

EXECUTIVE BOARD

WEDNESDAY, 17TH APRIL, 2019

PRESENT: Councillor J Blake in the Chair

Councillors R Charlwood, D Coupar,
S Golton, J Lewis, R Lewis, L Mulherin,
J Pryor and M Rafique

APOLOGIES: Councillor A Carter

SUBSTITUTE MEMBER: Councillor A Lamb

189 **Substitute Member**

Under the provisions of Executive and Decision Making Procedure Rule 3.1.6, Councillor A Lamb was invited to attend the meeting on behalf of Councillor Andrew Carter, who had submitted his apologies for absence from the meeting.

190 **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 from publication 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) That Appendix 1 to the report entitled, 'Funding Arrangements for the Delivery of Affordable and Community Housing at Leopold Street', referred to in Minute No. 196 be designated as exempt from publication in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that the information within the appendix relates to the financial or business affairs 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 it is not in the public interest to disclose this information at this point in time. Also, it is considered that the release of such information would or would be likely to prejudice the Council's commercial interests in relation to other similar transactions. It is considered that whilst there may be a public interest in disclosure, much of this information will be publicly available from the Land Registry following completion of this transaction and consequently the public interest in maintaining the exemption from publication outweighs the public interest in disclosing this information at this point in time.

- (b) That Appendix 1 to the report entitled, 'District Heating: Phase 2 Extension to the City Centre', referred to in Minute No. 201 be designated as exempt from publication in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that the information contained within the appendix relates to the financial or business affairs of any particular person (including the authority holding that information). The appendix contains detailed pricing information underpinning the Council's heat sales business case which if disclosed could damage the commercial interests of the Council. Disclosure of this information would seriously harm the Council's negotiating position when discussing heat sales with potential customers. Therefore it is considered that the public interest in maintaining the content of Appendix 1 as exempt from publication outweighs the public interest in disclosing the information.

191 Declaration of Disclosable Pecuniary Interests

Although no Disclosable Pecuniary Interests were declared at the meeting, in relation to agenda item 7 (Outcome of Consultation to Increase Learning Places at Micklefield Church of England Primary School) Councillor J Lewis drew the Board's attention to his position as a governor of Micklefield Church of England Primary School. (Minute No. 194 refers).

192 Minutes

RESOLVED – That the minutes of the previous meeting held on the 20th March 2019 be approved as a correct record.

CHILDREN AND FAMILIES

193 The Children's Residential Review and Improving Support for Young People

The Director of Children and Families submitted a report providing an update on the work currently being undertaken to improve the Council's children's homes and how such work linked to a wider programme of reform which looked to provide support for young people in the city and aimed to reduce the need for children and young people to be looked after.

Following Members' discussion on the submitted report, the Board received further information on the actions which had been taken by the Council to reduce the number of children and young people in Leeds who required residential care, the actions being taken to ensure that the residential care provided met the needs of those who used it and the work being undertaken around the potential to develop further provision for children and young people with autism and learning difficulties.

Members also received information regarding circumstances where children and young people may be placed outside of the city for specific reasons, such as an individual's safety.

Responding to a further enquiry, Members noted that individual homes had not been named in the submitted report for reasons of safety, however,

officers undertook to provide Board Members with further detail, as appropriate.

Also, in response to a Member's enquiry regarding the average length of stay in residential care, it was noted that this information was shared with members of the Corporate Parenting Board, and that this information would also be relayed to the Board Member in question.

RESOLVED –

- (a) That the recommendations of the Residential Review, as detailed within the submitted report, be endorsed;
- (b) That approval be given to continue to strengthen the 'Whole Council' support for the important reforms, as detailed within the submitted report.

LEARNING, SKILLS AND EMPLOYMENT

194 Outcome of consultation to increase learning places at Micklefield Church of England (Voluntary Controlled) Primary School

The Director of Children and Families submitted a report which presented the outcomes from the consultation exercise undertaken regarding a proposal to permanently expand primary provision at Micklefield Church of England Primary School, and which sought permission to publish a statutory notice under the provisions of the relevant legislation in respect of this proposal.

RESOLVED –

- (a) That the publication of a Statutory Notice on a proposal to permanently expand primary provision at Micklefield Church of England (Voluntary Controlled) Primary School from a capacity of 140 pupils to 210 pupils, with an increase in the admission number from 20 to 30, with effect from September 2021, be approved;
- (b) That it be noted that the proposed expansion of primary provision is subject to feasibility and planning permission, as indicated at paragraph 4.4.1 of the submitted report, and that the proposal has been brought forward in time for places to be delivered for 2021;
- (c) That it be noted that the officer responsible for the implementation of such matters is the Head of Learning Systems.

195 European Structural and Investment Funds Programme 2014-2020: Enhanced Local Flexibility for the Unemployed Programme

The Director of City Development submitted a report which provided an update on the submission of a bid by the Employment and Skills Service to deliver the Enhanced Local Flexibilities initiative for the Unemployed Programme. In addition, the report sought approval for the relevant 'authority to spend' for the delivery of the programme. Also, the report sought authorisation to act as Lead Partner and enter into a formal contract with the

Department for Work and Pensions and a Service Level Agreement with the City of Bradford Metropolitan District Council and Blue Apple Training.

RESOLVED –

- (a) That subject to a successful bid outcome, approval be given to authorise and delegate to the Director of City Development the decision to enter into a formal contract with the Department for Work and Pensions as part of the Enhanced Local Flexibilities for the Unemployed Programme, with authority also being provided to the Director to enter into a Service Level Agreement (SLA) with City of Bradford Metropolitan District Council and Blue Apple Training (BAT) as programme Delivery Partners;
- (b) That total expenditure of up to £5.56m by the Council, inclusive of £2.78m maximum match funding to deliver the Enhanced Local Flexibilities for the Unemployed Programme over the next three years and six months, 2019-2022, be approved;
- (c) That it be noted that the Head of Projects and Programmes in the Employment and Skills Service will be responsible for the implementation of such matters, which is anticipated to commence in June 2019 and end in December 2022.

REGENERATION, TRANSPORT AND PLANNING

196 Funding Arrangements for the Delivery of Affordable and Community Housing at Leopold Street

The Director of City Development submitted a report which set out and sought appropriate approvals for the Council's enabling role in the funding and delivery of an innovative and affordable community housing scheme at Leopold Street, Chapeltown.

The Board welcomed the proposals detailed within the submitted report, with Members highlighting that such schemes in other parts of the city would be welcomed, should appropriate opportunities arise.

Following consideration of Appendix 1 to the submitted report designated as being 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 agreement be given for the Director of City Development to enter into a Deed of Variation to the existing Housing Infrastructure Fund (HIF) grant agreement with Homes England to a revised amount of £1,334,460, as set out in paragraph 3.9 of the submitted report;
- (b) That agreement be given for the Director of City Development to enter into a Deed of Variation to the Grant Funding Agreement with ChaCo and Unity to a revised amount of £1,334,460 and which removes the

requirement for recoverability of grant, as set out in paragraph 3.10 of the submitted report;

- (c) That the recommendations as set out in the exempt Appendix 1 to the submitted report, in respect of ChaCo's request for a phased draw-down loan from the Council to meet short term development financing requirements, be approved;
- (d) That the resolutions arising from this report, as detailed above, be exempted from the 'Call-In' process, on the grounds of urgency, as detailed within paragraph 4.5.1 - 4.5.3 of the submitted 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 by the decision taker 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, as per resolution (d) above, and for the reasons as detailed within sections 4.5.1 – 4.5.3 of the submitted report)

197 Procurement of a Public Bike Share Operator for Leeds

Further to Minute No. 149, 7th February 2018, the Director of City Development submitted a report which sought approval to commence a procurement exercise to deliver a sustainable public bike sharing scheme for Leeds through the Official Journal of the European Union (OJEU) compliant tender process.

In considering the proposals detailed within the submitted report, Members highlighted that in order to help the scheme to succeed, Leeds would need to learn from the issues experienced in other towns and cities which had previously established a bike share programme, whilst it was also emphasised that a robust system for the recovery of bikes would be needed in order to provide reassurance to the public.

RESOLVED –

- (a) That the contents of the submitted report, together with the progress being made towards achieving a bike share scheme for Leeds, be noted;
- (b) That the proposals for pursuing the establishment of a Bike Share scheme for Leeds, together with the development of the proposed specification in line with the key attributes as detailed within paragraph 3.5 of the submitted report, be endorsed;
- (c) That approval be given to commence with the formal tender process to procure a public bike sharing scheme for Leeds in compliance with the Council's procurement procedure rules and in adherence to the Official Journal of the European Union (OJEU) competitive tender process;

- (d) That it be noted that the Chief Officer Highways and Transportation will be responsible for the implementation of such matters in order to enable a scheme to launch in Spring 2020.

198 Leeds Public Transport Investment Programme: Headrow: Infirmary Street and Park Row City Centre Gateways; and Harewood Junction

Further to Minute No. 45, 25th July 2018, the Director of City Development submitted a report providing an update on the progress which had been made in respect of the Leeds Public Transport Investment Programme's (LPTIP) significant schemes during 2018/19 and which outlined the next steps for the delivery of the Headrow Gateway (as part of the City Centre Gateways); Infirmary Street and Park Row improvement schemes (to complement the Headrow scheme); and the implementation of improvements to the junction of the A61 Harrogate Road and the A659, The Avenue at Harewood (part of the A61 North Bus Priority Corridor scheme).

With regard to the proposals concerning the Harewood A61/A659 junction, responding to a Member's enquiry about whether a restriction to HGV access could be introduced as part of this proposal, the Board noted that although work had previously been carried out on this matter, further investigation would be undertaken as requested.

In relation to an enquiry regarding whether the new bus stops proposed as part of these schemes could provide passengers with real time information (RTI), the Board was advised that there was not sufficient resource for all bus stops to be equipped with RTI displays, therefore a prioritisation exercise would need to be undertaken.

Responding to an enquiry, assurance was provided to the Board that the Harewood Estate had been consulted upon the proposals regarding Harewood junction.

In response to a Member's comments, the Board received further information on the practical benefits of the proposals for service users in the city centre, with it being noted that whilst this section of the LPTIP was aimed at making improvements in the city centre, other parts of Leeds would benefit from different strands of the programme. With regard to bus services across the city, it was highlighted to the Board that dialogue was ongoing between the Council, the Combined Authority and the bus operators with the aim of improving such services throughout Leeds.

Responding to an enquiry regarding the planting of trees as part of the proposals, the Board was advised that advice was being sought to ensure that the most appropriate species and planting methods would be used. Also, Members suggested that in addition to trees, other forms of foliage could potentially be used.

RESOLVED –

- (a) That the progress which has been made since April 2016 in developing proposals for the relevant projects benefitting from LPTIP funding,

together with the responses received from the subsequent public consultation exercises undertaken, be noted;

- (b) That expenditure of £20.7million from the existing LPTIP fund, to carry out detailed design and construction of the Headrow Gateway, be approved;
- (c) That expenditure of £0.65m from the existing LPTIP fund, to carry out detailed design and construction of the improvements to Harewood junction as part of the A61 North Bus Priority Corridor, be approved;
- (d) That the expenditure of, and injection into the Capital Programme of £5.6m, funded from the West Yorkshire Transport Fund (WYTF) which will be used to carry out detailed design and construction of the Infirmary Street and Park Row schemes, be approved;
- (e) That subject to ongoing consultation taking place with relevant Executive Members as appropriate, it be noted that the Chief Officer for Highways and Transportation will be responsible for the implementation of the resolutions arising from the submitted report, as detailed;
- (f) That it be noted that a separate report will be presented to Executive Board later in the year, seeking approval of the detailed design and cost of the public realm proposals for Cookridge Street and New Briggate.

COMMUNITIES

199 Update on Universal Credit Full Service in Leeds

The Director of Communities and Environment submitted a report providing information on the Government's introduction of full service Universal Credit, which highlighted the impact of the system's introduction to date across the city and how front line services were continuing to support people in Leeds who were affected.

In noting the decision of the Government to award the delivery of Assisted Support for Universal Support to the Citizens Advice Bureau, and in so doing excluding the Local Authority from providing such contracted support, Members expressed their disappointment in the Government's stance on this matter. Members were however assured that whilst the Local Authority was not being contracted to provide Assisted Support, it would still play a role in signposting to Citizens Advice Bureau and the Department for Work and Pensions services, whilst ensuring that those most vulnerable received whatever support that the Council was able to provide.

Further to this, it was suggested that the Department for Work and Pensions be approached formally on behalf of all Members of Executive Board to express the Council's disappointment with this decision and to emphasise that

in Leeds, the Local Authority was well positioned to deliver the required support and guidance.

In conclusion, Members acknowledged and paid tribute to those officers and partners who had undertaken intensive work in this area in order to support and assist those claimants who needed it across the city.

RESOLVED –

- (a) That the contents of the submitted report be noted;
- (b) That a further report regarding the impact of Universal Credit in Leeds be submitted to the Board in 6 months' time;
- (c) That the Department for Work and Pensions be approached to express the Council's disappointment with the decision to exclude Local Authorities from providing Assisted Support for Universal Credit.

RESOURCES AND SUSTAINABILITY

200 Financial Health Monitoring 2018/19 – Provisional Outturn

The Chief Officer Financial Services submitted a report which presented the Council's provisional financial outturn position for the 2018/19 financial year.

Responding to a Member's enquiry, the Board received an update regarding the progress which was being made in respect of delivering the refuse service, with officers undertaking to provide the Member in question with a detailed briefing on such matters.

Also, further to discussions earlier in the meeting and in response to a Member's enquiry regarding the budgetary pressures arising from residential provision for children and young people, the Board received further information on the actions being taken by the Council in this area.

RESOLVED – That the provisional financial outturn position for the Authority, as detailed within the submitted report, be noted.

201 District Heating: Phase 2 Extension to the City Centre

Further to Minute No. 32, 17th July 2017, the Director of Resources and Housing submitted a report providing an update on the progress of the District Heating project, and which sought approval to construct Phase 2 of the network, subject to securing funding from the Government's Heat Network Investment Project and subject to other conditions being met.

Members welcomed the proposals detailed within the submitted report.

Responding to an enquiry regarding an application for funding via the Government's Heat Networks Investment Project, Members were advised that an announcement in respect of such funding was expected in June 2019, with it being noted that regardless of that outcome, immediate works were required

to complement the Leeds Public Transport Improvement Programme, in order to realise significant cost savings.

Also in response to a Member's enquiry, the Board was provided with further detail around the ongoing cross-directorate work with the Council's Planning Service, aimed at maximising the opportunities available to encourage developers to utilise District Heating facilities as part of any new developments in the city centre.

Following consideration of Appendix 1 to the submitted report designated as being 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, including the appendices, be noted;
- (b) That it be noted that complementary District Heating works estimated at £400k are required to be carried out alongside improvements planned through the Leeds Public Transport Investment Programme, with the funding to be transferred from within the existing Capital Programme contingency;
- (c) That subject to Heat Network Investment Project (HNIP) funding being secured, approval be given to the additional injection of £5.281m into the Capital programme in order to deliver Phase 2 of the District Heating Network;
- (d) That 'authority to spend' for construction of Phase 2 of the District Heating Network of £5.681m, funded through £3.193m supported prudential borrowing and £2.489m of grant from the Government's Heat Network Investment Project, be approved; and as this is subject to the approval of the HNIP grant from the Department for Business, Energy and Industrial Strategy (BEIS), approval be given for the necessary authority to be delegated to the Director of Resources and Housing, in order to enable the Director to negotiate an alternative package;
- (e) That the necessary authority be delegated to the Director of Resources and Housing, to enable the Director to vary the current Design & Build contract with Vital Energi to include the works, as detailed in the submitted report;
- (f) That should HNIP funding be secured, authority be provided to establish a Local Authority company on the terms that are agreed by the Director of Resources and Housing and in consultation with the Leader of Council, the Executive Member for Resources and Sustainability, the City Solicitor and the Section 151 Officer;

- (g) That the connection of Council buildings to the District Heating network, including: the Town Hall, Civic Hall, Museum, St George House and Library/Art Gallery, be supported.

202 Cutting Carbon Annual Report and Leeds Climate Commission

The Director of Resources and Housing submitted a report outlining the background to the 'Climate Emergency', as declared at the Council meeting held on 27th March 2019 (Minute No. 108 refers), and the need for urgent action at a city level. The report also presented the Leeds Climate Commission's proposals for a science-based climate emissions reduction target and an accompanying roadmap. Further to this, the report provided an update on the progress that the Council was making in the reduction of carbon emissions through the range of Council led cutting carbon schemes.

The Board welcomed Professor Andy Gouldson, University of Leeds to the meeting, who was in attendance in order to introduce the key work of the Climate Commission, and provide an outline to the main points from the Commission's 'roadmap' for the city.

In considering the report, it was highlighted that the proposals within the report would build upon the range of actions which were already taking place across the city.

Members highlighted the key role that the Council would continue to play in this area, however, it was emphasised that for sustained progress to be achieved the approach taken needed to aim for citywide behavioural change; be in partnership with other organisations, businesses and institutions; and have the support of Leeds citizens, with it being noted that the proposed city 'conversation' would be a key part of this process.

Regarding the proposed 'conversation', emphasis was placed upon the need for the exercise to be inclusive and meaningful, with it being noted that, following the conclusion of the 'conversation', the intention was for the outcomes to be presented to the Board by the end of 2019, together with an accompanying action plan. In addition to this, Members welcomed a suggestion that the cutting carbon agenda be the theme for the Council's 2019 'State of the City' event.

Further to this, Members emphasised the urgency of this issue, as reflected in the Council's recent declaration of a 'Climate Emergency', but highlighted that although swift action was required, this needed to be balanced alongside the development of a detailed evidence base and a meaningful consultation exercise. As such, it was proposed that the 'conversation' would aim to raise awareness, encourage behavioural change and also encourage public and cross-sector engagement. It was also highlighted that any public engagement needed to ensure that key messages were effectively communicated, with reference being made to the economic benefits of promoting this agenda and how it had the potential to positively contribute towards addressing a range of 'social justice' issues in the city.

In noting the recommendation to include a new section in all future Executive Board reports which would consider how the Board's decisions would contribute towards achieving the climate emergency aims, it was suggested that consideration be given to how the cutting carbon agenda could be introduced to other aspects of the Council's decision making process.

Members discussed the role that Elected Members of all political Groups could play on a working group in monitoring the progress that the Council was making in this area.

With regard to the Climate Commission, it was noted that this group's multi-agency composition together with its distance from the Council, would help it to effectively track the progress of all organisations across the city, private and public.

In conclusion, the cross-party support offered in respect of progressing this agenda was welcomed, with emphasis being placed upon the need for the Government to be approached to take further, swift action at a national level.

RESOLVED –

- (a) That the recommendations of the Leeds Climate Commission for science based emission reduction targets for the city, together with the accompanying roadmap, as appended to the submitted report, be agreed;
- (b) That the facilitation of a city 'conversation' on how to achieve the target, based on the roadmap prepared by the Leeds Climate Commission, as detailed within the submitted report, be supported, and that agreement be given for the Board to receive a further report by the end of 2019;
- (c) That the inclusion of a new section in all future Executive Board reports which will highlight the impact of the report's recommendations upon the achievement of the 'Climate Emergency' aims, be supported;
- (d) That the progress made to date in respect of such matters, be noted; with support continuing to be provided for the range of Cutting Carbon projects that the Council is delivering.

DATE OF PUBLICATION: TUESDAY, 23RD APRIL 2019

LAST DATE FOR CALL IN OF ELIGIBLE DECISIONS: 5.00 P.M., TUESDAY, 30TH APRIL 2019