

EXECUTIVE BOARD

WEDNESDAY, 18TH APRIL, 2018

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

170 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 3 to the report entitled, 'Acquisition of Albion House, No. 1 Rawdon Park for Council Office Accommodation', referred to in Minute No. 180 is designated as exempt from publication in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972 on the grounds that it contains information relating to the financial or business affairs of a particular person and the Council. This information is not publicly available from the statutory registers of information kept in respect of certain companies and charities. It is considered that since this information relates to a financial offer that the Council has submitted to purchase the property in a one to one negotiation 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 in that prospective purchasers of other similar properties would have access to information about the nature and level of consideration which may prove acceptable to the Council. 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 outweighs the public interest in disclosing this information at this point in time.

171 Declaration of Disclosable Pecuniary Interests

There were no Disclosable Pecuniary Interests declared at the meeting.

172 Minutes

RESOLVED – That the minutes of the previous meeting held on 21st March 2018 be approved as a correct record.

HEALTH, WELLBEING AND ADULTS

173 The Leeds Learning Disability Partnership Board 'Being Me' Strategy (2018-2021)

The Director of Adults and Health submitted a report setting out the recent work undertaken by the Leeds Learning Disability Partnership Board in developing the refreshed *Being Me* strategy (2018 – 2021), and presented the refreshed strategy for the purposes of the Executive's consideration, comment and endorsement.

Councillor Ogilvie, co-chair of the Leeds Learning Disability Partnership Board and Kath Linley representing the third sector, were in attendance at the meeting in order to present the key principles and priorities of the strategy, and to request that the Board support the promotion of the strategy.

Members welcomed the strategy and thanked all of those who had contributed towards the compilation of it, acknowledged that it was a living document which would continue to evolve and also emphasised the aim of the strategy which was to help those with learning disabilities to realise their potential and live full, active and independent lives.

Responding to a Member's enquiry, the Board was provided with further information on the ways in which the strategy was aligned and worked in partnership with other strategies, such as the Better Lives Strategy and the Health and Wellbeing Strategy.

In conclusion, the Chair extended her thanks and paid tribute to Councillor Adam Ogilvie, who was standing down as a Councillor at the forthcoming local election, for all of the work he had undertaken during his time as an Elected Member of Leeds City Council.

RESOLVED –

- (a) That the comments made during the Board's discussion, be noted, and that the draft refreshed *Being Me* strategy, as appended to the submitted report, be endorsed;
- (b) That it be agreed that the strategy will be published in spring 2018;
- (c) That it be noted that the Director of Adults and Health is responsible for the implementation the above resolutions.

CHILDREN AND FAMILIES

174 Children and Families inspections update including outcome of the Ofsted focused visit on services for children looked after

The Director of Children and Families submitted a report providing an update on the process and positive outcome of the most recent Ofsted focused visit to Leeds under the new Inspection of Local Authority Services (ILACS) framework. In addition, the report also provided an overview of all the inspection frameworks that the Children and Families directorate and partners were currently subject to, and detailed the further work proposed in order to continue to develop services and support for children looked after and care leavers.

Responding to a Member's enquiry regarding the inspector's comments on Personal Education Plans (PEPs), the Board received further information and assurance on the work that was being undertaken to continue the development of PEP provision in Leeds.

Also in response to a Member's enquiry, the Board was provided with an update on the actions being taken to respond to the inspector's recommendations arising from the Special Educational Needs and Disabilities (SEND) inspection which was carried out in 2016.

In conclusion, Members highlighted the Council's commitment to the continued development and improvement of the services provided by the Children and Families directorate in Leeds, and emphasised how the inspector's comments together with ongoing partnership working were key to achieving this goal. In addition, the importance of this Ofsted inspection outcome was acknowledged, whilst the Chair, on behalf of the Board, extended her thanks to all of those who had contributed to it.

RESOLVED –

- (a) That the unique pressures of the inspection regimes that the Children and Families directorate is subject to, be acknowledged, together with the potential reputational and financial risks inherent in every inspection;
- (b) That the positive findings of Leeds' most recent Ofsted ILACS focused visit on services and support for children looked after, be noted as a further contribution towards the positive national and international reputation of Leeds within the children's social work sector;
- (c) That endorsement be given to the proposed direction of travel for the further review of, and improvements to services for children looked after and care leavers, with it being noted that such actions will be led by the Head of Service for Children Looked After;
- (d) That the development of the new strategy under the leadership of the Head of Service for Children Looked After be supported, with support

also being provided for the Corporate Parenting Board to lead on such work in order to ensure its successful implementation.

COMMUNITIES

175 Endorsement of the Compact for Leeds 2017

The Director of Communities and Environment submitted a report which sought endorsement of the Compact for Leeds 2017 together with supporting Codes of Practice on Commissioning and Working Together, and which looked to secure the Board's support around the promotion and implementation of the Compact.

Responding to a Member's enquiry, the Board's attention was drawn to details within the submitted report which illustrated how the Council's investment levels in the third sector had increased over recent years.

The Board highlighted the fundamental role played by the third sector in Leeds, with emphasis being placed upon the key relationships which continued to be developed between the Council, partner organisations and the third sector across the city.

In response to a Member's comments regarding the Compact and its relationship with the Commission for Local Government, it was highlighted that the third sector's key role in the development of civic enterprise would be considered in further detail as part of the Commission's refresh, with it also being highlighted how the principles of the Commission were embedded within the aims of the Compact.

RESOLVED –

- (a) That the Compact for Leeds 2017, together with the supporting Codes of Practice, be endorsed and formally adopted by Leeds City Council;
- (b) That the Executive Member for Communities, Leeds City Council Directors and the Operational People's Commissioning Board be requested to support the continued and further development of a thriving third sector, enabling staff to implement and work within the spirit and practice of the Compact and the associated Codes, and to contribute towards the evaluation of their impact.

ENVIRONMENT AND SUSTAINABILITY

176 Corporate Fleet Replacement Programme

The Director of Resources and Housing submitted a report which presented details of the proposed fleet replacement strategy, how the Council would look to ensure that its own fleet was compliant with the proposed Clean Air Zone (CAZ) by January 2020, how the Council intended to realise its own ambition to make its fleet ultra-low emission by 2025, and which also set out the costs associated with the fleet replacement programme for the 2018/19 financial year.

Responding to a Member's enquiry, the Board received further information on work being undertaken as part of the associated business case for the corporate fleet replacement programme with the aim of striking an appropriate balance between managing the cost impact upon the Council, whilst at the same time 'future proofing' the programme so that wherever possible the Council's fleet adhered to compliance levels beyond 2020.

In addition, Members also received further information on the work being undertaken to explore available options regarding the use of alternative fuels, and how this linked into the Council's proposals regarding an alternative fuel station.

Emphasis was placed upon the collaborative work being undertaken with the Local Government Association, other local authorities, the Department for Environment, Food and Rural Affairs (DEFRA) and the market in the development of this agenda, whilst it was highlighted that representations were being made to DEFRA around the need for further detail to be provided on the longer term requirements in respect of vehicle emissions and air quality.

In conclusion, the Chair highlighted that this would be the final Executive Board meeting of Councillor Lucinda Yeadon, Deputy Leader and Executive Member for Environment and Sustainability, prior to her standing down as a Councillor at the forthcoming local election. The Chair extended her thanks and paid tribute to Councillor Yeadon for all of the work that she had undertaken across a number of portfolios during her time as an Elected Member of Leeds City Council.

RESOLVED –

- (a) That the expenditure of £14.7m for the fleet replacement programme in 2018/19 financial year be approved in order to ensure compliance with the introduction of the CAZ by January 2020;
- (b) That the necessary authority be provided in order to enter into a procurement exercise for a supplier of vehicles to the Council for a four year period, in order to cover those vehicles as contained within the submitted report;
- (c) That it be noted that a further report will be submitted to Executive Board in the Spring of 2019 in order to seek approvals for the proposed 2019/20 fleet replacement programme;
- (d) That the development and implementation of the Fleet Replacement Strategy, as detailed within section 3 of the submitted report, be noted.

EMPLOYMENT, SKILLS AND OPPORTUNITY

177 Improving Careers Education - Adoption of a Young Person's Information, Advice and Guidance Charter for Leeds

The Director of City Development and the Director of Children and Families submitted a joint report which presented a proposed Information Advice and Guidance (IAG) Charter for Young People in Leeds for the purposes of consideration and adoption. In addition, the report also provided the associated Inquiry report of the Scrutiny Board (Inclusive Growth, Culture and Sport) for Members' consideration.

The Board welcomed the work which had been undertaken by the Scrutiny Board (Inclusive Growth, Culture and Sport) as part of the Board's inquiry into IAG provision in Leeds.

Members highlighted the importance of ensuring that young people had access to independent advice in respect of careers, so that they were able to make informed choices regarding their future. In addition, Members discussed the national context with regard to IAG provision, how this impacted upon the level of service provided and the implications for the local authority in the delivery of such provision.

Responding to a Member's enquiry, the Board received further information on the actions which were being taken and proposed to be taken to promote and implement the Charter, and also how progress being made in this field would be monitored, reviewed and quantified.

In conclusion, Members looked forward to receiving update reports in the future which provided information on the impact being made by the Charter.

RESOLVED –

- (a) That Recommendation 3 of the Scrutiny Board (Inclusive Growth, Culture and Sport) Inquiry Report (as appended to the submitted report): *'that the Executive Board supports the development of a Young Person's IAG Charter for Leeds to foster a sense of entitlement and expectation from young people, and those who influence them, of what careers IAG should be provided to them'*, be agreed;
- (b) That the implementation of the Charter be endorsed, together with its promotion to young people and the ongoing monitoring of its impact;
- (c) That it be noted that the Head of Employment Access and Growth is the officer responsible for the implementation of such matters.

RESOURCES AND STRATEGY

178 Financial Health Monitoring 2017/18 - Provisional Outturn

The Chief Officer, Financial Services, submitted a report which set out the Council's projected financial outturn position for 2017/18. In addition, the

report reviewed the position of the budget and highlighted the key variations which had determined the projected outturn position.

In response to a Member's questions regarding the reimbursement of £7.3m from HMRC of sport VAT income following a legal ruling regarding sports admission charges, the Board was provided with further information on the timescales as to when the Council began classifying the relevant charges as being exempt from VAT, and when the Council's retrospective claim was submitted to HMRC. Linked to this, it was noted that the reimbursement from HMRC was not included within the 2018/19 budget proposals, as the Council were not sufficiently certain of the outcome of the retrospective claim at the time at which the 2018/19 budget was considered.

In addition, the Board was advised that although the annual sums arising from this matter were not included within the original 2017/18 budget, they were included within the directorate's year end budget projections once the outcome of the related London Borough of Ealing versus HMRC court case was known in June 2017.

Members noted that there was no reason to suggest that there should be any liability upon the Council to provide rebates to customers in this instance, although it was also noted that many Bodyline charges had been recently reduced.

Also, responding to a Member's enquiry on how the reimbursement from HMRC was proposed to be utilised, the Board discussed the factors which were taken into consideration when determining such matters, and how any such actions needed to be consistent with the Council's medium term financial strategy.

In conclusion, the Board extended its thanks to the Council's tax team, whose foresight and hard work had enabled the Council's claim to be successfully backdated to June 2012.

RESOLVED –

- (a) That the Authority's provisional outturn position for 2017/18, as detailed within the submitted report, be noted;
- (b) That the creation of a £0.7m earmarked reserve for the purposes of contributing towards addressing the backlog maintenance requirements at the Council's sports facilities, be approved;
- (c) That the transfer of the balance of the backdated Sports admissions VAT receipt to the Council's general reserve, be approved;
- (d) That the receipt of a letter from the Ministry of Housing, Communities and Local Government (MHCLG) informing the Council of a £1.1m error in the calculation of the S31 business rate grant for 2018-19, be noted, together with the intention to write to the Minister in response.

179 Health, Safety and Wellbeing Performance and Assurance Report

The Director of Resources and Housing submitted a report which reviewed the Council's performance on health, safety and wellbeing for the period April 2016 to December 2017. In addition, the report detailed the improvements which had been made during this period and provided information on the challenges ahead.

RESOLVED – That the contents of the submitted report be noted, whilst it also be noted that a proportionate approach towards risk management within the Council continues to be applied.

REGENERATION, TRANSPORT AND PLANNING

180 Acquisition of Albion House, No.1 Rawdon Park, for Council Office Accommodation

The Director of City Development submitted a report which sought approval to acquire Albion House, No. 1 Rawdon Park, in order to support the sale of Micklefield House plus associated buildings, and to also provide fit for purpose office accommodation in the outer northwest area of the city.

Following the consideration of Appendix 3 to the submitted report designated as exempt from publication under the provisions of Access to Information Procedure Rule 10.4 (3), which was considered in private at the conclusion of the meeting, it was

RESOLVED –

- (a) That the acquisition of Albion House on the terms as identified within exempt appendix 3 to the submitted report, including the financial business case as set out within that appendix, be approved;
- (b) That the necessary authority be delegated to the Director of City Development in order to enable the Director to agree the final detailed terms of the acquisition;
- (c) That the injection into the capital programme of the sums as identified within exempt appendix 3 to the submitted report, be approved, and that approval also be given to provide 'authority to spend' the monies, as required;
- (d) That it be noted that the Head of Asset Management is responsible for the proposed acquisition, as detailed within the resolutions above.

DATE OF PUBLICATION: FRIDAY, 20TH APRIL 2018

**LAST DATE FOR CALL IN
OF ELIGIBLE DECISIONS:** 5.00 P.M., FRIDAY, 27TH APRIL 2018

(Scrutiny Support will notify Directors of any items called in by 12.00noon on Monday, 30th April 2018)