

EXECUTIVE BOARD

WEDNESDAY, 13TH DECEMBER, 2023

PRESENT: Councillor J Lewis in the Chair

Councillors S Arif, D Coupar, M Harland,
H Hayden, A Lamb, J Lennox, J Pryor,
M Rafique and F Venner

72 Exempt Information - Possible Exclusion of the Press and Public

There was no information contained within the agenda which was designated as being exempt from publication.

73 Late Items

There were no late items of business submitted to the Board for consideration.

74 Declaration of Interests

Regarding the report entitled, '*Leeds City Council Response on the West Yorkshire Combined Authority Bus Reform Consultation*', Councillors Lamb and Lewis, in the interests of transparency, both respectively drew the Board's attention to their positions on the West Yorkshire Combined Authority, which may at some later stage consider bus reform proposals. However, both Members confirmed that they were considering the report within today's agenda in their capacity as respective Members of the Council's Executive Board. (Agenda Item 7, Minute No. 77 refers).

75 Minutes

RESOLVED – That the minutes of the previous meeting held on 22nd November 2023 be approved as a correct record.

HOUSING

76 Lettings Policy Review 2023-24

The Director of Communities, Housing and Environment submitted a report outlining proposals for consultation to be undertaken on proposed changes to the Council's Lettings Policy. Specifically, the report set out the proposed consultation process and timescales for the implementation of the updated policy and sought the Board's approval to commence consultation.

In presenting the report, the Executive Member highlighted the significant increase in demand for social housing which had been experienced in Leeds since the policy was last reviewed in 2019. Also, further detail was provided on a number of implications arising from that increased demand. As such, it was noted that the proposed changes to the policy aimed to adapt to the circumstances now being experienced and to ensure that priority was given to customers with the greatest housing need. Also, further detail was given on

the proposed consultation exercise and the associated communications campaign.

Responding to a Member's enquiry regarding the priorities of the service, it was highlighted that the report was proposing a consultation exercise, and that the proposals intended to be submitted to the Board next year would respond to the consultation outcomes. However, it was also highlighted that whilst the Policy is based upon prioritising customers with housing need, the outcomes from the review would aim to maximise the number of people that it could help. Members also acknowledged the fact that residents wanted to be Council tenants, which was seen as a positive reflection upon the service being provided by the Council.

RESOLVED –

- (a) That the consultation plan, as set out in section 17 of the submitted report on the proposed changes to the Council's lettings framework, be approved;
- (b) That a report be submitted to Executive Board in summer 2024 setting out the results of the consultation exercise, including a full equality impact assessment and which seeks approval for the implementation of a revised Lettings Policy;
- (c) That an extension to the suspension of the Date of Registration and Tenant Transfer quotas be approved until the new lettings policy is approved.

SUSTAINABLE DEVELOPMENT AND INFRASTRUCTURE

77 Leeds City Council Response on the West Yorkshire Combined Authority Bus Reform Consultation

The Director of City Development submitted a report presenting the proposed Leeds City Council formal response to the statutory consultation being undertaken by the West Yorkshire Combined Authority (WYCA) on their Bus Reform proposals. The report also provided a response to the White Paper Motion resolution of Full Council of 15 November 2023.

By way of introduction, the Executive Member highlighted that the submitted report provided the Council's formal response to the consultation exercise and in doing so provided formal support for the franchising proposals outlined.

The Board discussed the options which had been put forward for consultation. In doing so, a Member raised a number of concerns in relation to the franchising proposals submitted and confirmed that in their opinion the 'Enhanced Partnership Plus' model was the pragmatic approach to take. In response, the Board received further detail on the reasons why it was being proposed that the Council provided its formal support for the franchising option.

RESOLVED –

- (a) That the contents of the submitted report, as requested by Full Council on 15th November 2023, be noted, and that the response as set out in the draft letter (Appendix A to the submitted report) and the detailed response to the Questionnaire (Appendix B), be endorsed;
- (b) That the process going forward, as outlined in the submitted report, be endorsed, and that the Mayor be supported in the final decision;
- (c) That approval be given for the decisions from the submitted report to be exempted from Call In, pursuant to paragraph 5.1.3, Part 4 of the Council's Constitution, on grounds of urgency, as referenced in full at paragraphs 25 – 27 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 the matter is urgent and 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 (c) above, and for the reasons as set out within sections 25 - 27 of the submitted report)

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

ADULT SOCIAL CARE, PUBLIC HEALTH AND ACTIVE LIFESTYLES

78 Leeds Play Sufficiency

The Director of City Development and the Director of Children and Families submitted a joint report providing an overview of the first Leeds Play Sufficiency Assessment which had been undertaken and which also presented future development proposals in relation to play sufficiency. The report sought the Board's endorsement of the Play Sufficiency priorities as outlined, together with the appointment of a 'Play Champion' to raise awareness of Play Sufficiency and to support the work of Play Sufficiency across all Council directorates.

By way of introduction, it was noted that the report was being presented jointly on behalf of the Executive Member for 'Adult Social Care, Public Health and Active Lifestyles' and the Executive Member for 'Children's Social Care and Health Partnerships'. Also, it was noted that Leeds was the first city in England to undertake a play sufficiency assessment, which aimed to assess, improve and protect children's opportunities to play through a range of actions and via a multi-agency approach. The report presented nine play sufficiency priorities for the Board's consideration.

A Member raised concerns regarding the proposals within the report and highlighted that during this time of financial challenge, the Council had more urgent areas that should be prioritised ahead of such proposals. As an

alternative, it was suggested that such an initiative could be progressed via a more locally based approach such as through Community Committees.

In response, the Board received further information in support of the proposals, including how they were consistent with the Council's ambition to be a Child Friendly City and the principles of being a Marmot city. Also, emphasis was placed upon how the proposals would aim to deliver a more co-ordinated approach to the provision of play opportunities across different sectors and how it was a preventative initiative given the importance of children's right to play, particularly when considering the emerging impact of the pandemic upon children, with the Director of Public Health's 2022 Annual Report into related matters being specifically referenced. Also, it was noted that the proposals were not seen as being particularly resource intensive, with it being confirmed that given the scale of the financial challenges faced, should these proposals not be delivered, then this would not remove the need for the Council to make very difficult financial decisions in relation to the services it provided.

RESOLVED –

- (a) That the Play Sufficiency priorities, as set out in the submitted report, which directly link to Child Friendly Leeds Wish 2, the new play priority in the refreshed Children and Young People's Plan and the Physical Activity Ambition, be supported and endorsed;
- (b) That the Executive Member for Children's Social Care and Health Partnerships be appointed as a 'Play Champion' to raise awareness of Play Sufficiency and to support the work of Play Sufficiency across all directorates of Leeds City Council;
- (c) That agreement be given for the 'Play Champion' to help drive the development of the Play Sufficiency Action plan and to provide an annual oversight of progress to the Executive Board;
- (d) That support be given to the embedding of the Play Sufficiency principles and recommendations within the Priority Neighbourhood Partnership Plans;
- (e) That the contents of the submitted report be noted, with it also being noted that the responsible officers for such matters are the Chief Officer of Children and Families and Chief Officer Operations and Active Leeds.

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

CHILDREN'S SOCIAL CARE AND HEALTH PARTNERSHIPS

79 Outcome of statutory notice on a proposal to change the age range at Rothwell Primary School, from 3-11 years to 4-11 years and permanently close the nursery.

Further to Minute No. 36, 20th September 2023, the Director of Children and Families submitted a report which presented the outcome of a statutory notice published on 6th October 2023 in respect of a proposal to change the age range of Rothwell Primary School from 3-11 years to 4-11 years and to permanently close the school nursery with effect from 1st January 2024. The report sought a final decision from the Board in respect of this proposal.

Members supported the proposals within the submitted report.

RESOLVED –

- (a) That the outcome of the statutory notice period, as detailed within the submitted report, be noted;
- (b) That the recommendation to change the age range at Rothwell Primary School from 3- 11 years to 4-11 years and permanently close the school nursery, with effect from 1 January 2024, be approved;
- (c) That approval be given for the decisions from this report to be exempted from the Call-In process, for the reasons as set out in paragraph 29 of the submitted report;
- (d) That it be noted that the responsible officer for the implementation of such matters is the Head of Learning Systems.

(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 the matter is urgent and 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 (c) above, and for the reasons as set out within section 29 of the submitted report)

LEADER'S PORTFOLIO

80 Best City Ambition - 2024 Update - Initial proposals

Further to Minute No. 37, 20th September 2023, the Director of Strategy and Resources submitted a report which presented the initial proposals for an update of the Leeds Best City Ambition and sought the Board's agreement to begin the associated formal consultation process including referral to the Strategy and Resources Scrutiny Board, as required by the Council's Budget and Policy Framework Procedure Rules.

In presenting the report, the Leader highlighted that the proposed update of the Best City Ambition had incorporated the findings from the LGA Peer Review follow up visit earlier in the year. Also, it was noted that the Ambition

looked to continue working in a co-ordinated way with partner organisations across the city, and whilst the Council and its partners may have less resources available, it was emphasised that the update would reflect that the vision and ambition for Leeds still remains.

A Member made enquiries about the criteria being used to monitor whether the aims set through the Best City Ambition were being achieved and how Leeds would measure whether it was progressing to become the best city that it could be. In response, further detail was provided, with it being noted that whilst it was felt that there was no single metric to evidence this, the use of the Social Progress Index, providing a group of indicators, would be key moving forward and would enable Leeds to benchmark progress against comparators. Specific examples of progress being made in Leeds were also highlighted such as statistics regarding job growth, progress towards net zero and the work being undertaken in relation to homelessness and rough sleeping.

RESOLVED –

- (a) That the Best City Ambition initial proposals, as presented within the submitted report be noted and that approval be given for the commencement of a public consultation exercise on those initial proposals;
- (b) That the Best City Ambition initial proposals be referred to the Strategy and Resources Scrutiny Board for consideration;
- (c) That it be noted that the Director of Strategy and Resources will, following consultation, be responsible for the production of the final Best City Ambition update proposals, scheduled to be received by Executive Board in February 2024.

(The matters referred to within this minute, given that they were decisions being made in accordance with the Budget and Policy Framework Procedure Rules, were not eligible for Call In, as Executive and Decision Making Procedure Rule 5.1.2 states that the power to Call In decisions does not extend to those decisions being made in accordance with the Budget and Policy Framework Procedure Rules)

81 Proposed Budget for 2024/25 and Provisional Budgets for 2025/26 and 2026/27 and Revenue Savings Proposals for 2024/25 to 2026/27
(A) Proposed Budget for 2024/25 and Provisional Budgets for 2025/26 and 2026/27

The Chief Officer Financial Services submitted a report presenting the initial proposals for the Council's 2024/25 budget, which subject to Executive Board's approval, was scheduled to be submitted to the respective Scrutiny Boards for their consideration and review, with the outcome of their deliberations being reported to Executive Board in February 2024, with the proposals also being made available for public and stakeholder consultation as part of a wider engagement process. In addition, the report invited the Board to note the Council's provisional budget position for 2025/26 and

2026/27, and also sought the Board's approval for Leeds to become a member of the 2024/25 Leeds City Region Business Rates Pool, should the application to form a pool be successful.

In presenting the report, the Leader noted that the initial budget proposals were being submitted to the Board ahead of the Government's forthcoming publication of the Local Government Finance Settlement.

In response to a specific enquiry regarding the total amount that the Council would be spending on debt in the next financial year, it was undertaken that confirmation of that sum would be provided to the Member in question.

Responding to a concern raised, Members received further information on the timeframes for the proposed consultation exercise. In considering this matter, the difficulties of conducting consultation over the Christmas period were acknowledged, however, it was highlighted that given the external timetable being worked to, the consultation period lasted as long as possible whilst at the same time accommodating the required lead in timescales for the February Executive Board and Council meetings.

RESOLVED –

- (a) That it be noted that the Proposed Budget for 2024/25, as presented in the submitted report is based upon the approval and delivery of £65.8m of directorate savings for 2024/25, £58.4m of which have been brought to this Board through the accompanying reports, '*Revenue Savings Proposals for 2024/25 to 2026/27*' at its October 2023 meeting and as part of today's agenda;
- (b) That agreement be given to consultation being undertaken on the Proposed Budget for 2024/25, which includes the proposed 2.99% increases in core Council Tax and the 1.99% increase in the Adult Social Care precept. Further to this, agreement be given for these budget proposals to be submitted to Scrutiny and for wider consultation with stakeholders;
- (c) That the provisional budget position for 2025/26 and 2026/27, as presented in the submitted report, be noted, with it also being noted that further savings proposals to address the updated estimated budget gaps of £60.6m and £46.1m for 2025/26 and 2026/27 respectively will be reported to future meetings of this Board;
- (d) That should the application to form a 2024/25 Leeds City Region Business Rates Pool be successful, approval be given for Leeds City Council to become a member of the proposed Pool and to act as lead Authority for it; with it being noted that the establishment of this new Pool will be dependent upon none of the other proposed member Authorities choosing to withdraw within the statutory period after designation.

(B) Revenue savings proposals for 2024/25 to 2026/27

Further to Minute No. 57, 18th October 2023, the Chief Officer Financial Services submitted a report presenting revenue savings proposals following ongoing review processes which continued to be undertaken across Council services. The proposals were presented as either 'Business as Usual' savings for the Board's information, with decisions to give effect to those being taken by the relevant Director or Chief Officer, or as 'Service Review' proposals, in which the report sought approval for consultation to commence, where required, with decisions to give effect to those proposals being taken by the relevant Director or Chief Officer following such consultation and taking account of the outcomes from it.

RESOLVED –

- (a) That the 'Business as Usual' savings, as presented within the submitted report, be noted, with it also being noted that decisions to give effect to them shall be taken by the relevant Director or Chief Officer in accordance with the Officer Delegation Scheme (Executive functions);
- (b) That agreement be given for consultation to commence, where required, on the 'Service Review' savings proposals put forward, with it being noted that decisions to give effect to them shall be taken by the relevant Director or Chief Officer, following any consultation period, in accordance with the Officer Delegation Scheme (Executive functions) and decision-making framework, save where the Leader or the relevant Portfolio Holder has directed, or the Director considers that the matter should be referred to Executive Board for consideration;
- (c) That with regard to the Service Review savings proposal, 'Thwaite Mills – closure of the facility and surrender of the release', agreement be given to delegate decisions required to implement the lease surrender to the Director of City Development;
- (d) That it be noted that the savings proposals for 2024/25, as presented in the submitted report, combined with the savings proposals brought to the Executive Board at its October 2023 meeting, support a draft balanced budget for 2024/25 and the Council's financial position for the following two years, as set out in the accompanying report elsewhere on the submitted agenda entitled, '*Proposed Budget for 2024/25 and Provisional Budgets for 2025/26 and 2026/27*';
- (e) That it be noted that further savings will be required to close the Council's estimated budget gap in the years 2025/26 and 2026/27, with it also being noted that proposals will be brought to future meetings of this Board.

(Under the provisions of Council Procedure Rule 16.5, Councillor A Lamb required it to be recorded that he abstained from voting on the decisions referred to within this minute)

(The resolutions referred to within Minute No. 81(A) (a), (b) and (c), given that these were decisions being made in accordance with the Budget and Policy Framework Procedure Rules, were not eligible for Call In, as Executive and Decision Making Procedure Rule 5.1.2 states that the power to Call In decisions does not extend to those decisions made in accordance with the Budget and Policy Framework Procedure Rules. However, the resolutions referred to in Minute No. 81(A) (d) and also 81(B) (a) – (e) were eligible for Call In, given that these were decisions not being taken as part of the Budget and Policy Framework Procedure Rules)

RESOURCES

82 Financial Reporting 2023/24 - Month 7 (October)

The Chief Officer Financial Services submitted a report which presented the Council's financial position as at the end of the first 7 months of the 2023/24 financial year. Specifically, the report reviewed the current position against the 2023/24 Budget and provided an update in respect of the Housing Revenue Account (HRA) and the Council Tax and Business Rates Collection Fund.

In presenting the report the Executive Member provided an overview of the key points which included the current forecasting of an overspend of £35.3m for the General Fund as at month 7 of the financial year.

In considering this, specific reference was made to the increased demand that continued to be experienced in services relating to Children Looked After. Regarding the national arrangements for the provision of funding for Local Authorities in this area, Members received an overview of the actions that continued in raising the Government's awareness of the issues being experienced across the sector. Also, the importance of the cross-party and collective approach being taken towards such matters was highlighted, with an undertaking that this dialogue would continue.

A Member highlighted concerns regarding the management of the budget pressures that continued to be felt within the Children and Families directorate. In response, the Board was assured that the management of this was the priority issue for the Council's leadership team and whilst the range of cross-directorate activity would continue to address the budgetary challenges faced wherever possible, the Council would continue to deliver its safeguarding responsibilities. It was also confirmed that appropriate political oversight of the actions being taken was in place. The scale of the challenge was emphasised, and as a result it was highlighted that the actions being taken were part of a wider approach towards the stabilisation of the directorate budget.

It was also reiterated that the challenges being faced in Leeds were not a result of the way in which such matters were being managed but were part of the impact felt nationally as a result of significant increases in demand and costs, together with the increased complexity of need that continued to be experienced. An overview of the key reasons for that increased demand was

provided together with examples of where significant increases in costs were being experienced.

RESOLVED –

- (a) That it be noted that at Month 7 of the financial year (October 2023) the Authority's General Fund revenue budget is forecasting an overspend of £35.3m for 2023/24 (6.2% of the approved net revenue budget) within a challenging national context, with it also being noted that a range of actions are being taken to address this position. However, that it also be noted that reserves will have to be used to mitigate any forecast overspend at the year end;
- (b) That it be noted that at Month 7 of the financial year (October 2023) the Authority's Housing Revenue Account is forecasting an overspend of £1.3m for 2023/24 (0.5% of the approved gross expenditure budget);
- (c) That it be noted that known inflationary increases, including demand and demographic pressures in Social Care, known impacts of the rising cost of living, including the NJC pay settlement of £1,925 and the JNC pay settlement of 3.5%, have been incorporated into the reported financial position, as submitted. That it also be noted that these pressures will continue to be reviewed during the year and reported to future Executive Board meetings as more information becomes available, and that proposals would need to be identified to absorb any additional pressures;
- (d) That it be noted that where an overspend is projected, directorates, including the Housing Revenue Account, are required to present action plans to mitigate their reported pressures and those of the Council's wider financial challenge where possible, in line with the Revenue Principles as agreed by Executive Board in February 2023 through the annual Revenue Budget report.

ECONOMY, CULTURE AND EDUCATION

83 Special Educational Needs and Disabilities (SEND) - Education, Health and Care Plans (EHCP) - Review Process - Update Report

Further to Minute No. 60, 18th October 2023, the Director of Children and Families submitted a report which provided an update on the work which had been undertaken since the initial report regarding the review into the assessment and provision of Education, Health and Care Plans (EHCP) in Leeds was considered by the Board in October 2023. Further to this, the report presented the planned activity to be undertaken as the next stage of the review process.

The Executive Member highlighted the significant rise in the number of children and young people applying for EHCPs together with an increase in the complexity of cases coming forward. The range of support being delivered to those children and young people with EHCPs was also highlighted, and it

was noted that the report presented the actions being taken in Leeds to address the challenges faced.

Responding to a specific enquiry, officers undertook to provide the Member in question with details of the cost of the related external review work which had been commissioned. Also, in response to an enquiry, further details were provided on the value of the outcomes arising from that piece of work, which in addition to enabling the direct involvement of partners including children and young people, parents and carers and other key stakeholders, it had also provided a clear and robust action plan to deliver the improvements required. Finally, it was emphasised that the external review had provided an independent perspective and enabled the Authority to gain access to specialist experience in this area.

In acknowledging the increased demand being experienced nationally, a Member sought further detail on the how Leeds had managed the EHCP process in the past and the extent to which that had impacted upon the current position. In response, the significant increase in demand and complexity of cases that Leeds had experienced both during and post-pandemic was reiterated, and it was acknowledged that this had affected the ability to meet the need which existed. However, it was noted that through the review work which had been commissioned and the associated actions being undertaken, the Council was determined to deliver the improvements required to ensure better outcomes for children and families.

RESOLVED –

- (a) That the proposed outline of future rapid review activity around the review of EHCP processes, as detailed within the submitted report, be noted;
- (b) That the need to ensure that the views and experiences of children, young people, parents and carers are at the heart of future arrangements, be endorsed;
- (c) That the proposed changes in process and compliance which are due to be delivered with a view to securing improvements in experience and service for children and young people, be endorsed.

DATE OF PUBLICATION: FRIDAY, 15TH DECEMBER 2023

LAST DATE FOR CALL IN OF ELIGIBLE DECISIONS: 5.00PM, FRIDAY, 22ND DECEMBER 2023