systems and the Head of Complex Needs.

COMMUNITIES

96 High Rise Strategy

The Director of Environment and Housing submitted a report providing an update regarding the progress made in respect of developing a new approach towards the management of High Rise blocks, and which also set out a number of proposals regarding the future management of such accommodation.

Responding to a Member’s comments, it was undertaken that car parking provision would be taken into consideration when developing the new approach.

Also, in response to a Member's request, officers undertook to provide the Member in question with details of all high rise blocks in the city, and the management model which was being foreseen for each one.

RESOLVED –

- (a) That agreement be given for Housing Leeds to implement the housing management models and approaches, as detailed within section 3.1 of the submitted report – namely: 'Family Friendly'; 'Enhanced Support' and 'Retirement/Retirement plus';
- (b) That the following proposed changes to the lettings framework for high rise be approved, namely:
 - (i) Restrict lettings to applicants with children (and access rights) in high rise blocks which are deemed unsuitable for children;
 - (ii) Restrict lettings to high rise flats for 16 and 17 year olds;
 - (iii) Awarding those families with children who choose to move to family friendly blocks priority to move, flagging them for a direct offer of accommodation and backdating their priority and direct let status to the date of their original acceptance on the housing register should they wish to move, giving them additional preference on the housing register.
- (c) That the Council's approach to developing a 10 year investment strategy for High Rise accommodation, be approved.

DATE OF PUBLICATION: FRIDAY, 21ST OCTOBER 2016

**LAST DATE FOR CALL IN
OF ELIGIBLE DECISIONS:** 5.00 P.M., FRIDAY, 28TH OCTOBER 2016

(Scrutiny Support will notify Directors of any items called in by 12.00 noon on Monday, 31st October 2016)