

EXECUTIVE BOARD

WEDNESDAY, 13TH MARCH, 2024

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

103 **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, 'District Heating Update – Investment Plans', referred to in Minute No. 108 be designated as being exempt from publication in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 and be considered in private. This is on the grounds that it contains information relating to the financial and/or business affairs of any particular person (including the authority holding that information). Specifically, the appendix contains commercially sensitive information regarding pricing structures for customers, and considerations of the impact of different options for revising tariffs on both customers and the Council. Disclosure of this information could 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 being exempt from publication, outweighs the public interest in disclosing this information.

104 **Late Items**

Late Item of Business entitled, 'Leeds Transformational Regeneration Partnership'

With the agreement of the Chair, a late item of business was admitted to the agenda entitled, 'Leeds Transformational Regeneration Partnership' within the 'Sustainable Development and Infrastructure' portfolio. This was due to the fact that the submitted report was in response to the recent Government announcement contained within the Spring Budget on 6th March 2024, and as such the report was not able to be included within the agenda as published on 5th March 2024. However, given the significance of this announcement, it was deemed appropriate for the matter to be brought to the attention of Executive

Board at the earliest opportunity. The report had been circulated to Board Members and published prior to the meeting. (Minute No. 115 refers).

105 Declaration of Interests

There were no Disclosable Pecuniary Interests declared at the meeting.

106 Minutes

RESOLVED – That the minutes of the previous meeting held on 7th February 2024 be approved as a correct record.

RESOURCES

107 Financial Reporting 2023/24 – Month 10 (January 2024)

The Chief Officer Financial Services submitted a report which presented the Council's financial position as at the end of the first 10 months of the 2023/24 financial year. Specifically, the report reviewed the current position against the 2023/24 Budget and also provided an update regarding 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 a General Fund overspend of £36.3m as at month 10 of the financial year. The Board noted that the Council's reserves together with the one-off refund of transport levy reserves received from the West Yorkshire Combined Authority would need to be used to help achieve a balanced position for 2023/24. It was also reiterated that directorates continued to be required to present action plans to mitigate against pressures within their respective service areas.

Responding to a specific enquiry, the Board received further detail and assurance on the actions that continued to be taken to monitor and mitigate against the financial pressures arising from the services delivered by the Children and Families directorate, which were via the established directorate action plan and associated governance arrangements. The ongoing key sources of financial pressures, including the rising cost of external residential placements, were also highlighted.

RESOLVED –

- (a) That it be noted that at Month 10 of the financial year (January 2024), the Authority's General Fund revenue budget is forecasting an overspend of £36.3m for 2023/24 (6.3% of the approved net revenue budget) within a challenging national context, with it also being noted that a range of actions are being undertaken to address this position;
- (b) That it be noted that at Month 10 of the financial year (January 2024), the Authority's Housing Revenue Account is forecasting a balanced position;
- (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 this 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 agreed by Executive Board in February 2023 through the annual Revenue Budget report.

CLIMATE. ENERGY, ENVIRONMENT AND GREEN SPACE

108 District Heating Update - Investment Plans

Further to Minute No. 28, 26th July 2023, the Director of Communities, Housing and Environment submitted a report presenting a further update on the progress of the Leeds PIPES district heating network and which also provided information on the policy context being developed around Heat Networks nationally. In addition, the report provided an update on the Council's successful application to the Green Heat Network Fund (GHNF) for the next phases of network extension, focussing upon the areas of Wellington Street and South Bank, and sought several approvals from the Board to progress both schemes.

In presenting the report, the Executive Member provided an overview of key points within it, including the recommended next steps for the scheme together with an update on the positive impact which it continued to make. In addition, the Executive Member extended their thanks to all officers involved in progressing the scheme to its current position.

Responding to a specific enquiry, the Board was advised of the actions which would be taken to minimise the level of disruption in the city centre arising from the proposed works, with the collaborative approach being taken with Highways around issues such as timeframes and routes being noted.

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 public part of the meeting, it was

RESOLVED –

- (a) That the entering into Grant Funding Agreements with the Green Heat Network Fund for both Wellington Street and South Bank schemes, be approved, with the related resolutions and approvals referenced below being noted;

- (b) That authority to inject £1.15m of commercialisation funding from the Green Heat Network Fund into the Capital Programme to support the development of the Wellington Street and South Bank schemes, be approved, and that authority to spend this same amount be approved, with it being noted that this is 100% grant funding;
- (c) That authority to award, including authority to procure, a contract for technical, commercial, and financial consultancy support to AECOM Ltd, to support the South Bank scheme, be approved, and in doing so, noting the justification outlined in the submitted report and in Appendix 3 (Procurement Strategy);
- (d) That authority to procure a legal contractor to support the South Bank scheme, in line with the procurement approach as outlined in Appendix 3 to the submitted report, be approved;
- (e) That the contract award decisions for the legal procurement be delegated to the Director for Communities, Housing and Environment;
- (f) That authority to award a contract to Vital Energi Utilities Ltd for the design and build of the Wellington Street extension, be approved;
- (g) That in noting the contents of exempt Appendix 1 to the submitted report, authority to spend of £6,755m from the Capital Programme be approved, which is funded by £2.561m of GHNF grant and £4.194m of borrowing, with it being noted that a decision on how the borrowing is funded will be taken by the S151 Officer;
- (h) That it be noted that an extension to Whitehall Road will be deferred, pending signed agreements being received from prospective customers on Whitehall Road, and further approval from Executive Board;
- (i) That it be noted that a further report will be submitted to Executive Board in due course specifically on the South Bank scheme, when sufficient work has been undertaken on the scheme to present the Board with a robust business case, to enable further investment decisions;
- (j) That authority to inject a maximum of £2,750,000 into the Capital Programme, funded with 100% grant funding from GHNF, be approved; and that authority to spend of this same amount for early construction works on the South Bank scheme in the Clarence Road area of the city, be approved.

109 Leeds Air Quality Strategy Report 2024

The Director of Communities, Housing and Environment submitted a report presenting the Leeds Air Quality Strategy report for 2024. The report provided an update on the range of work that continued to be undertaken in Leeds to improve air quality through mitigation projects, raise awareness of the issue

through communication and engagement, and illustrate how the Council continued to develop greater understanding around the sources of air pollution through improved monitoring and engagement with academics and research groups. The report noted that such actions were in line with the Council's Air Quality Strategy and followed the related White Paper Motion, as agreed by Full Council at its meeting in September 2023.

In presenting the report, the Executive Member highlighted that relevant data illustrates that air quality continues to improve in Leeds, and in doing so thanked Council officers together with residents of Leeds for their continued efforts in this area.

Members welcomed the submitted report, and the fact that air quality continued to improve in Leeds.

RESOLVED –

- (a) That the current air quality data and the historical trends which show improvement and healthier air in the city, be noted;
- (b) That the work which has been undertaken to ensure delivery on the 2021-2030 Air Quality Strategy, be noted;
- (c) That the Council's position, pursuant to the new World Health Organisation's air quality guidelines, be approved;
- (d) That the continuing multi-stakeholder collaborative approach across the city and region for action to address the direct impact of air pollution on health, such as the work of the Air Pollution Health Group, be supported;
- (e) That it be noted that the Chief Officer, Climate, Energy & Green Spaces, and the Director of Public Health will be responsible for any actions arising and the subsequent implementation of those actions.

HOUSING

110 Improving the private rented sector - consideration of further selective licensing schemes in the city

The Director of Communities, Housing and Environment submitted a report on proposals regarding the potential development of business case(s) for the establishment of further selective licensing scheme(s) in the city with respect to the five priority Wards of Armley, Beeston and Holbeck, Burmantofts and Richmond Hill, Gipton and Harehills, and Hunslet and Riverside.

By way of introduction, the Executive Member highlighted that this report followed the Board's prior approval in June 2019 of two selective licensing schemes in Beeston and Harehills which commenced in January 2020. It was noted that those schemes were scheduled to expire in January 2025 in line with the maximum duration of five years allowed for such schemes. The report evaluated the impact of those current schemes and proposed appropriate

next steps around the consideration of potentially establishing further selective licensing scheme(s) in the city with respect to the five priority wards listed.

Members received further detail on the positive impact that had been experienced through the current selective licensing schemes in Beeston and Harehills.

A Member made a specific enquiry regarding the level of metrics available from the current selective licensing schemes and requested that the relevant data relating to this matter be submitted to Scrutiny for consideration as part of the next steps process prior to being further considered by Executive Board. In response, further details were provided to the Board regarding the positive outcomes that had been achieved by the current schemes to date, and it was undertaken that the Member request for Scrutiny involvement would be taken on board as part of the next steps for this process.

RESOLVED –

- (a) That the development of potential business case(s) under Part 3 of the Housing Act 2004 for further selective licensing scheme(s) in respect of the five priority Wards of: Armley; Beeston and Holbeck; Burmantofts and Richmond Hill; Gipton and Harehills; and Hunslet and Riverside, be approved;
- (b) That the Board consider the matter again at a future date once the final business case(s) have been fully developed and agreed, in order to consider whether to designate any further selective licensing area(s) under Part 3 of the Housing Act 2004 or to request the Secretary of State to consider an application to do so if it meets the threshold for their approval;
- (c) That it be noted that the Director of Communities, Housing and Environment is responsible for the implementation of the resolutions detailed above.

ADULT SOCIAL CARE, PUBLIC HEALTH AND ACTIVE LIFESTYLES

111 Design and Cost Report: Kirkland's Autism Project

Further to Minute No. 114, 9th February 2022, the Director of Adults and Health and the Director of City Development submitted a joint report regarding the development proposals for the Kirkland's Autism Project, on Queensway, Yeadon in the Guiseley and Rawdon Ward. The scheme would provide a bespoke registered residential care home consisting of six one storey homes for adults with severe learning disabilities and complex autism. The report sought a number of approvals in order progress the project.

The Executive Member provided the Board with an overview of the proposals detailed within the submitted report and the key positive outcomes which would be delivered as part of such proposals.

Members welcomed the submission of the report and provided support for the proposals within it.

RESOLVED –

- (a) That the contents of the submitted report, be noted, together with the progress made so far on the Kirkland's Autism Project;
- (b) That an injection of £9.2m capital expenditure, be authorised and that the approval to spend also be authorised. Capital expenditure of £8.1m will be from departmental borrowing to develop a high quality, six-bed bespoke Registered Residential care home for adults with severe learning disabilities and complex autism who display behaviours which challenge services. The remaining expenditure will be funded by a capital grant from the NHS for £1.09m. The cost of borrowing will be funded by West Yorkshire Integrated Care Board;
- (c) That approval be given for the Director of City Development, under delegated powers, to progress the scheme to construction completion;
- (d) That the project team be authorised to enter into a construction contract with Kier Construction Ltd T/A Kier North and Scotland (Kier) to construct the Kirkland Autism Project;
- (e) That Leeds City Council be authorised to enter into a legal capital grant agreement with NHS England for the receipt of £1.09m to Leeds City Council, which will involve a Land Registry restriction around one highly specialised home to be built on a portion of the site;
- (f) That the necessary authority be delegated to the Director of Adults and Health under the scheme of officer delegation to grant approval for the authorisation to enter the legal capital grant agreement (as referenced above);
- (g) That the resolutions arising from this report, as detailed above, be exempted from the Call In process for the reasons as set out in paragraphs 39 to 43 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 (g) above, and for the reasons as set out within sections 39 - 43 of the submitted report)

112 Adults and Health Market Position Statement

The Director of Adults and Health submitted a report presenting the refreshed Adults and Health Market Position Statement (MPS) for Leeds, and which noted that the current version of the Leeds MPS had been published in 2019

and had required a full refresh in order to reflect the changes in both the health and care system and the adult social care market.

The Executive Member provided a summary of the key elements of the updated MPS for Leeds, noting that it provided an overview of the support and care services people need, the current provision available within a Local Authority area, and which identified potential commissioning opportunities for the care and support provider market. It was also noted that the MPS formed an important element of the Local Authority's duties in this area, as required through the Care Act 2014.

A Member sought further information and assurance regarding the reference within the MPS that 27 of the 97 registered homes in Leeds had a 'requires improvement' CQC rating. In response, the Board was provided with further information, with it being noted that the CQC currently had a significant inspection backlog as a result of the pandemic. However, assurance was provided on the actions being taken by the Authority, with it being noted that the Council's commissioning team had operated its quality and monitoring service throughout the pandemic and continued to do so, taking necessary actions as appropriate. It was also highlighted that following the pandemic, the service had returned to visiting homes in order to review them, and in doing so, worked with relevant partner organisations. Further assurance was provided to the Board that when appropriate, the Council would suspend its use of a care home for a period of time, whilst an action plan is established and improvements delivered.

RESOLVED –

- (a) That the contents of the Leeds Market Position Statement, as presented at Appendix 1 to the submitted report, be noted, together with the intention of the Director of Adults and Health to publish it;
- (b) That it be noted that the Director of Adults and Health is responsible for keeping the Leeds Market Position Statement up to date through undertaking regular reviews and revisions.

CHILDREN'S SOCIAL CARE AND HEALTH PARTNERSHIPS

113 Revised Special Guardianship Support Offer

The Director of Children and Families submitted a report providing information on the review undertaken into current regional policies for Special Guardianship arrangements, including financial support, which had been led by One Adoption West Yorkshire. It was noted that the purpose of such work was with the aim of encouraging all Local Authorities within the region to provide a more consistent offer of support to Special Guardianship families. The report presented proposals in terms of a revised recommended regional approach towards Special Guardianship Order (SGO) support and also regarding local arrangements specific to the Leeds offer.

By way of introduction to the report, Members received further information on the SGO process and details of the improved offer that was being proposed in

West Yorkshire along with the proposed offer specifically for Leeds. The significant benefits of the proposals were highlighted with Members also receiving information on the financial implications arising.

Members welcomed the proposals within the submitted report and noted that children and young people in SGO care benefitted from the increased permanence and stability that special guardianship arrangements provided.

Responding to a Member's enquiry, it was undertaken that clear communications would be delivered around the improved SGO offer for carers and also in relation to the overall benefits of SGO care for children and young people.

The Board discussed the rising cost of external residential placements for children and young people. It was emphasised that action needed to be taken nationally to address this issue and that representations to Government needed to continue. However, the approach being taken in Leeds to mitigate the impact of such matters was acknowledged. Responding to Members' comments and following the Board's agreement, the Chief Executive, who is a member of the Children's Social Care National Implementation Board, undertook to write to the Minister for Children, Families and Wellbeing to express Executive Board's concerns regarding such matters.

RESOLVED –

- (a) That the recommendations, as set out within the submitted report, be approved, the first of which are aligned with the recommended regional approach in relation to SGO support, as follows:-
- Where children have been Looked After immediately prior to the SGO being made, carers will receive non means tested financial support (minus child related benefits) until the child is aged 18 years of age.
 - Where children have not been Looked After immediately prior to the SGO being made, carers will receive means tested financial support.
 - Where children have not been Looked After immediately prior to the SGO being made and carers are already in receipt of a means tested benefit, they will receive non means tested financial support.
- (b) That the recommendations, as set out within the submitted report, regarding local arrangements specific to the Leeds offer for special guardianship orders, be approved. These being:-
- Where children have been Looked After immediately prior to the SGO being made and remain with their special guardianship carers post 18, they will continue to get post 18 financial support, aligned with the current rates paid to care leavers as part of the councils 'staying put' policy.
 - That revised policies and procedures are put in place along with service training to set out the local authority's special guardianship support arrangements.

LEADER'S PORTFOLIO

114 Level 4 Devolution for West Yorkshire

The Director of Strategy and Resources submitted a report which provided an update on the opportunity to apply under the Government's recently published Devolution Framework for a Level 4 devolution deal for West Yorkshire. The report summarised the offer from Government and sought ratification of the Council's support for the Combined Authority's application for Level 4 devolution.

In considering the report, a Member highlighted the need to ensure that as part of the process moving forward, consideration was given to avoiding the potential duplication between the Local Authorities and the Combined Authority.

Responding to a specific enquiry regarding the potential future use of the Mayoral precept, it was noted that the Mayoral precept had not been used to date. It was also noted that to do so would require a comprehensive consultation process on a specific proposal, which it was highlighted was not a process being undertaken at present.

RESOLVED –

- (a) That the recent publication of the Government's Level 4 Devolution Framework which sets out guidance and the powers and flexibilities on offer through a Level 4 Devolution Deal together with the associated readiness conditions, be noted;
- (b) That the partnership work in West Yorkshire to consider the opportunities presented through further devolution, be noted, together with the activity undertaken to develop the West Yorkshire response, including the refreshed partnership principles;
- (c) That Executive Board formally ratifies the Council's support for the Combined Authority's application for Level 4 devolution.

SUSTAINABLE DEVELOPMENT AND INFRASTRUCTURE

115 Leeds Transformational Regeneration Partnership

The Director of City Development submitted a report which presented a proposal for the Council to enter a long-term Leeds Transformational Regeneration (LTR) Partnership with the Government, Homes England (the Government's national housing and regeneration agency) and West Yorkshire Mayoral Combined Authority to support a 10-year programme of change and investment focused on central Leeds.

With the agreement of the Chair, the submitted report had been circulated to Board Members and published as a late item of business prior to the meeting for the reasons as detailed in Minute No. 104.

In introducing the report, the Executive Member highlighted the fast paced nature of the partnership working which had been undertaken, with it being noted that the report was being submitted following a recent Government announcement at the Spring Budget of 6th March 2024. The range of regeneration opportunities that this partnership arrangement presented were highlighted and the commitment provided by Government was welcomed. The key elements of the proposals were noted, and it was undertaken that appropriate consultation would be conducted with communities and stakeholders during the development of proposals.

Members welcomed the proposals and acknowledged the effective collaborative working with Government and other partners, alongside the progress made by officers which had enabled the scheme to be developed to its current position.

RESOLVED –

- (a) That it be agreed that the Council enters into the Leeds Transformational Regeneration Partnership on the basis as set out within the submitted report, and that progress on the partnership and its activities be reported to the Board annually;
- (b) That the commitment of revenue funding from Government to support the Council in developing and delivering an LTR work programme, be welcomed;
- (c) That the capital grant commitments made by Government, as set out within the submitted report for City Partner projects, be welcomed, and that it be agreed that a future report be submitted to Executive Board to consider the detailed implications for the Council, including its continued role in supporting the development ambition for Temple Works;
- (d) That the necessary authority be delegated to the Director of City Development to enable the Director, in consultation with the Executive Member for 'Sustainable Development and Infrastructure', to take decisions relating to the Council's contribution to the design and delivery of the LTR implementation plan and delivery programme.

DATE OF PUBLICATION: FRIDAY, 15TH MARCH 2024

LAST DATE FOR CALL IN OF ELIGIBLE DECISIONS: 5.00PM, FRIDAY, 22ND MARCH 2024