

Councillors

**Legal & Democratic Services**

Governance Services

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Our Ref:

Your Ref:

24 March 2017

Dear Councillor

**COUNCIL – 29<sup>th</sup> March 2017**

Please find attached for your attention a set of Executive Board minutes for a meeting that took place on Wednesday and were not available when the agenda was despatched.

Please attach these papers to your agenda for the meeting.

Many thanks.

Yours sincerely

**Kevin Tomkinson**  
**Principal Governance Officer**



## **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 22<sup>nd</sup> 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 8<sup>th</sup> 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

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;

- (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, 10<sup>th</sup> 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, 18<sup>th</sup> 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 13<sup>th</sup> 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 22<sup>nd</sup> 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, 24<sup>TH</sup> MARCH 2017

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